

This was a nation built by ardent advocates of popular and unpopular causes. In each generation, they triumph over the detractors who shrug in hopeless resignation, and the

sloganeers of puerile obscenities, and the bookburners who try to destroy the ideas they cannot discuss.

Let us join the "happy warriors of the

political battlefield," discovering new depths of loyalty in opposition, new heights of unity in our diversity, and a new spirit of respect for each other's point of view.

SENATE—Wednesday, June 17, 1970

The Senate met at 11 a.m. and was called to order by Hon. JAMES B. ALLEN, a Senator from the State of Alabama.

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

Let the words of our mouths and the meditations of our hearts, be acceptable in Thy sight, O Lord, our strength and our redeemer.—Psalms 19:14.

Grant, O Lord, that our speech this day may arise from hearts in tune with Thy spirit. By prayer and meditation may our lives glow with a divine radiance and our actions be in harmony with Thy will. When the evening comes may we have the divine approbation of the ancient words, "Well done, good and faithful servant." In Thy holy name we pray. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. RUSSELL).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., June 17, 1970.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JAMES B. ALLEN, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,
President pro tempore.

Mr. ALLEN thereupon took the chair as Acting President pro tempore.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries, and he announced that on June 15, 1970, the President had approved and signed the following acts:

S. 614. An act for the relief of Franz Charles Feldmeier; and

S. 1786. An act for the relief of James Harry Martin.

EXECUTIVE MESSAGES REFERRED

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

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

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of

the Journal of the proceedings of Tuesday, June 16, 1970, be dispensed with.

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

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the conclusion of the remarks of the distinguished Senator from Ohio, there be a period for the transaction of routine morning business with a time limitation of 3 minutes on statements.

The PRESIDING OFFICER (Mr. RIBICOFF). Without objection, it is so ordered.

ORDER OF BUSINESS

The PRESIDING OFFICER (Mr. RIBICOFF). Under the previous order, the distinguished Senator from Ohio is now recognized for not to exceed 30 minutes.

Mr. MANSFIELD. Mr. President, will the Senator from Ohio yield to me without losing his right to the floor or any of the time allocated to him?

Mr. YOUNG of Ohio. I am happy to yield to the Senator from Montana.

ADJUSTMENT OF OUTSTANDING CURRENCY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 930, S. 3825.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. S. 3825, to authorize further adjustments in the amount of silver certificates outstanding, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3825

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act of June 24, 1967 (31 U.S.C. 405a-2), is amended by inserting a comma and the words "Federal Reserve bank notes, and national bank notes" immediately after "silver certificates" wherever the term appears and by striking out "(not exceeding \$200,000,000 in aggregate face value)".

AMENDMENT OF THE FEDERAL CIVIL DEFENSE ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consideration of Calendar No. 937, H.R. 16731.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. H.R. 16731, to amend the provisions of title III of the Federal Civil Defense Act of 1950, as amended.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which was ordered to be engrossed for a third reading, was read the third time, and passed.

TOURS OF DUTY IN HOSTILE FIRE AREAS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 936, H.R. 16298.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 16298) to amend section 703 (b) of title 10, United States Code, to extend the authority granting a special 30-day leave for members of the uniformed services who voluntarily extend their tours of duty in hostile fire areas.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. 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. On line 5, strike the numeral "1971" and insert "1972."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Montana.

The amendment was agreed to.

Mr. MANSFIELD. Mr. President, as an explanation, at the request of the distinguished chairman of the Armed Services Committee, after the companion Senate bill was passed the other day, it was reconsidered because there was a difference in the date. We waited for the House bill to come over. The dates are now in accord and the pending bill has been cleared on both sides.

The PRESIDING OFFICER. The question is on engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 16298) was read the third time and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendars Nos. 927 and 928 be indefinitely postponed.

The PRESIDING OFFICER (Mr. RIBICOFF). Without objection, it is so ordered.

OUR NATIONAL STOCKPILING POLICY SHOULD BE REVIEWED AND MANY STOCKPILED MATERIALS BE SOLD—LET US DO SOMETHING FOR THE TAXPAYERS

Mr. YOUNG of Ohio. Mr. President, as a member of the Subcommittee on National Stockpile and Naval Petroleum Reserves of the Armed Services Committee, I have participated in all subcommittee meetings. I am thoroughly familiar with the need for stockpiling strategic materials.

However, the fact is that the present program of stockpiling strategic materials to guard against possible future shortages is staggering. Indeed, it is almost beyond comprehension. Storage depots and warehouses throughout the Nation are filled to overflowing with items costing the taxpayers more than \$7 billion. Storage alone costs the American people more than \$14 million a year.

Many of the materials being stockpiled against possible future shortages are metals with some conceivable importance, such as copper, manganese and tin. Many others, such as synthetic rubber purchased at high prices and then stored for 15, 20, and 25 years are of very little value at the present time. There is no real market for these materials and many of them have so deteriorated in quality as to be totally useless.

Mr. President, surely every sensible citizen should reject the judgment of some pompous know-it-all official in the Pentagon who has directed the careful stockpiling of \$13 million worth of waterfowl feathers and down as necessary for the future defense of our country.

Four years ago officials in charge of this stockpile program wisely decided that the huge stockpile of feathers and down then being accumulated was ridiculous. They ordered 9 million pounds of the stuff sold. Fearful that the feather merchants would be disturbed if such an amount were released on the open market, the Defense Department then purchased all 9 million pounds.

As a result, 20,000 bags of feathers, mostly goose feathers in bags weighing 50 pounds each, have been placed in defense depots and warehouses in hush-hush secret locations in various parts of the country, along with 100,000 bags of down.

A Pentagon official when asked about this replied:

It is important that the bags be spread out to different warehouses. After all, if the Chinese suddenly drop a bomb we might lose all our feathers at once.

One Senator who heard this responded, "God Almighty, are you really serious?"

Just how serious the matter is was explained by Information Officer Carl Gidlund of the Office of Emergency Preparedness, which determines the kind and quantity of materials to be stockpiled. Gidlund has said that stockpiles of feathers and down are needed because during wartime domestic sources could not provide enough and foreign supplies might not be available. Pointing out that the feathers and down are for military

use only, he said that they are "the most satisfactory material for sleeping bags in cold climate areas."

The stuff is also used in pillows, in casualty evacuation bags such as those used in Vietnam, and in arctic-type combat clothing, according to Gidlund who further stated:

If we have to fight an all-out arctic war, this stockpiling would be the main source of clothing for our troops.

In other words some lamebrain in the Pentagon envisages our invasion and waging war in the vast region around the South Pole or in the region above the North Slope and the Arctic Circle. No one in the Pentagon has yet suggested what all-out arctic war our Nation might become engaged in during the coming years, should we finally extricate ourselves from Cambodia, Laos, and Vietnam.

According to the latest stockpile report to Congress, Gidlund's agency has provided for the storage of 1,482,000 pounds of feathers and 2,073,466 pounds of down. The Government, that is to say the taxpayers, paid \$8.6 million for the down and \$6.15 million for the feathers. Their market value now is \$10.4 million and \$2.1 million, respectively. This represents a net loss to the American people of \$2.2 million. In addition, it costs more than \$50,000 a year to store this supposedly important item.

President Nixon has to date done nothing to substantially reduce the staggering national stockpile. It is interesting to note that one argument often used in defense of the program is that to sell these materials on the open market would drive the price down and cause huge losses to private commercial dealers. However, under President Johnson \$3 billion of tin and other materials were sold on the open market, and yet the cost of tin and other items has risen since that time.

So much for the clamor on the part of some stupid bureaucrat that selling stockpiled materials on the market would unsettle it and cause losses. Indeed, perhaps President Nixon could move toward balancing the budget by selling some of those feathers, unless of course he claims such action might endanger the defense of the Nation.

WE AMERICANS SHOULD LEAD IN OUTLAWING POISON GAS AND BIOLOGICAL METHODS OF WARFARE

Mr. YOUNG of Ohio. Mr. President, in 1925 the United States took the lead in drafting the Geneva convention, banning the use in war of all poisonous gases and biological methods of warfare. This was signed by the United States, but it has never been ratified by the Senate. After debate on the Senate floor, which revealed strong opposition by veterans' organizations and chemical manufacturers, the treaty was referred back to committee.

To date, 84 nations including virtually all the technologically advanced powers have ratified or acceded to the Ge-

neva convention. It is a stain on our national conscience that the United States stands almost alone among the powers of the world in failing to become a signatory to the Geneva Convention To Outlaw Poisonous Gas and Biological Methods of Warfare.

On November 25, 1969, President Nixon announced that he would submit the convention to the Senate for its advice and consent to ratification. The President, to this good hour, has failed to do so.

The truth is that President Nixon has failed to submit the Geneva convention because our Chief Executive has persisted in allowing American troops to use deadly defoliants in that immoral, undeclared, and unpopular war we are waging in Indochina. Indeed, when he announced several months ago that we would not use certain chemicals in war unless they were first used against us, tear gases, herbicides, and defoliants were exempted from the ban.

The main political committee of the General Assembly of the United Nations rejected President Nixon's position decisively. Overriding vigorous opposition from the U.S. delegate, it voted 58 to 3 with 35 abstentions that the Geneva convention include and ban "the use in international armed conflicts of any chemical agents of warfare." Only Australia and Portugal voted with the United States.

On December 5, 1969, the World Health Organization condemned the use in war of defoliants and tear gases, citing the defoliants as "possible causes of birth defects in children." The fact is that millions of acres of arable land in South Vietnam have been ruined by poison gases sprayed since 1961—for almost 10 years—by American warplanes and helicopters. Through use of defoliants, we have ravaged and destroyed almost 5 million acres of land in South Vietnam for generations yet to come, an area about the size of Massachusetts, 12 percent of the entire area of South Vietnam. By the end of this year, more than 23 million gallons of defoliants will have been sprayed in Vietnam, and most of that in South Vietnam.

Often lost amid the statistics of our war dead and wounded and those of the Vietcong and North Vietnamese is the fact that more than a half million Vietnamese civilians—women, children, and old men—have been killed or maimed for life by our artillery, our napalm bombing, and our use of chemical defoliants.

Four newspapers in South Vietnam printed stories and pictures last summer of deformed babies born in villages sprayed by Americans with the chemical 2,4,5-T. The newspapers were promptly closed down by the Thieu government for "interfering with the war effort."

This chemical, along with other herbicides and defoliants was developed by the army at Fort Dietrick, Md.

Just how high an "offensive potential" this chemical warfare had was not really known until 1966 when, for the first time the National Institutes of Health commissioned tests on pregnant animals.

This study showed that severe mal-

formation of offspring occurred in rats at the rate of 39 percent—as against a normal rate of 10 percent—when they were given a small dose. When this dose was increased to the level a Vietnamese woman might ingest in a few days in her drinking water, the rate of fatal malformation rose to 90 percent and beyond. Nearly every child, at least nine out of 10, born to a Vietnamese woman would be malformed at the time of birth.

Whether the rate of human malformation from contact with this chemical is greater or less than with the rats is, of course, unknown. In the case of Thalidomide, it turned out to be greater.

Defoliation operations in Vietnam are carried out by squadrons of specially equipped C-123 cargo planes, each with tanks capable of holding a thousand gallons of herbicides. The official code name for the program is Operation Hades, but a more friendly code name, Operation Ranch Hand, is used. Operation Hades is a better name for it.

It is a shameful thing that we are perpetuating this sort of warfare in South Vietnam and now in Cambodia and Laos.

When I was in South Vietnam in early 1968 for nearly a month and a half as a representative of the Senate Committee on Armed Services, I personally witnessed the horrible effects of our defoliation program and of our napalm bombing of villages and hamlets in South Vietnam. I saw in hospitals and elsewhere little children without arms or legs horribly burned or in any of many other ways tragically maimed for life.

As an American, it caused me feelings of shame that we had done those outrageous things contrary to the mandate of the Geneva Convention banning chemical and biological warfare, though President Nixon could say, as Commander in Chief of our Armed Forces, "Well, we never ratified that mandate of the Geneva conventions."

The President should immediately submit the Geneva convention to the Senate for ratification. There is no longer any valid reason whatever for the United States to continue to ignore this most basic and fundamental document, the most important existing treaty banning the use of chemical and biological weapons. We should put ourselves squarely on record in favor of limiting the use of lethal gases and deadly defoliants in international warfare.

WE CONTINUE TO SUBSIDIZE THE WEST GERMAN ECONOMY BY MAINTAINING ARMED FORCES IN WESTERN EUROPE

Mr. YOUNG of Ohio. Mr. President, with the Nation suffering from uncontrolled inflation and the ever-increasing cost of living, the United States continues to maintain 320,000 troops and nearly 290,000 dependents in Western Europe, thereby subsidizing the booming economy of West Germany and the other NATO nations.

The time is long past for the United States to awaken to the fact that the nations of Western Europe no longer suffer from the economic prostration, military weakness, and political insta-

bility that characterized them when their cities and industries were lying in rubble more than a quarter of a century ago.

The fact is that the real protection of Western Europe is provided by the American nuclear umbrella, not excessive numbers of ground troops. The United States has 656 missiles in Polaris submarines, more than 1,200 ICBM's and some 650 intercontinental bombers all ready to defend Western Europe. Furthermore, we could land a division in Western Europe and field them, totally ready for combat, in less than 48 hours.

It is ridiculous to believe that the 280 million people of Western Europe with tremendous industrial resources and long military experience are incapable of providing for their own defense against any real or imagined threat of aggression from the Soviet Union.

There is no reason for Europe to depend on us. Since the death of Stalin, the Soviet Union no longer aggressively threatens our NATO allies. In fact, they have withdrawn divisions of troops from Eastern Europe and placed them along the borders of Mongolia.

Russia is no longer a have-not nation. The leaders of the Kremlin during the past 10 years have been intent on raising the standard of living of their own people.

The monolithic Communist conspiracy which has served as the excuse for so many of our foreign policy blunders no longer exists, if indeed it ever did. The nations of Eastern Europe are far from ideological robots subject to remote control from Moscow. Very definitely, Hungary, Yugoslavia, and Rumania are not dependent on the Soviet Union nor are they, in fact, satellites of the Soviet Union. Rather, they are now nationalist Communist countries pursuing their own manner of socialism. They are not satellites of Communist China or the Soviet Union.

At present, more than 220,000 American troops are stationed in West Germany alone. West Germany has become an economic superpower, the third wealthiest nation in the world. The West German mark is one of the world's strongest currencies. Most international bankers consider the West German mark to be more sound than the American dollar. However, while our own economy plummets and West Germany's soars, we are paying 70,000 German nationals one-quarter of a billion dollars of American taxpayers' money to provide services for our troops stationed in the West German Republic. This does not include the vast sums spent in Germany by hundreds of thousands of dependents of American servicemen.

The truth is that we have supported the Government of West Germany economically and militarily since the end of World War II, more than 25 years ago. There is no reason whatever for us to continue this foreign aid in disguise.

Mr. President, Americans should know that the West German Government inflicts a landing fee of \$20—sometimes more—for every American plane landing men of our Armed Forces or landing supplies for our Armed Forces at any

German airport. In other words, they extort tribute from us for protecting them.

The West German Government has no staggering national debt. We have that. The West German Republic has provided for its people's security from cradle to the grave. We hope for that in this country, but do not have it. Nor are there terrible slums in West German cities such as we have in many of our own cities.

Their unemployment rate is non-existent. Ours now exceeds 5 percent. In fact, the West German Government imports laboring men from Spain, Italy, Yugoslavia, and Turkey to serve their booming industry. More than 3 million nationals of other European nations are working in West Germany at this time.

German landlords, apartments, and homeowners have profited at our expense. German authorities have been guilty of outrageous burdens and charges against Americans and against the U.S. Government for maintaining these forces stationed in Germany to protect that tremendously strong and opulent nation from an invasion from the Soviet Union. The likelihood of this is as chimerical as the alleged claim emanating from the Pentagon of the likelihood of Chinese dropping atomic warheads on the United States, when they could not possibly have that capacity for another 5 years.

And we have those 300,000 dependents in Europe. If there were any danger of aggression from any nation attacking, then we should not have our dependents over there. We should have a lean combat-ready fighting force. Instead of that we keep our best professional career soldiers in West Germany, and have been keeping them there, living high on the hog, particularly those from the rank of captain up to general. They never had it so good as they have it in West Germany. We are doing all these obnoxious things at a time when our draftees are fighting and dying in Vietnam and Cambodia, and now Laos.

Mr. President, we should withdraw all of our Armed Forces from West Germany this year and then give top consideration to our own needs here in the United States.

Our massive military presence has become needless foreign aid to prospering European countries costing our taxpayers billions of dollars.

We must emerge from the dark shadows of the 1940's to the reality of the 1970's. We must close down our unnecessary military installations and make a sincere effort to solve the challenging crises facing us here at home.

Such action would produce a significant easing of world tensions and go far toward helping to promote a peaceful settlement in Europe. It could be one of the most important steps taken toward world peace in this decade.

Mr. President, I yield the floor.

TRANSACTION OF ROUTINE BUSINESS

The PRESIDING OFFICER (Mr. RIBICOFF). Pursuant to the previous order, the Senate will now transact routine business, with a 3-minute limitation on statements.

The Chair recognizes the Senator from Oregon.

Mr. HATFIELD. Mr. President, I ask unanimous consent that I may proceed for 5 minutes.

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

FREING OF CORRESPONDENTS GOOD NEWS; BUT OTHER AMERICANS PRISONERS STILL BEING HELD

Mr. HATFIELD. Mr. President, we are all gratified by the news that three American war correspondents have been released by the Communists in Vietnam. It is good news indeed that Richard Dudman, of the St. Louis Post-Dispatch, Elizabeth Pond, of the Christian Science Monitor, and Michael Morrow, of Dispatch News Service International, are safe again among their fellow Americans.

Let us allow this brief gesture on the part of the Communists to blind us, let us remember that fate has not been so kind to some 1,500 other Americans held prisoner by the enemy. These Americans still suffer at Communist hands, herded into ill-smelling and ill-kept prisoner compounds.

The Communists for whatever propaganda gain they might get have released three correspondents. They still stand steadfast by their callously inhuman attitude toward other Americans they hold. We must press forward on every front possible, in Asia and elsewhere in the world, to gain freedom—or if not that, at least human dignity—for those still held.

THE DEATH OF HON. J. GEORGE STEWART, ARCHITECT OF THE CAPITOL

Mr. HATFIELD. Mr. President, I was disturbed and saddened to learn of the death of the Honorable J. George Stewart, who served as Architect of the Capitol from October 1, 1954, to May 24, 1970.

Over a period of years, I had become very fond of him as we talked about the future of the Capitol, the office buildings, and the setting for the operations of the Congress. I was always impressed and inspired by his foresight and vision. Like the great builders of the past, Mr. Stewart did not plan or build just for today or for one generation. His goals were set much higher. He thought of tomorrow and the years and decades after tomorrow. He appreciated and respected, as few do today, the great plans of the city of Washington such as the L'Enfant plan, which has survived since the days of George Washington.

He had his own dream for Capitol Hill: a well-designed but compact area brought together under a master plan which would take on the campus appearance. The disgraceful parking of automobiles at the front steps of the Capitol would be stopped and such parking moved underground. He would have barred all traffic from the streets around

the Capitol except foot traffic. He was an avid walker himself and he dreamed and worked toward the day when all men could walk throughout the grounds, beautifully landscaped and terraced, and bursting with flowers and plantings of the seasons, without the disturbance of delivery trucks, automobiles, gas fumes, traffic lights, stop signs, crosswalks, and so forth. He once told me that the only vehicle he would permit in such a setting was an emergency vehicle such as a fire truck or an ambulance.

Unfortunately for Congress and the Nation, his dream never fully materialized. His master plan for the Capitol and its grounds never quite became a reality. But he worked steadily toward his goals and never flinched when criticism, often nasty and harsh, came his way. Actually, he seemed to be strengthened by such treatment. He willingly endured the harsh words in order to accomplish the goals he felt were obtainable, for the good of the Congress and the Nation.

Accomplishments during his 15 years as Architect of the Capitol are far more than could reasonably be expected of an able administrator. I present here a listing that will highlight those accomplishments, which are in addition to the routine work of his office involving maintenance upkeep and operation of the legislative plant:

The extension of the east front of the Capitol, which had been left undone for a hundred years;

Construction of the New Senate Office Building, planned under direction of his predecessor, the late David Lynn;

Remodeling of the Old Senate Office Building;

Construction of the Rayburn House Office Building and the underground garages;

Remodeling of the Cannon House Office Building;

Remodeling portions of the Longworth House Office Building;

Renovating the Capitol dome;

Providing improved lighting in the Capitol Building;

Improvements and expansion of the Capitol Power Plant;

Revitalization of the Capitol Grounds;

Preliminary plans for the extension of the west central front of the Capitol;

Preliminary plans for the James Madison Memorial Library of Congress Building; and

Purchase of 8 squares of property on the House side for new facilities or additions to the Capitol Grounds and purchase of portions of 2 squares on the Senate side.

Of all Mr. Stewart's projects, the one closest to his heart was undoubtedly the Capitol itself. He was in the forefront of the project to extend the east central front, which was recommended by one of his predecessors more than a hundred years ago, and he was gratified to see that extension skillfully and beautifully accomplished. At the same time, he made major repairs to the cast-iron dome and removed all the old paint that had been applied over a 100-year period and carefully treated and repainted the sur-

face. He updated the electrical system in the Capitol and replaced much of the inferior lighting in the rooms. Many fine chandeliers were added throughout the corridors. The Senate and House wings, which were additions of about a hundred years ago, were cleaned thoroughly on the exterior for the first time. Subways were constructed from the Capitol to both the New and Old Senate Office Buildings and from the Capitol to the Rayburn Building. The new east front and the Senate and House wings were electrically birdproofed. The art collection was preserved and significant additions arranged. A well-illustrated compilation of works of art in the Capitol was prepared under his direction and published by the Congress.

One of his great disappointments was that the planned extension of the west central front, which is now shored and propped up, did not get underway during his lifetime, but I have the distinct feeling that the Congress will ultimately see the wisdom of his recommendations and move to accomplish this one last addition to the Capitol which Mr. Stewart considered so necessary.

During my many conversations with Mr. Stewart, I could readily understand his love of the Capitol and his broad and thorough knowledge of its history and construction. Unlike most professional engineers, in his earlier days, he had worked for a construction firm where he learned to use his hands as well as his brain. He was quite proud of the old union membership card which showed him to be a qualified stonemason. He knew native stone as few men today and it is this stone that was used in the early construction of the Capitol. This early practical training, coupled with his experience and training as a professional engineer, was of great use to him in his service as Architect of the Capitol, a position requiring a profusion of widely varying abilities.

Considering all the criticism that was heaped upon the head of this public official, it is rather ironic that the honors which were bestowed upon him during his tenure have gone largely unnoticed. I shall recall a few of them for posterity:

In 1968 he was given the regents award of the Society of American Registered Architects "for his inspired contribution to the redesign of the West Front of our Nation's Capitol and his tireless efforts to alert our Nation's leaders to its present structural defects."

In 1966 he received from the Masons the grand master's award as a "statesman, engineer, Freemason, and American whose life is measured by the plumb, on the level and upon the square of all men." Mr. Stewart was only the third person to receive this award, the other two being former President Harry S. Truman and the late Senator Harry F. Byrd, of Virginia.

In 1957 the American Institute of Architects elected him as an honorable member of the society recognizing "one who has rendered distinguished service

to the advancement of architecture and the allied arts and sciences."

Mr. President, this Member of the Senate never found it in his heart to criticize the late Architect of the Capitol. Perhaps my position is unique. I am pleased that I took such a course because I came to recognize and appreciate the tremendous responsibilities he was carrying for the Congress. I considered him one of the most sincere and honest administrators, and his vision for the Congress and the Nation, especially as it related to Capitol Hill, was both uplifting and inspiring. We shall miss his good works.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 8573. An act for the relief of Mrs. Margaret M. McNellis;

H.R. 9497. An act for the relief of Mrs. Eleanor D. Morgan;

H.R. 13601. An act to release and convey the reversionary interest of the United States in certain real property known as the McNary Dam Townsite, Umatilla County, Oreg.; and

H.R. 13676. An act for the relief of certain retired officers of the Army, Navy, and Air Force.

HOUSE BILLS REFERRED

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

H.R. 8573. An act for the relief of Mrs. Margaret M. McNellis;

H.R. 9497. An act for the relief of Mrs. Eleanor D. Morgan; and

H.R. 13676. An act for the relief of certain retired officers of the Army, Navy, and Air Force; to the Committee on the Judiciary.

H.R. 13601. An act to release and convey the reversionary interest of the United States in certain real property known as the McNary Dam Townsite, Umatilla County, Oreg.; to the Committee on Interior and Insular Affairs.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. ALLEN) laid before the Senate the following letters, which were referred as indicated:

REPORT OF RECEIPTS AND DISBURSEMENTS PERTAINING TO THE DISPOSAL OF SURPLUS MILITARY SUPPLIES, EQUIPMENT, AND MATERIEL, AND FOR EXPENSES INVOLVING PRODUCTION OF LUMBER AND TIMBER PRODUCTS

A letter from the Assistant Secretary of Defense, transmitting, pursuant to law, a report of receipts and disbursements pertaining to the disposal of surplus military supplies, equipment, and materiel, and for expenses involving the production of lumber and timber products (with an accompanying report); to the Committee on Appropriations.

WORLD POWER DATA: CAPACITY OF ELECTRIC GENERATING PLANTS AND PRODUCTION OF ELECTRIC ENERGY—1967

A letter from the Acting Chairman, Federal Power Commission, transmitting, for the information of the Senate, a copy of the publication, "World Power Data, 1967" (with an accompanying publication); to the Committee on Commerce.

PROPOSED EMERGENCY TRANSPORTATION ASSISTANCE ACT OF 1970

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to assure performance by railroads engaged in interstate commerce of transportation services necessary to the maintenance of a national transportation system, and for other purposes (with an accompanying paper); to the Committee on Commerce.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore (Mr. ALLEN):

A joint resolution of the legislature of the State of California; to the Committee on Agriculture and Forestry:

"ASSEMBLY JOINT RESOLUTION NO. 8—RELATIVE TO FREE OR REDUCED-PRICE MEALS FOR SCHOOLCHILDREN

"Whereas, Children are most vulnerable to the consequences of malnutrition which lead to future economic dependency; and

"Whereas, The provision of free or reduced-price meals at school to needy schoolchildren is an efficient and effective method assisting such children to maintain proper nutrition; and

"Whereas, A properly nourished child is better able to make optimum use of educational opportunities than is a hungry or malnourished child; and

"Whereas, There are 500,000 such needy schoolchildren in California, less than 100,000 of whom are receiving free or reduced-price meals on a regular basis; and

"Whereas, Leaders of the executive and legislative branches of the government of the United States have announced support for the goal of quickly eliminating hunger and malnutrition due to poverty; and

"Whereas, Congress enacted the national school lunch program more than 23 years ago, and since has enacted additional legislation providing for the feeding of needy schoolchildren, but has never appropriated sufficient funds to reach all needy schoolchildren with such programs; now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to immediately enact such legislation and make such appropriations as will enable every schoolchild in need of nutritious free or reduced-price school meals to have access to such meals; and be it further

"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Secretary of Health, Education, and Welfare, to the Secretary of Agriculture, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A resolution adopted by the Ad Hoc Committee for the Restoration of Democracy in Greece, of West Lafayette, Ind., praying for the adoption of an amendment aimed at cutting all military and surplus aid to the regime in Greece; to the Committee on Foreign Relations.

The petition of the California Committee for Democracy in Greece, of San Francisco, Calif., praying the ending of military aid to the Greek junta; to the committee on Foreign Relations.

A resolution adopted by the Medical Library Association, Inc., of Philadelphia, Pa., expressing its appreciation for the enactment of the Medical Library Assistance Act of 1970; to the Committee on Labor and Public Welfare.

S. 3978—ORIGINAL BILL REPORTED, RELATING TO DEFERRAL OF WHEAT REFERENDUM—REPORT OF A COMMITTEE (S. REPT. NO. 91-935)

Mr. YOUNG of North Dakota, from the Committee on Agriculture and Forestry, reported an original bill (S. 3978) to extend the time for conducting the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1971, and submitted a report thereon, which bill was placed on the calendar, and the report was ordered to be printed.

BILLS INTRODUCED OR REPORTED

Bills were introduced or reported, read the first time and, by unanimous consent, the second time, and referred or placed on the calendar, as follows:

By Mr. GRIFFIN:

S. 3977. A bill for the relief of Dr. Hahn Joong Lee; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota:

S. 3978. A bill to extend the time for conducting the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1971; placed on the calendar.

(See reference to the above bill when it was reported, which appears under the heading "Reports of Committees".)

By Mr. GORE:

S. 3979. A bill to establish a national maximum rate of interest; to the Committee on Banking and Currency.

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

By Mr. MONTOYA (for himself, Mr. ANDERSON, and Mr. LONG):

S. 3980. A bill to amend the act of April 17, 1926 (44 Stat. 301), relating to the promotion of the production of sulphur upon the public domain within the States of Louisiana and New Mexico; to the Committee on Interior and Insular Affairs.

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

By Mr. BROOKE:

S. 3981. A bill for the relief of Luciano Guillermo Harms; to the Committee on the Judiciary.

By Mr. MONDALE:

S. 3982. A bill to suspend temporarily certain changes in the administration of the Economic Development Administration; to the Committee on Public Works.

By Mr. MCGOVERN:

S. 3983. A bill to provide for the establishment of the George Washington Memorial Institute for the Social Sciences; to the Committee on Labor and Public Welfare.

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

By Mr. MCGOVERN (for himself, Mr. BIBLE, Mr. BURDICK, Mr. CANNON,

Mr. GRAVEL, Mr. HARRIS, Mr. MANSFIELD, Mr. MCGEE, Mr. MONTOYA, Mr. MOSS, Mr. NELSON, and Mr. STEVENS):

S. 3984. A bill to establish the American Indian Development Bank to assist in the economic development of Indian tribes, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. YOUNG of Ohio:

S. 3985. A bill for the relief of Cha Yon Kim; to the Committee on the Judiciary.

S. 3979—INTRODUCTION OF A BILL ESTABLISHING A NATIONAL MAXIMUM RATE OF INTEREST

Mr. GORE. Mr. President, the Nation has just heard President Nixon speak on the condition of our national economy. Doubtlessly, our people will appreciate the attention and consideration which the President is now giving to our pressing problems.

These problems are more pressing than some people seem to realize. Many segments of our economy are hurting badly from the unusual economic phenomena of a recession in many areas of activity while price inflation continues. Obviously the policies that have been applied have not been satisfactory.

Because President Nixon has now made some constructive suggestions, it may be appropriate to consider the limited nature of his proposals and to suggest some vital areas in which action was not proposed by the President. Already this week I have addressed the Senate twice on aspects of our troubled economy—inflation, tax policy, unemployment. It is my considered view that the President's speech today did not deal adequately with either of these fields generally or specifically.

One very pressing problem for which the President proposed no remedy whatsoever is the disastrously high rates of interest. Interest rates are at historic highs. Interest rates have been artificially pushed to these historic levels by this administration with its misguided monetary policies. Someone in a position of authority was obsessed with the upside down notion that the way to hold prices down was to push interest rates up.

I believe, Mr. President, that high interest rates, tight money, shortage of credit, constitute the most crucial short-term problem besetting our economy. These high interest rates are strangling home buyers, consumers, small businessmen, and farmers. In fact, they threaten now to destroy even large corporations. Only last week, for instance, the Penn Central Railway was unable to borrow money at 10½ percent.

Generally speaking, the Nixon policy is not burdensome on the corporate giants who can command lines of credit in the tens and hundreds of millions of dollars. These corporate giants can normally pass on these costs to their purchasers. Even the biggest of companies, however, can run aground on the reef of Nixonomics. The financial crisis of the Penn Central Railroad sent ripples of alarm through the economy. Penn Central's difficulties arose in large part because of its inability to obtain loans at reasonable interest rates. The Nixon administration was quick to provide Government relief for one of its favored corporate giants.

But what recourse is available to the thousands of small businessmen around the country who are facing bankruptcy because of the lack of adequate credit at reasonable interest rates? The Nixon administration is quick to bail out a huge corporation, but it refuses to take any steps to alleviate the plight of the small businessman who is without friends or

spokesmen in the inner councils of the administration and who cannot get the administration to assign an Assistant Secretary of the Treasury to devote his full time and attention to rescuing a small business, as Assistant Secretary Volker reportedly did for Penn Central.

If the pleas for help of the small businessmen are to be heard in Washington, it is going to require action by the Congress. We now have abundant evidence that the Nixon administration will listen only to the voices of the powerful and the wealthy. The proposal I introduce today will provide the low interest loans that small business needs if it is to survive as an effective force in our economy.

Ultimately, of course, much of the impact of high interest rates is felt by the consumer. For the costs of credit are passed on to the purchasing public just like other costs of doing business. And the consumer is paying a very stiff price indeed for the Nixon economic policies. The consumer price index reached 134.0 in April, up over 10 percent from the level at the close of 1968. Prices are still rising at an annual rate of over 7 percent and no relief is in sight. The retired person living on a fixed income cannot win the battle against this kind of inflation.

I am aware that the Senate has taken action in recent weeks to try to provide lower cost loans to selected segments of our economy. These measures are praiseworthy, but they do not go far enough. We must apply across-the-board remedies on interest rates if we are to succeed in restoring balance to our badly distorted economy.

Mr. President, this administration has displayed in countless ways its insensitivity to the problems of low- and middle-income wage earners who are trying to buy homes and raise families. But none is more harsh or more unfair in its effect than the administration's refusal to guarantee the right to working Americans to buy homes at reasonable interest rates. Administration officials almost daily acknowledge the plight of the housing industry and the problems of the home buyer. But no action is taken.

Last year, Congress passed a bill which conferred upon President Nixon power to regulate, stabilize, and rollback interest rates. True, the President said at the time he signed the bill into law that he would not use the powers. But, Mr. President, even the greatest of men sometimes change their mind—the public interest frequently requires it.

I have been urging the President to exercise the authority granted him by Public Law 91-151, the Credit Control Act, which empowers the President to institute a broad range of flexible responses to insure that interest rates will remain at levels consistent with national growth and prosperity. The President has adamantly refused to exercise the moral and legal authority of his office to control interest rates, and it is now time for Congress to fill this vacuum for the good of the working people of this country.

It is most regrettable that the President, by his failure to act, has permitted the burdensomely high interest rates to

continue. Under the Credit Control Act the President is empowered to set maximum interest rates, to ration credit, to place limits on the total amount of credit that can be extended, to provide for maximum maturity of loans, and to institute a variety of other procedures. Since the President refuses to exercise these powers, I have concluded Congress must take the only step remaining to it; namely, to establish a maximum mandatory 6 percent interest rate to insure that the full burden of inflation will not fall on the home buyer, the farmer, the consumer, and the small businessman.

The results of the high interest-tight money policy of the Nixon administration are now fully documented. Because of the President's failure to act, the situation for home buyers has steadily deteriorated. FHA home mortgage rates are now 8.51 percent, up from 7.47 percent just 1 year ago. This is a 15-percent increase in a single year. This is an intolerable situation, especially when it is considered that the maximum FHA legal interest rate increased by only 1 percentage point during the entire 8 years of the Kennedy-Johnson administrations. When coupled with insurance costs, homeowners are now required to pay over 9 percent for their home mortgage loans. This simply means that it is virtually impossible for young married couples to buy homes in which to raise their families. Many of these families are headed by young men who have recently returned from service in Vietnam. It is a cruel reward for their service for the administration to deny these young men a home to which they are entitled because of the economic policies the administration is pursuing.

The other side of this coin is, of course, a housing industry that is in a state of economic sickness unparalleled since the Eisenhower administration administered its doses of economic malpractice in 1957-58. Housing starts declined by 14½ percent in April to a level where only 1,181,000 new units are being constructed on a seasonally adjusted basis. In the Housing Act of 1968 Congress declared that this Nation would accept the challenge to produce 26 million new housing units for our people in the decade from 1968 to 1978. Nixonomics have now brought us to the point where we are not even attaining one-half of the annual goal of 2.6 million new housing units.

We are now in a situation where small homebuilders are being driven to and over the brink of bankruptcy; construction workers—carpenters, bricklayers, roofers, and painters—are out of work by the thousands. And the middle-income wage earner is being forced to change his whole way of life because he cannot participate in the American dream to own his own home in which to raise his children.

As high interest rates slow down economic growth, wholesale unemployment is the result. Because of the administrations' economic policies, the unemployment rate has now reached 5 percent on a seasonally adjusted basis. This compares to an unemployment rate of just 3.5 percent 1 year ago. In concrete terms,

these figures mean that there are over 1 million people in the United States today who cannot find jobs who were able to work just 1 year ago. Congress has given the President every opportunity and power to act to correct this situation. Congress must now exercise its responsibility to the working people of this country and guarantee interest rates low enough to ensure stable economic growth, without widespread unemployment.

We all know that the problems of agricultural unemployment are especially severe, yet the administration's high interest-tight money policies have resulted in agriculture employing 230,000 fewer people in April of this year than in 1968. Prices received by farmers for all farm products declined in April to a level below that in May of last year. The index of prices received by farmers for crops is actually four points below the level reached in 1968, the last year of the Johnson administration. On the other hand, prices paid by farmers have risen from an index level of 121 in 1968 to 132 in April of this year. We are all concerned about the flow of people from our farms and rural areas to the cities; yet the administration's economic policies are accelerating this process.

Administration officials continue to "hope" for lower interest rates and profess to see that we have "turned the corner" on inflation. But these hopes and professions are empty words to the small businessman and farmer who need reasonably priced money to stay in business. The time for speculation has ceased so far as these segments of our economy are concerned; it is now time to substitute concrete action for rhetoric.

A graphic example of the impact of high interest rates on small businessmen was recently provided in an action before the Tennessee Public Service Commission to increase the tariff rates for intrastate truck shipments in Tennessee by up to 5 percent. Testimony before the commission repeatedly emphasized that the increased truck rates were required by shippers because of the high interest rates that they are being forced to pay. One traffic manager for a Tennessee trucking firm testified that his company had found it necessary to cancel an order that it had placed for new trailers because of "high interest rates now being charged on borrowed money." Representatives of Tennessee trucklines repeatedly emphasized that the increased shipping rates were needed because of increased interest rates. Faced with this overwhelming testimony the Tennessee Public Service Commission granted the proposed rate increases. These increased costs, which directly reflect the Nixon high interest rate policy, will now be borne by small businessmen who rely on the trucklines for delivery and shipment of their goods. Ultimately, of course, the consumer will absorb this cost in the form of higher prices.

The failure of President Nixon to use the powers which Congress has delegated to him to bring down high interest rates requires action of the Congress itself to undertake by law to bring the interest rates down to reasonable levels. Many of us had hoped that such an ac-

tion would not be necessary. We are faced, however, with the fact that the President has eschewed use of the more flexible tools that Congress had previously granted him.

I now introduce for appropriate reference a bill to direct the U.S. Federal Reserve System, the Secretary of the Treasury, and other agencies with fiscal and monetary policy responsibilities to initiate a program of interest rate reduction with the ultimate goal of attaining a maximum interest rate of 6 percent per annum on any regular credit or loan transaction in the United States. Enactment of this bill would be a forceful and decisive step to insure that working people will be able to buy homes, that farmers and small businessmen will be able to stay in business, that consumers will be able to purchase badly needed items, and that State and local governments will be able to borrow funds to provide the services to which all citizens are entitled.

The PRESIDING OFFICER (Mr. BIBLE). The bill will be received and appropriately referred.

The bill (S. 3979) to establish a national maximum rate of interest, introduced by Mr. GORE, was received read twice by its title, and referred to the Committee on Banking and Currency.

S. 3980—INTRODUCTION OF A BILL RELATING TO THE PROMOTION OF THE PRODUCTION OF SULFUR UPON THE PUBLIC DOMAIN

Mr. MONTROYA. Mr. President, today, I am introducing a bill that is designed to facilitate, by rendering more economically feasible, the production of sulfur upon the public domain within the State of New Mexico.

Existing Federal law authorizes permits and leases for exploration and development of sulfur deposits on Federal lands in New Mexico and Louisiana, but no person, corporation or other entity is permitted to hold, directly or indirectly, more than three sulfur permits or leases, each of which may not exceed 640 acres "in reasonably compact form" in either State.

My bill would change this provision of Federal law, as it applies to New Mexico, in two ways. First, it would increase from three to six the number of sulfur permits or leases that may be held by a single person or corporation. Second, it would increase from 640 to 1,920 the number of acres that may be contained within a single lease or permit. My proposal would not change in any way the procedure for the granting of permits and leases for sulfur production on Government-owned lands as now required under the law. The changes contemplated by the legislation pertain only to the number of permits and leases and the acreage under such permits and leases held by any one person in the State of New Mexico when legally acquired under present law. The bill would leave existing law unchanged as it applies to the State of Louisiana.

A number of sulfur companies have recently investigated the possibilities of commercial sulfur production on Fed-

eral lands in New Mexico. Any decision by such companies to undergo actual production has been forestalled, however, because the law as currently written tends to make this economically unfeasible. This is because the sulfur deposits in New Mexico differ from those historically encountered in other sulfur-producing areas, including Louisiana, where they are found in relatively compact areas associated with salt domes. In New Mexico the deposits are far more widespread and diffuse, requiring more extensive area development.

The increase in permissible acreage provided in my bill—from 640 to 1,920 acres—is intended as a response to the problem caused by the diffusion of sulfur deposits. Another problem is that Federal lands in the relevant areas of New Mexico are interspersed with lands owned by the State and private parties, and in many areas there are no more than a few contiguous sections of Federal lands. Consequently, simply increasing the amount of acreage "in reasonably compact form" which may be held under a single permit or lease may not provide sufficient flexibility in exploration and development necessary to justify the capital investment required. This is the reason that my bill would also increase—from three to six—the number of permits or leases that may be held by a single person or corporation.

This legislation would stimulate additional economic activity in the State of New Mexico, and at the same time encourage domestic production of an important natural resource. During 1964-69, for instance, over one-sixth of the sulfur consumed in the United States was imported from abroad.

I welcome and solicit the support of my colleagues for this legislation.

The PRESIDING OFFICER (Mr. CRANSTON). The bill will be received and appropriately referred.

The bill (S. 3980) to amend the act of April 17, 1926 (44 Stat. 301), relating to the promotion of the production of sulphur upon the public domain within the States of Louisiana and New Mexico; introduced by Mr. MONTROYA (for himself, Mr. ANDERSON, and Mr. LONG), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 3983—INTRODUCTION OF THE INSTITUTE FOR THE SOCIAL SCIENCES ACT

Mr. McGOVERN. Mr. President, I introduce today a bill to establish a George Washington Memorial Institute for the Social Sciences. I introduced a similar measure last November and the bill which I am introducing today represents an improved version of that bill as the result of extensive consultations over the past months.

Since I introduced the first bill, the evidence has continued to accumulate on the need for such an institute. The President's Task Force on Science Policy reported in April of this year:

The Federal Government should assume leadership in strengthening the contribution of the social and behavioral sciences to the

solution of our pressing social, urban, and environmental problems.

They also recommended:

Appropriations of sufficient Federal funds to support the establishment of social problem research groups or institutes.

The need for such an institute should be abundantly clear to all of us who are daily called to make decisions on matters of social policy. For example, this body may shortly be called on to examine a proposal for welfare reform that has been made by the President. In studying this proposal I am sure that we have all been frustrated by the lack of any hard data and systematic studies on the effects of this proposal or alternative formulations. To a large extent we must do our own research and be guided by our instinct. The administration's testimony before the Senate Finance Committee indicates that they have no better idea than the Congress on the effects of their proposals or of alternative possibilities. If we had a Social Science Institute, we would have available to us the data and effects of various welfare possibilities from which it would be possible to make sound judgments.

As another example, consider the housing shortage in America. To my knowledge there has yet to be completed a study of the nature and extent of this shortage and a thorough exploration of alternative solutions to it.

The list of needed investigations is almost endless—causes and cures for crime, the best policies with respect to strikes and collective bargaining, the effects and control of our environment, the urban-rural population imbalance, and the health needs of our population. This institute is hardly a cure-all for the vast variety of social needs facing our Nation, but it is an indispensable tool in the search for the solutions.

The PRESIDING OFFICER (Mr. SCHWEIKER). The bill will be received and appropriately referred.

The bill (S. 3983) to provide for the establishment of the George Washington Memorial Institute for the Social Sciences, introduced by Mr. McGOVERN, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

S. 3984—INTRODUCTION OF THE AMERICAN INDIAN DEVELOPMENT BANK ACT

Mr. McGOVERN. Mr. President, for as long as I can remember the chronic problems confronting the economic development of American Indians on reservations throughout the Nation has been the lack of money through either Federal or private sources. The revolving fund established under the provisions of 25 United States Code, sections 470, 506, and 631, and limited by authorization at a level of \$27,000,000 is woefully inadequate. Well-intentioned efforts of the Economic Development Administration of the Department of Commerce have failed to either provide the jobs or the economic stability of industrial or agricultural commerce, so necessary to lift the quality of life of the Indian people.

In short, three-fourths of all Indian families continue to exist on an income below \$3,000 per year—one-half, even less than \$2,000 per year. The unemployment rate for Indians continues at nearly 40 percent and at times on the second largest reservation in the Nation, the Pine Ridge Reservation in my State, the unemployment percentage reaches nearly 75 percent.

In 1968, I introduced Senate Concurrent Resolution No. 11 with 18 cosponsors. The resolution called for an enunciation by the Congress of a national policy for American Indians. It assured the Indian people and the Alaskan natives that we in the Congress recognized their right of self-determination, and self-help, in the management of their affairs. It called upon the Government to develop innovative and adequate programs that would be responsive to the economic and social needs of the Indian people and it assured them that their native property and culture would be respected and protected. Though the resolution passed the Senate unanimously, the House never completed final action.

In keeping with the pledge of the Senate in terms of this resolution, I am today introducing legislation to establish an American Indian Development Bank to provide the needed money to properly and orderly develop the economy of the reservation in what I consider to be a unique and innovative manner. The drain on our national treasure through our misadventures in Southeast Asia and the emphasis on cuts in the Federal spending process in the present administration would make prospects for a new appropriation to provide capital structure for the bank extremely dim. The legislation which I propose today does not call for the appropriation of any money and yet I think it will leave the bank with adequate structure to make a meaningful contribution. In the following paragraphs I will outline the course I would see the bank take.

The Indian Claims Commission was created in 1946 to hear claims and enter judgments for the wrongful taking of Indian land and misuse of trust funds. After a judgment is entered, the Congress appropriates the money to satisfy the claim and it is placed on deposit in the Treasury to the credit of the individual tribe involved. Since the Congress must also approve the manner in which these funds are distributed there is often a timelag sometimes 4 or 5 years between the time the money is appropriated and the time it is available for distribution. During this period the Indian people are deprived of the beneficial use of this money. To date the Indian Claims Commission has entered judgments in 157 dockets involving \$339,806,000. Of this amount, \$133,000,000 has been distributed and \$94,000,000 is available for distribution and \$113,000,000 is awaiting disposition legislation. In addition to this, the Claims Commission still has 292 dockets in the process of being heard or yet to be heard involving undetermined millions of dollars. For some time the money on deposit in the Treasury drew interest for the tribes at a deter-

mined rate of 4 percent. Currently, \$320,000,000 is under the control of the Bureau of Indian Affairs for investment purposes, in either judgment funds or in other Indian trust funds controlled by the Bureau of Indian Affairs, the investments being in either certificates of deposit in commercial banks or in short-term Federal securities. In my own State of South Dakota over \$15,000,000 in Sioux Indian claims mature between July 31 and August 31 of this year.

Under present policy when the investments mature they will be reinvested again in the white man's economy with the Indian patiently waiting for a chance to use his money. I think it is a national shame that the original American, deprived as he is, jobless as he is, hungry as he is, is not able to have the use of his money while his white brothers in the Congress deliberate on how they are going to give it to him.

It is thus that I propose that the capital structure of the American Indian Development Bank, with the consent of the individual tribe, consist of the money on deposit with the Treasury of the United States, together with the assets of the revolving loan fund. This could capitalize the bank at approximately \$347,000,000 in either money or receivable obligations. I then propose authority for the bank to issue to the Secretary of the Treasury obligations which will mature in a varying number of years, bearing interest at the prevailing rates for outstanding marketable obligations of the United States. The Secretary of the Treasury would then be authorized to purchase these obligations with funds on deposit to the credit of an Indian tribe, guaranteeing the obligations of the bank as to principal and interest. Future awards of the Indian Claims Commission would be handled in a similar manner, provided the tribe consents to this use of its money.

The bank thus capitalized, and with adequate safeguards made for the selection of its officers, directors and advisory board, would be allowed to make or guarantee loans to Indian tribes or corporations or partnerships or other associations owned substantially or beneficially by Indians or Indian tribes at attractive interest rates.

I feel that the nature of the bank's capital would allow it to make medium- and short-term loans to Indian tribes, groups, and even individuals who can significantly contribute to an upward swing in employment and economic development in an area of our national conscience which we have far too long neglected.

If we in the Congress intend to continue an annual pious litany of our concern and good wishes for the Indian people, if we intend to continue our fatuous statements about Indian traditions and Indian culture, then please why can we not bring ourselves to a point where we can let the Indian use his own money to the exclusion of the U.S. commercial banking industry. I have no current knowledge that the banking industry is even given to making annual, well-intentioned pronouncements of its deep concern for the American Indian.

Title II of the American Indian Development Bank bill is devoted to elevating the status of Indian tribes to political parity with the white man's governing structure. It amends the Internal Revenue Code of 1954 to allow Indian tribes to issue tribal bonds, the interest of which is Federal income tax free, to the holder. We all recall the screams of protest in 1969 when the Tax Reform Act proposed to eliminate the tax-free status of municipal and school bonds. We were told that we were cutting the very underpinnings of our social structure from communities that sought public improvements. The social structures in Indian communities were never in danger of destruction because there has never been anything to destroy. Leaving the practical questions of salability of these obligations to others who deal or have dealt with this type of thing on a day-to-day basis let us here in the Congress take a first step and at least provide the workings for the Indian tribes of our Nation to enjoy the same privileges of a recently chartered hamlet in a remote section of a remote State, or a rural common school district that wants to install central heating or indoor plumbing.

In short, Mr. President, I hope that the Congress will not stand idly by and refuse to provide the matter and the means for a financial "bootstrap" for American Indians when it is so easy to do.

Mr. President, I introduce for myself and for Senators BIBLE, BURDICK, CANNON, GRAVEL, HARRIS, MANSFIELD, MCGEE, MONTOYA, MOSS, NELSON, and STEVENS the American Indian Development Bank Act of 1970. I ask unanimous consent that the text of the legislation be printed in the RECORD at the conclusion of my remarks and that it be appropriately referred.

The PRESIDING OFFICER (Mr. SCHWEIKER). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3984), to establish the American Indian Development Bank to assist in the economic development of Indian tribes, and for other purposes, introduced by Mr. McGovern (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered printed in the RECORD, as follows:

S. 3984

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "American Indian Development Bank Act".

TITLE I—AMERICAN INDIAN DEVELOPMENT BANK

ESTABLISHMENT OF BANK

SEC. 101. There is created a body corporate to be known as the American Indian Development Bank (hereinafter referred to as the "Bank"). The Bank shall be an instrumentality of the United States Government.

MANAGEMENT

SEC. 102. (a) The management of the Bank shall be vested in a Board of Directors to consist of the following:

(1) The President of the Bank, to be appointed by the President of the United States by and with the advice and consent of the Senate, who shall be the chief executive officer of the Bank and chairman of the Board of Directors.

(2) The executive vice president of the Bank, to be appointed by the President of the United States, by and with the advice and consent of the Senate, who shall serve as president of the Bank during the absence or disability of the president or in the event of a vacancy in the office of the president, and who shall serve as vice chairman of the Board of Directors.

(3) Three additional persons to be appointed by the President by and with the advice and consent of the Senate. The president and executive vice president of the Bank, and the other members of the Board of Directors, shall serve at the pleasure of the President. Three members of the Board of Directors shall constitute a quorum for the conduct of business.

(b) The Board of Directors shall adopt, and may from time to time amend, bylaws of the Bank.

(c) The president of the Bank shall, in accordance with the bylaws of the Bank, appoint such officers and employees as may be necessary to carry out the functions of the Bank, and shall define their duties.

ADVISORY COMMITTEE

SEC. 103. There shall be an Advisory Committee of fifteen members to be appointed by the President of the United States which shall serve at his pleasure. A majority of members of the committee shall be representatives of Indian tribes. The committee shall meet * * *

CAPITAL STOCK

SEC. 104. (a) The Bank shall have capital stock which shall be subscribed by the United States.

(b) The Secretary of the Treasury is authorized to acquire the capital stock of the Bank in exchange for the transfer to the Bank of the funds referred to in subsection (c) of this section.

(c) The assets and liabilities of the revolving loan funds established under the provisions of 25 U.S.C. sections 470, 506, and 634 shall be transferred to the Bank within ninety days following enactment of this Act.

OBLIGATIONS OF THE BANK

SEC. 105. (a) The Bank may issue to the Secretary of the Treasury obligations which shall mature not more than thirty years from their respective dates of issue. Each such obligation shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on outstanding marketable obligations of the United States as of the last day of the month preceding the issuance of the obligation of the Bank.

(b) The Secretary of the Treasury is authorized to purchase obligations of the Bank issued under this Act with funds on deposit in the Treasury of the United States to the credit of Indian tribes the distribution of which has not otherwise been provided for by Act of Congress, provided that the governing body of the Indian tribe for which the funds are deposited consents to such purchase.

(c) All obligations of the Bank shall be guaranteed as to principal and interest by the United States.

PURPOSE AND FUNCTIONS OF BANK

SEC. 106. (a) It is the purpose of the Bank to assist Indians and Indian tribes in the development of industrial or agricultural facilities, enterprises, or projects, and in the development of their natural resources.

(b) In furtherance of the purpose stated in subsection (a), the Bank is authorized—

(1) to make or guarantee loans to, or purchase the securities and obligations of, Indian tribes, or corporations, partnerships, or other associations owned substantially and beneficially by Indians or Indian tribes;

(2) to provide such technical assistance to Indian tribes, and organizations of the type referred to in paragraph (1), as it determines is necessary to enable them to benefit from the services and facilities of the Bank; and

(3) to carry on such other activities, consistent with the purpose of the Bank, as it determines will aid Indian tribes, including organizations of the type referred to in paragraph (1), in their economic development and the raising of the living standards of their members.

(c) As used in this section, the term "Indian tribe" includes organized groups of Eskimos and Aleuts.

OPERATIONS

SEC. 107. (a) The Bank may, in carrying out its operations, engage in such activities as its Board of Directors determines to be necessary or appropriate in furtherance of the Bank's purpose and functions, including the making of loans and equity investments, and the issuance of guarantees. Such operations shall be subject, however, to the following limitations:

(1) No obligation shall be guaranteed the interest from which is exempt from Federal income taxation.

(2) The total amount of loans and equity investments made by the Bank, and fractional reserves set aside against guarantees issued by it, which are outstanding at any one time shall not exceed the total amount of the Bank's capital stock, reserves, and surplus.

(3) Before making any loan or equity investment, the Bank shall consider whether the financial assistance required is available from private sources on reasonable terms.

(4) The Bank shall not acquire by an equity investment in any organization a controlling interest in the organization, unless such interest is necessary to safeguard the investment.

(b) The discharge of the Bank's liabilities on borrowings or guarantees shall be charged first against any reserves of the Bank, and then against the surplus and funds corresponding to the capital paid in for its capital stock.

GENERAL POWERS

SEC. 108. In addition to the other powers conferred on the Bank by this title, it shall have power—

(1) to adopt and use a corporate seal, which shall be judicially noticed;

(2) to sue and be sued;

(3) to adopt, amend, and repeal bylaws and regulations;

(4) to receive deposits and to pay interest thereon;

(5) to borrow, up to the uncalled amount of its callable capital stock, and to lend money;

(6) to issue guarantees against fractional reserves of 25 percent;

(7) to sell participations in its loans with or without its guarantee and to enter into agreements with the Government National Mortgage Association for the sale of such participations under section 302(c) of the Federal National Mortgage Association Charter Act;

(8) to enter into contracts;

(9) to appoint and determine the conditions of service of its officers and employees;

(10) to assign or sell at public or private sale or otherwise dispose of any evidence of debt, contract, claim, personal property, or security held by the Bank in connection with the payment of any loan or other obligation;

(11) to collect or compromise any loan or other obligation held by the Bank;

(12) to acquire by purchase, lease, or donations real property or any interest therein, and to sell, lease, or otherwise dispose of real property; and

(13) to use the United States mails in the same manner and upon the same conditions as the executive departments of the United States Government.

The foregoing enumeration of powers shall not be deemed to exclude other lawful powers necessary to carry out the purpose and functions of the Bank.

TAXATION; PAYMENT IN LIEU OF TAXES

SEC. 109. The Bank, including its assets, capital, reserves, surplus, security holdings, and income shall be exempt from all taxation, Federal, State or local. The Bank shall pay annually into the Treasury of the United States as miscellaneous receipts an amount equivalent to the amount of Federal income taxes for which it would be subject except for the exemption hereinabove stated. The Bank is authorized to make payments to State and local governments in lieu of the payment of taxes on its real property.

ANNUAL REPORT

SEC. 110. The Bank shall make an annual report of its operations under this title to the President and the Congress.

AMENDMENT TO GOVERNMENT CORPORATION CONTROL ACT

SEC. 111. Section 101 of the Government Corporation Control Act (31 U.S.C. 846) is amended by striking out "and Tennessee Valley Associated Cooperatives, Incorporated" and inserting in lieu thereof "Tennessee Valley Associated Cooperatives, Incorporated; and American Indian Development Bank".

AMENDMENT TO TITLE 5, UNITED STATES CODE

SEC. 112. (a) Section 5314 of title 5, United States Code (relating to positions at level III of the Executive Schedule) is amended by adding at the end thereof the following: "(55) President of the American Indian Development Bank."

(b) Section 5315 of such title (relating to positions at level IV of the Executive Schedule) is amended by adding at the end thereof:

"(93) Members of the Board of Directors of the American Indian Development Bank other than the President of such Bank.

AMENDMENT TO THE FEDERAL NATIONAL MORTGAGE CHARTER ACT

SEC. 113. Section 302(c)(2) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717(c)(2)) is amended by adding after clause (F) the following: "(G) The American Indian Development Bank."

TITLE II—TRIBAL BONDS

AUTHORITY TO ISSUE

SEC. 201. (a) Sec. 103(a) of the Internal Revenue Code of 1954 (relating to interest on certain governmental obligations) is amended—

(1) by striking out "or the District of Columbia" and inserting in lieu thereof "the District of Columbia, or of an Indian Tribe as defined herein"; and

(2) by adding at the end thereof the following new sentence:

"For purposes of paragraph (1), the term 'Indian tribe' means any tribe, band, community, pueblo or other group of Indians as to which the Secretary of the Interior finds that it has, on the date of issuance of the obligation, governmental authority over a reservation or similar geographic area and that the obligation is issued for purposes related to the governmental affairs or operations of the tribe."

(b) Sec. 103(c) is amended by inserting after "a government unit" in paragraph (3) (A) "(including an Indian tribe, as defined in subsection (a))."

(c) The amendments made by subsection (a) and (b) shall apply with respect to obligations issued after December 31, 1970.

ADDITIONAL COSPONSORS OF BILLS AND A JOINT RESOLUTION

S. 366

Mr. PELL. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Texas (Mr. YARBOROUGH) be added as a cosponsor of S. 366, to extend the well-established concept of the free public school system to provide the broadest educational opportunities possible to all students as a matter of right by authorizing the U.S. Commissioner of Education to award scholarships to undergraduate students to enable them to complete 2 academic years of higher education.

The PRESIDING OFFICER (Mr. RIBICOFF). Without objection, it is so ordered.

S. 1969

Mr. PELL. I ask unanimous consent that, at the next printing, the name of the Senator from Texas (Mr. YARBOROUGH) be added as a cosponsor of S. 1969, to amend the Higher Education Act of 1965 to provide for basic educational opportunity grants and for cost of instruction allowances, and for other purposes.

The PRESIDING OFFICER (Mr. RIBICOFF). Without objection, it is so ordered.

S. 2168

Mr. BENNETT. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Wyoming (Mr. HANSEN) be added as a cosponsor of S. 2168, to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink.

The PRESIDING OFFICER (Mr. SCHWEIKER). Without objection, it is so ordered.

S. 3737

Mr. BAKER. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Mississippi (Mr. EASTLAND) be added as a cosponsor of S. 3737, to exempt from certain deep-draft safety statutes passenger vessels operating solely on the inland rivers and waterways.

The PRESIDING OFFICER (Mr. EAGLETON). Without objection, it is so ordered.

S. 3795

Mr. DOMINICK. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Colorado (Mr. ALLOTT) be added as a cosponsor of S. 3795, to amend the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, in order to extend under certain circumstances the expiration date specified in a power of attorney executed by a member of the Armed Forces who is missing in action or held as a prisoner of war.

The PRESIDING OFFICER (Mr. SCHWEIKER). Without objection, it is so ordered.

S. 3935

Mr. HATFIELD. Mr. President, on behalf of the Senator from Ohio (Mr. SAXBE), I ask unanimous consent that, at the next printing, the name of the senior Senator from Ohio (Mr. YOUNG) be added as a cosponsor of S. 3935, to amend the Federal Water Pollution Control Act, as amended, to provide financial assistance for river basin programs.

The PRESIDING OFFICER (Mr. EAGLETON). Without objection, it is so ordered.

S. 3942

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the next printing, the name of my distinguished colleague from Montana (Mr. METCALF) be added as a cosponsor of S. 3942, to provide for thorough health and sanitation inspection of all livestock products imported into the United States, and for other purposes.

The PRESIDING OFFICER (Mr. RIBICOFF). Without objection, it is so ordered.

SENATE JOINT RESOLUTION 210

Mr. CHURCH. Mr. President, at the request of the Senator from Minnesota (Mr. MONDALE), I ask unanimous consent that, at the next printing, the names of the Senator from South Carolina (Mr. HOLLINGS), the Senator from Hawaii (Mr. INOUYE), the Senator from Utah (Mr. MOSS), the Senator from Maine (Mr. MUSKIE), the Senator from Wisconsin (Mr. NELSON), the Senator from Oregon (Mr. PACKWOOD), and the Senator from Maryland (Mr. TYDINGS) be added as cosponsors of Senate Joint Resolution 210, to provide a 1-year moratorium on the termination or modification of designations of areas as redevelopment areas for the purposes of the Public Works and Economic Development Act of 1965.

The PRESIDING OFFICER (Mr. EAGLETON). Without objection it is so ordered.

AMENDMENT OF SOLID WASTE DISPOSAL ACT—AMENDMENTS

AMENDMENT No. 705

TO DEAL WITH ABANDONED AND JUNKED CARS

Mr. JAVITS. Mr. President, I introduce, on behalf of myself and Senators CANNON, GOODELL, HATFIELD, MOSS, PELL, PERCY, SAXBE, TYDINGS, and YARBOROUGH—each of whom cosponsored this same measure when I introduced it as a separate bill, S. 3522, earlier this year—an amendment to the solid waste disposal bill, S. 2005, which would establish a "Motor Vehicle Disposal Act" to deal with mounting problems of junked and abandoned cars. I ask that this amendment be referred to the Public Works Committee, where the solid waste disposal bill is now pending in executive session of that committee, having been reported favorably from subcommittee.

Mr. President, there is much concern about the environment in this country, and quite properly. One of the great problems of modern times and modern environment is the disposal of wastes, and among the wastes which bedevil us

the most, especially in our large cities, are so-called junked automobiles.

Mr. President, this is a major issue, and I believe that my staff, principally Frank Cummings, my administrative assistant, who suggested the original idea, has come up with a valid and ingenious way in which to deal with it.

In New York City alone last year, 50,000 automobiles were abandoned on the streets. They constitute an unsightly, unsanitary, dangerous, and costly blight to city living. For the entire country, the estimated number is 1 million abandoned vehicles each year.

This is a subject with which I have great personal familiarity, as I was born and raised in New York City, and have seen this problem grow to probably the city's greatest eyesore.

The bill is designed to deal with the mounting problem and awesome cost of removing junked and abandoned cars from our highways, streets, and landscapes. It requires that all cars carry a permanent plate issued by the U.S. Government. This plate would issue for a fee of from \$25 to \$50, depending on the size and weight of the car. Title to this plate would inhere in the car itself, so that transfer of the car automatically transfers title to the plate. The value of the plate, obviously, would affect the price of the car, either originally or on resale, to the extent of the value of the plate.

The last owner of the car could obtain a full refund of the license fee by depositing the car with an authorized concern qualified to process, and in the business of processing, junked vehicles into established grades of scrap for remelting purposes—thereby returning the metal to the stream of commerce without littering streets and landscapes with scrap. In the event a car is unlawfully abandoned in a public place—and that is our problem—a public agency authorized by law to remove the car could then take it to a qualified concern, and the agency itself would receive the disposal fee, to cover its very considerable cost in removing abandoned cars.

Issuance of the plates could be done on a State level as well, of course, but junked cars pose such a broad problem—a problem that crosses State lines—that I believe the Nation has the right to move into it in the name of interstate commerce as well as health, sanitation, and the prevention of crime.

In addition to providing an incentive not to abandon cars on public streets—the incentive being loss of the disposal-fee refund—and giving a bounty to the local government to remove such abandoned cars, this self-help plan would also create an incentive for junkyards not to expand their inventories endlessly. Each car carcass on a junkyard would always be worth at least \$25 to the lot owner if he would remove it and deposit it with an authorized disposal concern.

Senators will recall that the President, in his February 10, 1970, message to the Congress on environment and pollution, said:

The way to provide the needed incentive is to apply to the automobile the principle that its price should include not only the

cost of producing it, but also the cost of disposing of it.

This bill would accomplish that objective, except that it would not involve costs unless the owner abandons his car unlawfully.

I think it is important to note that this bill, except for the cost of initial organization of the plan, would be completely self-liquidating in terms of cost. A law-abiding car owner would incur no cost at all, assuming that he would recoup the cost of his plate when he sells his car to a second owner, and further assuming that the last owner—whose cost would include the cost of the license—would get a complete refund when he deposits the car for disposal. The bill also would make self-liquidating the very considerable cost which local governments incur for towing away abandoned vehicles, bearing in mind that there are 90 million vehicles in the United States. So this is a very tidy sum of money. The cost of administration could, I believe, be defrayed in the long run by the interest on money deposited in the revolving fund made up of the license fees themselves.

Mr. President, I think this approach has within it the key to the solution of other problems in this field as well.

It strikes me that one of the real aspects of the genius of our private enterprise system is that the citizen has two things that he never finds in a Communist society—ownership and credit. Under this amendment he deposits his money with the Government, knowing he will get it back; and he owns his own car and every appurtenance of it, and pays his own way. It seems to me that more and more, we must begin to utilize this principle. I believe the answer to the proliferating cost of Government may well lie in just these techniques.

Mr. President, as the original bill was referred to both the Commerce and Finance Committees, my staff has checked with both committees, and I am informed that consideration by the Public Works Committee is acceptable to both of the other committees, without setting any precedent as to jurisdiction.

I ask unanimous consent that this amendment be printed in the RECORD.

The PRESIDING OFFICER (Mr. RIBICOFF). The amendment will be received and printed, and will be appropriately referred; and, without objection, the amendment will be printed in the RECORD, in accordance with the Senator's request.

The amendment (No. 705) was referred to the Committee on Public Works, as follows:

AMENDMENT No. 705

On page 1, between lines 4 and 5, insert the following:

"TITLE I—SOLID WASTE DISPOSAL ACT AMENDMENTS"

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

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

On page 2, line 15, strike out "Sec. 4" and insert in lieu thereof "Sec. 103".

On page 3, line 22, strike out "Sec. 5" and insert in lieu thereof "Sec. 104".

On page 6, line 12, strike out "Sec. 6" and insert in lieu thereof "Sec. 105".

On page 9, line 11, strike out "Sec. 6.(a)" and insert in lieu thereof "Sec. 106".

On page 9, after line 22, add the following new title:

TITLE II—MOTOR VEHICLE DISPOSAL ACT

Sec. 201. This title may be cited as the "Motor Vehicle Disposal Act."

DISPOSAL FEE REQUIRED

Sec. 202. (a) Each person within any State who owns a motor vehicle on the effective date of this title shall, within three months after the effective date of this title, pay to the Secretary the motor vehicle disposal fee required by the provisions of this title, and affix to the motor vehicle a plate or other device, designed by the Secretary, stating that the motor vehicle disposal fee has been paid.

(b) Every motor vehicle manufacturer shall pay for each motor vehicle manufactured by it after the effective date of this Title the motor vehicle disposal fee required by the provisions of this Title, and shall affix to the motor vehicle a plate or other device, designed by the Secretary, stating that the motor vehicle disposal fee for that vehicle has been paid.

EVIDENCE OF PAYMENT OF DISPOSAL FEE

Sec. 203. (a) The Secretary shall design a plate or other device suitable for easy and permanent installation in a conspicuous place on a motor vehicle on which the disposal fee required by this Title has been paid.

(b) The Secretary shall make available places at convenient locations throughout the country in which persons shall pay the disposal fee required under section 202 and receive the plates or other devices evidencing such payments together with instructions for the installation of such plates or other devices.

(c) The Secretary shall make necessary arrangements with manufacturers required to pay the disposal fee under section 202, to receive the payment of such fees at such times as he determines to be convenient for such manufacturers and to furnish such manufacturers sufficient numbers of plates or other devices evidencing such payment.

AMOUNT OF DISPOSAL FEE AND ESTABLISHMENT OF THE MOTOR VEHICLE DISPOSAL FUND

Sec. 204. (a) The Secretary shall prescribe the amount of the disposal fee required under this Title in an amount not less than \$25 nor more than \$50 per motor vehicle. In determining the amount of the disposal fee the Secretary may establish a schedule of fees after considering the size of the motor vehicle and the cost of developing new techniques of disposing of motor vehicles. Any fee or fee schedule established under this section may not be established by the Secretary without proceedings including notice and an opportunity for a hearing held in accordance with the provisions of subchapter II of chapter 5, title 5, United States Code, and provision for judicial review in the United States Court of Appeals for the District of Columbia in accordance with the provisions of chapter 7 of such title.

(b) Any sums appropriated pursuant to section 212 of this Title and any disposal fees collected pursuant to this Title shall be deposited in a revolving fund which is hereby established in the Treasury of the United States and shall be known as the "Motor Vehicle Disposal Fund". Moneys in the fund shall be available, without fiscal year limitation, to the Secretary to make payments to persons certified to him by licensed motor vehicle disposal concerns in accordance with the provisions of this Title. Moneys in the fund not necessary for current operations shall be invested in bonds or other obligations of, or guaranteed by, the United States.

MOTOR VEHICLE DISPOSAL CONCERNS
LICENSED

SEC. 205. (a) After the effective date of this title, any person engaged in the business of processing junked motor vehicles into established grades of scrap for remelting purposes may make application to the Secretary for a license under this section at such time, in such manner, and containing such information as the Secretary shall by regulation reasonably require.

(b) Licenses issued under this section shall be in such form as the Secretary shall prescribe and shall continue in effect unless revoked pursuant to this title.

(c) In issuing or refusing to issue any licenses under this section the Secretary shall conduct proceedings in accordance with the provisions of subchapter 2 of chapter 5 of title 5, United States Code. Such proceedings shall be reviewable in the appropriate United States court of appeals in accordance with chapter 7 of such title.

(d) The Secretary shall issue a license to any applicant if he determines that—

(1) the applicant is qualified and has the facilities necessary to process junked motor vehicles into established grades of scrap for remelting purposes;

(2) agrees to certify to the Secretary the names and addresses of persons eligible to receive disposal payments under this title.

(c) (1) The Secretary is authorized to enter the facility of any person authorized under this title or any person applying for a license under this title and to inspect the premises and facilities on such premises at reasonable times, within reasonable limits, and in a reasonable manner.

(2) Every licensee shall establish and maintain such records, make such reports, and provide such information, including technical information, as the Secretary may reasonably require to enable him to carry out the provisions of this title. All information contained in any report received under this section shall be deemed to be confidential information for the purposes of section 1905 of title 18 of the United States Code.

REVOCATION OF LICENSES

SEC. 206. (a) Any license issued pursuant to this title may be revoked by the Secretary if he determines that (1) the licensee has discontinued the business of disposing of motor vehicles as provided in the license, or (2) the licensee fails or refuses to make the certifications required by this title.

(b) Before revoking any license pursuant to subsection (a) of this section, the Secretary shall serve upon the licensee an order to show cause why an order of revocation should not be issued. Any such order to show cause shall contain a statement of the basis thereof, and shall call upon such licensee to appear before the Secretary at a time and place stated in the order, but in no event less than thirty days after the date of receipt of such order, and give evidence upon the matter specified therein. The Secretary may in his discretion suspend any license simultaneously with the issuance of an order to show cause, in cases where he finds that the public interest requires such suspension. Such suspension shall continue in effect until the conclusion of any revocation proceeding, including judicial review thereof, unless sooner withdrawn by the Secretary, or dissolved by a court of competent jurisdiction. If, after hearing, default, or waiver thereof by the licensee, the Secretary determines that an order of revocation should issue, he shall issue such order, which shall include a statement of his findings and the grounds and reasons therefor and shall specify the effective date of the order and he shall cause such order to be served on the licensee. In any case, where a hearing is conducted pursuant to the provisions of this section, both the burden of proceeding with

the introduction of evidence and the burden of proof shall be on the Secretary. Proceedings under this section shall be independent of, and not in lieu of, any other proceeding under this title or any other provision of law.

MOTOR VEHICLE DISPOSAL PAYMENTS

SEC. 207. (a) Each person who owns a motor vehicle on which the motor vehicle disposal fee has been paid is entitled to receive a disposal payment in an amount equal to the motor vehicle disposal fee whenever such vehicle is transferred to, and presented for disposal to, a concern licensed under the provisions of this title.

(b) If an owner, in violation of State law, abandons a motor vehicle on which the motor vehicle disposal fee has been paid, and such vehicle is thereafter presented to a concern licensed under the provisions of this title by a public agency authorized by State or local law to confiscate and dispose of such abandoned vehicle, the public agency so presenting and transferring such abandoned vehicle shall be entitled to receive a disposal payment equal to the motor vehicle disposal fee.

(c) Whenever a motor vehicle is properly presented to a motor vehicle disposal concern as provided in paragraph (a) or (b) of this section, such concern shall issue to the person or agency presenting and transferring such vehicle a receipt therefor, on a form prescribed by the Secretary, stating that such vehicle has been properly disposed of under this title and that such person or agency is entitled to receive the disposal payment.

(d) The Secretary shall redeem, by payment of the disposal payment, under whatever arrangements he deems appropriate, receipts properly issued under paragraph (c) of this section.

UNLAWFUL ACTIVITIES

SEC. 208. It shall be unlawful for any person—

(1) to fail or refuse to pay the motor vehicle disposal fee required by section 202 or to fail to affix the evidence of such payment to the motor vehicle in accordance with the provisions of this title;

(2) to manufacture for sale, offer for sale, introduce or deliver for introduction in interstate commerce any motor vehicle manufactured on or after the effective date of this title without the payment of the disposal fee for such vehicle under section 202 and a plate or other device evidencing such payment being affixed to such vehicle in accordance with the provisions of this title;

(3) who is licensed under the provisions of this title, to fail or refuse access to or copying of records or fail to make reports or furnish information or fail to permit entry or inspection as required under section 205; or

(4) to manufacture or furnish to any other person a plate or other device designed by the Secretary for the purposes of this title unless such person is authorized by the Secretary to do so.

PENALTIES

SEC. 209. (a) Any person who is required to pay the disposal fee pursuant to section 202 of this title and who willfully and knowingly fails to make such payment shall be subject to a penalty of not to exceed \$500 for such violation.

(b) Any person who violates the provisions of section 203 or paragraph (3) or (4) of section 208, or regulations issued thereunder, shall be subject to a civil penalty not to exceed \$500 for each such offense except that the maximum penalty shall not exceed \$100,000 for any related series of violations committed by the same person.

(c) Any person who willfully and knowingly makes a false statement of any in-

formation required under this title shall be deemed to have violated the provisions of section 1001 of title 18, United States Code.

(d) Any such civil penalty under this section may be compromised by the Secretary and shall be recoverable in a civil action in any district court in the district in which any such person resides, or is doing business.

ADMINISTRATION

SEC. 210. (a) In order to carry out the objectives of this title, the Secretary is authorized to—

(1) promulgate such rules and regulations as may be necessary;

(2) appoint such advisory committees as he may deem advisable;

(3) to procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code;

(4) use the services, personnel, facilities, and information of any other Federal department or agency, or any agency of any State, or political subdivision thereof, or any private research agency with the consent of such agencies, with or without reimbursement therefor; and

(5) manufacture the plates or devices designed by him for the purposes of this title at the expense of the United States.

(b) Upon request by the Secretary each Federal department and agency is authorized and directed to make its services, personnel, facilities, and information, including suggestions, estimates, and statistics available to the greatest practicable extent to the Secretary in the performance of his functions under this title.

(c) The Secretary, the Comptroller General of the United States, or any of their duly authorized representatives shall have access, for the purpose of audit and examination, to any books, documents, papers, and records that are pertinent to the payments certified to by any licensee under this Act.

DEFINITIONS

SEC. 211. As used in this title—

(1) The term "person" includes any individual, corporation, company, association, firm, partnership, society, joint stock company, or public agency.

(2) The term "motor vehicle" means any vehicle driven or drawn by mechanical power manufactured primarily for use on the public streets, roads, and highways, except any vehicle operated exclusively on a rail or rails. The Secretary may exclude classes of motor vehicles other than passenger automobiles from the definition of motor vehicle for the purposes of this title upon a finding that to do so is in the public interest.

(3) The term "manufacturer" means any person engaged in the manufacturing or assembling of motor vehicles including any person importing motor vehicles for resale.

(4) The term "State" includes each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, the Canal Zone, and American Samoa.

(5) The term "interstate commerce" means commerce between any place in a State and any place in another State, or between places in the same State through another State.

(6) The term "Secretary" means the Secretary of Transportation.

AUTHORIZATION AND APPROPRIATIONS

SEC. 212. There is hereby authorized to be appropriated to the Secretary, to carry out the provisions of this title not to exceed \$500,000 for the fiscal year ending June 30, 1971.

EFFECTIVE DATE

SEC. 213. The provisions of this title shall take effect on September 1, 1970, except that sections 203, 210, 211, and 212 shall become effective on the date of enactment of this title.

AMENDMENT OF THE FOREIGN MILITARY SALES ACT—AMENDMENT

AMENDMENT NO. 706

Mr. MILLER submitted an amendment, intended to be proposed by him, to the bill (H.R. 15628) to amend the Foreign Military Sales Act, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 708

Mr. BYRD of West Virginia (for himself and Mr. GRIFFIN) submitted an amendment, intended to be proposed by them, jointly, to House bill 15628, supra, which was ordered to lie on the table and to be printed.

(The remarks of Mr. BYRD of West Virginia when he submitted the amendment appear later in the RECORD under the appropriate heading.)

OFFICE OF EDUCATION APPROPRIATION BILL, 1971—AMENDMENT

AMENDMENT NO. 707

Mr. CASE submitted an amendment, intended to be proposed by him, to the bill (H.R. 16916) making appropriations for the Office of Education for the fiscal year ending June 30, 1971, and for other purposes, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSOR OF AN AMENDMENT

AMENDMENT NO. 641

Mr. CHURCH. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Oregon (Mr. HATFIELD) be added as a cosponsor of the amendment No. 641 to H.R. 16916, making appropriations for the Office of Education for the fiscal year ending June 30, 1971, and for other purposes.

The PRESIDING OFFICER (Mr. EAGLETON). Without objection, it is so ordered.

TRIBUTE TO HAMILTON FISH

Mr. PELL. Mr. President, for the past several weeks, we have been engaged in the Senate in a debate on the powers of the Presidency and Congress in the declaring and waging of war.

That debate, for better or for worse, has been conducted not entirely in the abstract, but in specific relation to the use of Presidential and congressional powers in the war in Southeast Asia. As a result, the question of congressional and Presidential powers and responsibilities inevitably has become confused and entangled with positions of support or opposition to specific policies and decisions in regard to the Indochina war.

One lesson that I believe can be learned from this debate is that the Congress, in asserting its constitutional role in determining whether this country shall wage war, can do so most effectively by acting in a timely manner, before we are actually embroiled in conflict.

Retrospectively I think we would all agree that it would have been far prefer-

able if the Congress has made known its intent to exert its constitutional authority in regard to Southeast Asia at the very outset of our military involvement there.

Our policies in Southeast Asia may not have changed as a result, but certainly we would have been spared much of the bitter divisiveness from which our country now suffers.

At the outset of our Southeast Asian involvement the men who foresaw where that involvement might lead were few indeed. But there were such men, and I would like today to recall the efforts of one of those men to steer us from the course of events that led to the commitment of U.S. combat troops to Southeast Asia.

I speak of the Honorable Hamilton Fish, a Congressman for many years from New York, and an old family friend whom I always admired and for whom I have always had great affection, although I have not always agreed with him. Hamilton Fish appeared before the Senate Foreign Relations Committee 16 years ago when the committee was considering U.S. ratification of the Southeast Asia Collective Defense Treaty.

I recently had occasion to reread Mr. Fish's testimony before the committee and was struck by his prescience. Indeed, much of the debate we have heard during the past month here in the Senate has the ring of an echo from that testimony of 16 years ago.

He warned that the policies foreshadowed by the SEATO agreement would lead the United States into a land jungle war in Asia. He predicted that it would be a long war; costly in lives and treasure, but without victory; that such a war would be bitterly unpopular here in the United States and would produce, and I quote, "a political revolt such as has never been seen in this country."

Sadly, we have seen it all come to pass. It is particularly interesting, and timely, to note that Hamilton Fish saw the congressional war powers of the Congress as the ultimate safeguard against this chain of events, and he urged the Congress to insist upon the exercise of those constitutional prerogatives.

In his testimony before the Foreign Relations Committee, he urged that the Senate attach a reservation to the SEATO agreement, explicitly reserving the constitutional rights of the Congress. His proposed reservation sounds much like some of the amendments now being proposed here in the Senate. It read:

No United States ground, air, or naval forces shall engage in any defense actions in accordance with the provisions of this treaty before the Congress has consented to their use against Communist armed attack or armed aggression by a declaration of war.

Again, let me remind you that this proposal was put forward 16 years ago. I would like to cite a few quotations from Hamilton Fish's testimony.

He expressed his conviction that the policy of military involvement in Southeast Asia "will result in a huge sacrifice of American lives and treasure in vain in the jungles of Vietnam, Cambodia, Laos, and Thailand."

He said:

If this treaty is ratified, it will be an evil day for America. It would inaugurate a ghastly and tragic policy for which we will pay in blood, sweat and tears for generations to come. Why not consult the American people before making any binding war commitments? No one American in ten would favor our entrance into war in Vietnam, Cambodia, Laos or Thailand. Nothing could be more unpopular. . . . We cannot afford to squander our wealth, resources, or manpower all over the world without weakening our own economy and national defense, a condition which Moscow ardently desires.

Mr. President, Hamilton Fish, during his years of public service, became known as an isolationist.

In truth, and in the light of history, however, I think he would best be described as a noninterventionist. He saw, before many others, the limits of national power of even the most powerful nation on earth. Although strongly anti-Communist, he saw that the United States would not prevail in a world struggle by attempting to police the world with its own men and arms. And he had the vision to see that Southeast Asia was not vital to our national interests, but was a booby-trap that would weaken and divide our country.

I would urge my colleagues to take the time to read the striking and prescient testimony of Hamilton Fish. I know the wisdom of his father must give great pride and strength to his son who is presently our colleague in the other body.

AVERELL HARRIMAN'S WISE STATEMENT CONCERNING VIETNAM

Mr. PELL. Mr. President, Averell Harriman, a distinguished statesman whom I have long admired and for whom I have a most affectionate regard, was in my home city of Newport, R.I., last Saturday, June 6, 1970. There he delivered a remarkably prescient and sensible speech concerning our enmeshment in Vietnam. He expressed himself in clear terms and made specific recommendations.

Since his views are ones which not only I respect, but which I know so many of my colleagues do as well, and since I find myself in broad agreement with his views, I ask unanimous consent that his speech be inserted in the RECORD following my remarks.

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

EXCERPTS FROM AN ADDRESS BY W. AVERELL HARRIMAN

You are graduating from school today at a moment of crisis affecting many aspects of the life of our country. There is deep concern over the deterioration of our environment, urban decay, inflation combined with increased unemployment, poverty, education, full racial equality and, first and foremost, the tragic war in Vietnam.

The war continues through the failure of the Administration to learn from the mistakes of the past or to listen to those opposed. It persists in taking actions that have profoundly divided our country and have undermined confidence in us abroad.

Looking back, I believe the immediate post-war years were perhaps the most creative and constructive period of American influence in the world. As Americans we can take pride in our vision and in our achieve-

ments. We should understand this period and learn from it. First, we gave aid to the war-torn nations, friend and foe alike. We helped create the United Nations—with all its limitations, a vital force for peace.

Despite our high hopes for post-war cooperation with the Soviet Union, we found it a new aggressive force. To meet this new danger, we rallied Western Europe and frustrated Stalin's designs to extend his empire to the Atlantic. Today the countries of Western Europe are more dynamic than ever and have become our strong partners in world responsibilities.

At the same time, we undertook, through President Truman's Point IV Program, to offer a helping hand to the underdeveloped peoples of the world and called on other industrial nations to join. President Truman pointed out that science and technology now made it possible to overcome the ancient enemies of mankind—hunger, poverty, misery and disease.

Yet at the same time we were taking these extraordinary initiatives, President Truman understood that there were limits to our capabilities. He recognized that in China there was nothing feasible we could do, and in spite of criticism he refrained from becoming involved in the civil war there.

With the full support of the United Nations, we threw back the direct attack on South Korea from the North. It is important to recall today that President Truman recognized we had achieved this limited objective and resisted strong military pressure to expand the war again to North Korea and China.

Throughout this period we had gained the respect and confidence of the peoples of the free world. In Vietnam, however, we took a wrong turn. We have misjudged our capabilities and the nature of our interest there. How did we become involved in such a disaster?

President Roosevelt stated several times in my presence that he would not permit the French to return to Indochina. He ordered the Pentagon not to make plans for this area after the defeat of Japan, but he did not outline before he died the political moves he had in mind.

Unfortunately, the French were allowed back.

Even more unfortunately, when their military efforts failed and the Ho Chi Minh forces got control of North Vietnam in 1954, we took over from France in South Vietnam and undertook political, economic and military responsibilities to support the Diem regime in power there. To do our military justice, I understand that General J. Lawton Collins, former Chief of Staff of the United States Army, cautioned that the situation in South Vietnam was not militarily viable. But step by step we became more and more involved, and we are now in an untenable position.

When the new Administration came in in January 1969, instead of building on the peace negotiations which were then under way, it permitted President Thieu to pull the rug out from under them. President Thieu announced that he would not sit down in the private meetings that had been arranged for, although he knew full well that it was only in private meetings that any progress could be made. Two months later he finally was persuaded to participate in private discussions, but at the same time he announced that he would not in any circumstance agree to a coalition government or permit the NLF to become a political party in South Vietnam. But by this time the NLF refused. And no progress has been made in Paris since.

Our political objectives in Vietnam cannot be achieved by military means. We can expand the war to include Cambodia, Laos, North Vietnam and then China, and even the Soviet Union, but this war cannot be

won. That is not the fault of the United States, but the nature of the problem that exists there.

Unfortunately, this Administration is not concentrating on negotiations, but rather on military action.

The Administration's program of Vietnamization of the war is not in my opinion a program for peace but is a program for the perpetuation of the war. At best, we can only hope for a reduction of less than half of our forces in South Vietnam two and a half years after this Administration took office. And after that there is no assurance whether or when the balance of our forces will be withdrawn. It seems clear that the South Vietnamese Army will continue to need United States air and logistic support.

Furthermore, the Vietnamization of the war is dependent on an unpopular and repressive military government. With all of the military influence, President Thieu and Vice President Ky got less than 35% of the votes cast in 1967, whereas over 60% of the votes were cast for civilian candidates who had some kind of peace plank in their platform. This election confirms the judgment that the people of South Vietnam want peace and not a continuation of the war.

While the Vietnamization plan has reduced the American casualties, South Vietnamese casualties are increasing, with up to 800 killed a week and with many civilian casualties as well.

Our expansion of the war to Cambodia makes matters worse. We are told about the number of enemy arms captured but not about the towns and villages destroyed and the number of innocent Cambodian civilians killed. No military success in Cambodia is worth the awful price in expanding the war to another country, in making a political settlement much more difficult, in sharpening the divisions among our people here at home and in further loss of respect for our purpose abroad.

On Wednesday night the President spoke nine times about his concern for the lives of American soldiers as a principal reason for the invasion of Cambodia. Surely the way to save the lives of our men is to get them out of combat. Clearly, our concern should be to put an end to the fighting, not to expand or prolong it.

All our troops should be withdrawn from Vietnam—on a prompt and a fixed schedule. This will compel the Thieu government to undertake seriously negotiations for a responsible settlement. He must bring into his government the political elements desiring peace and send to Paris a team willing and capable of negotiating with the NLF for a compromise solution. Of course, the President himself, to be credible, must appoint a high-level representative to get negotiations started again.

Our withdrawal must be responsible, and I believe that it can be—without delaying the return of our troops. We helped set this country on fire, and we must help put it out. I am convinced that the other side will agree to one point at least—that there will be no reprisals by either side, with supervision by an international body. Other issues must be negotiated out among the South Vietnamese themselves.

In the many private discussions I had with the North Vietnamese in Paris, there is one thing that I learned. They are fiercely nationalistic. They particularly want to be independent of China. With this in mind, they established friendly relations with the French after the war with France ended. Now if our war can be ended, they want similar relations with the United States. Like Tito, they recognize the need for an alternative to being compelled to rely on their powerful communist neighbor.

No group in our country is more aroused by these crises than college students, and you are about to join them. Unfortunately,

the emotions and energies of some students have been directed towards destructive rather than constructive activities. I profoundly respect the students who are determined to do something constructive about what they object to in our society.

People speak of working within the "system". I agree with the idea, but I don't particularly like the phrase. The word "system" implies something rigid, unchanging. Communism is a "system". Facism is a "system". But ours isn't a rigid society. Ours is a society of infinite flexibility. That flexibility is what has kept it alive and resilient, capable of change and innovation.

A period of crisis gives greater opportunity for change. I participated in another deep crisis—that of the Great Depression of the early 30's. Our nation had been built through individual and collective efforts in a laissez-faire economy. This proved inadequate and hit the rocks in an economic disaster. President Roosevelt rallied our country to support a major social and economic revolution. For the first time, our national government assumed responsibility for the individual who was in distress through no fault of his own and for the financial and economic direction of our country. The New Deal moved rapidly in many directions.

President Roosevelt saw a nation "one-third ill-fed, ill-clad, ill-housed" and started to correct the injustice. The underlying conception of the New Deal was to make our country's abundance and opportunity available to all.

Of course, Roosevelt came under attack—bitter attack—from vested interests. But since his death none of his basic concepts have been reversed. In fact, they have been built on and expanded, but not completed. Much is left to be done—and must be done.

Furthermore, new problems have arisen. While we have been directing our efforts to fill the material needs and desires of our people, we have disregarded the effort on our environment. Concern about this is not new, but no effective attention has been given to the appalling fact that as we produced more and more, we destroyed more and more.

Now our country is awakening. The eyes of our young people are on what we have destroyed and are continuing to destroy. And they are demanding a change in our sense of values.

It is important for us to understand today that it was the crisis atmosphere of the Depression which gave President Roosevelt the opportunity for revolutionary re-direction of our society to meet the changing needs of the times.

Today Vietnam is of immediate and overpowering importance. The war must be ended to permit the re-direction of our human and material resources expended in this tragic morass to our urgent needs here at home. Abroad we must again take our place as an understanding and responsible Good Neighbor and as the leading standard-bearer for peace in the United Nations.

It is a time when all of us should decide how we can contribute most effectively.

It is easy to be destructive. I reject the rock throwers and the burners. They not only destroy, but their excesses play into the hands of those opposed to progress.

But non-violent demonstrations have an important place in our American life. They stir people to join the cause. However, they are of limited and temporary value. They must be followed by constructive action.

I am heartened by the work the students are doing in Washington in lobbying against the war and in the manner in which they are organizing to participate in this year's elections. Their example has stimulated a thousand Wall Street lawyers, some of them from the most conservative firms, to go to Washington and, from the steps of the Capitol, urge the Congress to take action to stop the war.

In the months ahead you may want to join the campaign for the candidate that you believe in. I commend this to you. It is hard, tough work, but it is stimulating and purposeful. Students can have a decisive influence on the character of our next Congress and can affect local governments as well.

This is an exciting period. The very crisis gives unique opportunity. In the words of Ralph Waldo Emerson:

"If there is any period one would desire to be born in—is it not the era of revolution when the old and the new stand side by side and admit of being compared; when all the energies of man are searched by fear and hope; when the historic glories of the old can be compensated by the rich possibilities of the new era? This time . . . is a very good one if one but knows what to do with it."

Past generations have known what to do with it. I have confidence your generation will know what to do with it. I have confidence in you. And this gives me abiding faith in the future of America.

ORDER OF BUSINESS

Mr. GOLDWATER. Mr. President, I ask unanimous consent that I be permitted to proceed for 10 minutes.

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

HIGH PRICES AND INFLATION

Mr. GOLDWATER. Mr. President, my purpose here today is to answer an argument which we hear being voiced more and more by critics of the war in Vietnam and the American Military Establishment. The argument is that military expenditures, including those that go to defray the cost of military operations in Southeast Asia, are the primary cause of high prices and inflation.

This theme is one which opponents of the Nixon administration have nurtured very carefully through almost every medium of public expression. In recent weeks we have even seen a stream of ill-informed business leaders testify before various Senate committees in support of this argument. They viewed with concern, of course, the large amounts of money which are earmarked for defense expenditures and jumped to the conclusion that this is the automatic and the sole cause of inflation in this country.

I do not deny, in any respect, that defense spending is heavy. There are reasons for this. Our defense system and weapons system today are highly sophisticated. They demand a tremendous outpouring of money for research and technology. This, of course, has developed at a time when the United States is confronted with the largest, most demanding worldwide responsibilities of any nation in history.

But large as our defense spending has been, I insist that it is not, nor can it be, the primary cause of inflation. To be sure, Government extravagance and Federal budget deficits are fundamentally at fault. But I want to point out that non-defense spending is the real culprit. The facts about the present situation are that nonwar spending has risen much more than defense spending. When the decision was made in the Johnson administration to escalate the war—and thus

the expenditures—in Vietnam, it should have been accompanied by a policy of belt-tightening at home.

But, Mr. President, we all know this did not happen. The Johnson administration made a big point of saying that there was room in the economy for both guns and butter. Consequently, it brought about an enormous expansion in both areas.

Since President Nixon took office, our military spending has been declining. The projected military budget for fiscal 1971 is about 20 percent lower than the budget for similar expenditures in the last year under President Johnson. This makes allowance for the inflation of prices in that period. But no corresponding reduction has been made in other kinds of spending. For example, in the current 3-year period—fiscal year 1968 to fiscal year 1971—defense spending is being cut 9 percent, outlays for education and other social purposes boosted 47 percent, and all other Federal expenditures increased 21 percent. But the record of defense costs should probably be reviewed in a broader historical perspective:

Immediately after World War II, the Military Establishment was largely dismantled and outlays fell precipitately from \$80 billion in 1945 to between \$11 and \$13 billion annually from 1948 to 1950. This unilateral disarmament was one of the causes of the Korean action which shot defense costs up to \$50 billion in 1953. Since that time, that is, between 1953 and fiscal year 1971 as proposed by the President, defense expenditures increased 49 percent—approximately equal to the simultaneous rate of price rise. Spending for health, education, welfare, and labor increased 944 percent; for all other functions 182 percent.

More than half of the \$129 billion increase in Federal expenditures between 1953 and 1971 was applied to social purposes, less than one-fifth to defense. Defense meanwhile shrank from 64 percent of the Federal budget to 36 percent, from 13.6 percent of gross national product to about 7.2 percent.

In other words, the share of Federal revenues and of the gross national product allocated to national defense has been cut almost in half since 1953. Most of the huge savings were applied to social purposes, and of these education was one of the main gainers.

From this it is easy to see that the cause of price inflation today is not something that can be blamed exclusively on military expenditures. When the role of Government spending is surveyed it is plain to see that nonmilitary expenditures are by far the greater cause of today's high price structure. These are economic facts based on official Government figures, and they cannot be altered by a Senate committee, no matter what its motivation, nor can they be changed by any number of speeches by important business leaders. A statement by IBM's Thomas B. Watson, Jr., is no exception. When Mr. Watson, or any other business leader, comes to town and glibly blames inflation on the cost of keeping this Nation strong and of honoring our inter-

national commitments, I say that he is wrong and is playing on the fears of those who believe the war in Vietnam and the military-industrial complex are to blame for all the evils to which man is heir.

The prominent economist Dr. Milton Friedman, of the University of Chicago, has pointed out that war is usually associated with the problem of inflation because historically it has produced large Government spending and that generally this spending is financed in considerable part by creating money rather than through taxes or borrowing from the public. He goes on to point out that from this point of view what matters is how much the Government spends and how much of the spending is financed through the creation of money—not what the spending is for. Consequently, the largest part of inflation has to be attributed to the extraordinary increase in nonwar spending. I am not saying that increased military spending doesn't play a part. What I am saying is that increases in nonwar spending have played a much larger part in today's high prices.

I believe that it is about time, especially for men of business who have been trained in the problems of economics, to acknowledge this fact and tell it like it is—rather than yielding to a temptation to go along with the liberal crowd and hold the Vietnam war and the military establishment as the American No. 1 scapegoat.

THE 10TH ANNIVERSARY OF QUEMOY AND MATSU

Mr. GOLDWATER. Mr. President, today, when we are groping for answers to the perplexing problems of Vietnam, the Middle East, and countless other conflicts, we would do well to draw a lesson from experience.

Ten years ago today, the Communist Chinese launched one of their heaviest attacks against the free Chinese offshore islands of Quemoy and Matsu. In a 24-hour period, the Communists fired 86,000 rounds at the tiny outposts. Radio Peking proclaimed the attack was to underscore Communist "contempt and scorn" for President Eisenhower who was then visiting Formosa. Mao himself reaffirmed his determination to wrest the offshore islands from Nationalist control.

In the face of such aggression, the United States and its allies stood firm.

What was the result? Today Quemoy and Matsu are still free. The Communists take occasional potshots at the islands, but have given up plans for invasion.

The victory we won in the battle for the offshore islands was not dramatic. The struggle still goes on; but the Communists have been handed a setback.

Quemoy and Matsu are striking examples of Communist capitulation. The United States under President Eisenhower quietly but firmly faced up to its responsibilities. America simply said it would not knuckle under to armed intimidation—and the Communists got the message.

These are lessons we seem to have forgotten.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate go into executive session.

The motion was agreed to, and the Senate proceeded to consider executive business.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate consider the nominations on the Executive Calendar, beginning with the nominations in the U.S. Air Force, and that it be in order on the nomination of Adm. Thomas H. Moorer that the yeas and nays be ordered.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MANSFIELD. I ask for the yeas and nays on the Moorer nomination.

The yeas and nays were ordered.

U.S. AIR FORCE

The bill clerk proceeded to read sundry nominations in the U.S. Air Force.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

U.S. NAVY

The bill clerk proceeded to read sundry nominations in the U.S. Navy.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

U.S. MARINE CORPS

The bill clerk read the nomination of Maj. Gen. John R. Chaisson, for commands and other duties determined by the President, for appointment to the grade of lieutenant general while so serving.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

DEPARTMENT OF LABOR

The bill clerk read the nomination of James D. Hodgson, of California, to be Secretary of Labor.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—ARMY AND MARINE CORPS

The bill clerk proceeded to read sundry nominations in the Army and the Marine Corps which had been placed on the Secretary's desk.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President

be immediately notified of the confirmation of these nominations.

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

JOINT CHIEFS OF STAFF

The bill clerk read the nomination of Adm. Thomas H. Moorer, U.S. Navy, to be chairman of the Joint Chiefs of Staff.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a limitation of 40 minutes on the pending nomination, the time to be equally divided between the distinguished Senator from Ohio (Mr. YOUNG) and the distinguished Senator from Arizona (Mr. GOLDWATER).

The PRESIDING OFFICER (Mr. BIBLE). Is there objection to the unanimous-consent request of the Senator from Montana? The Chair hears none, and it is so ordered.

Who yields time?

Mr. YOUNG of Ohio. Mr. President, I yield myself 15 minutes.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 15 minutes.

Mr. YOUNG of Ohio. Mr. President, today the Senate is being asked to consider and to confirm the nomination of Adm. Thomas H. Moorer to be Chairman of the Joint Chiefs of Staff. The Chairman of the Joint Chiefs of Staff is one of the most important jobs in this country, military or civilian, and we must give careful consideration to any man nominated for this position. Because he can play such a very large role in committing this Nation to war, his judgment is a matter of great importance to the safety and security of every American.

Mr. President, since early 1965, this country has been directly involved in an immoral, undeclared war in Vietnam. The authorization under which President Johnson committed American troops to that area stemmed largely from the so-called Gulf of Tonkin resolution.

On August 6, 1964, leaders of the Johnson administration came before Congress and announced that on August 4, 2 days earlier, the North Vietnamese had made an unprovoked attack on the American destroyers *Maddox* and *Turner Joy* patrolling in the Gulf of Tonkin. The claim was made that the *Maddox* and *Turner Joy*, either of which had the capability of destroying the entire North Vietnamese Navy, when attacked were on a routine mission. Certainly, Adm. Thomas Moorer, at that time Commander of the Pacific Fleet, knew, or in

the exercise of ordinary care should have known, that was not a truthful statement to give to the American people. We in the Senate had no other information. We relied on that. We Senators had a feeling of outrage when informed from the White House that U.S. destroyers on a routine mission were attacked by North Vietnamese gunships without provocation.

At that time we did not know of the phrase "credibility gap." Later we learned the hard way that top navy and military officers had reported statements which lacked truth and credibility. We learned the hard way there is reason for skepticism. We in the Senate believed the report of an attack on our naval vessels on the high seas while on a routine mission. The Gulf of Tonkin resolution was passed. I regret to say that I voted for it, as did other Senators.

But since that time, Mr. President, it has become evident that what happened on the night of August 4, 1964, is not at all so clear as we had been led to believe. Largely through the efforts of the chairman of the Senate Foreign Relations Committee (Mr. FULBRIGHT) various facts were discovered which made it apparent that in fact there was a great deal of question about the alleged attack, not only in regard to the details of the attack but also as to whether the attack actually took place.

Late last year the publication of a remarkable book again brought the issue into focus. In his excellent and well-researched book "Truth Is the First Casualty," Joseph Goulden examines all of the available evidence and makes it abundantly clear that there were a number of unanswered questions about the alleged attack on August 4.

Mr. President, the questions regarding the events of August 4 essentially revolve around two crucial points. First of all, there is the whole question of whether or not an attack really did take place. And second, even if an attack did take place, was it correct to label it as unprovoked. Even if there were an attack, and I believe this is highly questionable, was it without provocation as the Navy and administration charged at that time?

Mr. President, let me make it clear here that what I am emphasizing is not a matter of truth against falsehood. No one's honesty is being questioned. What is at issue is the question of a man's judgment, the judgment he shows in times of crisis as well as in times of calm.

The evidence relating to the problem of whether or not the attack actually took place on August 4 is lengthy. At this point I can only refer to a few notable aspects. No visual sightings were ever made, and this includes by U.S. airplanes flying overhead with flares. No gunfire was actually seen or heard despite early reports that the *Maddox* was under automatic weapons fire. No torpedoes were ever seen. No radar contacts were ever made. No physical evidence was ever found that any North Vietnamese vessels had been sunk, despite the Navy's claim to the contrary. Sonar reports of torpedoes turned out to be the result of an inexperienced sonarman who mistook the *Maddox's* own propeller noise for tor-

pedoes, and, most importantly, after the initial report of a possible attack, the commander of the *Maddox* and *Turner Joy*, Captain Herrick, grew more and more dubious in his reports and, in fact, counseled doing nothing until a daylight reconnaissance could be held. He expressed doubts, but his doubts were concealed from the American people.

Mr. President, the issue here is the judgment shown by the men in the Pacific Command, and at that time Admiral Moorer was commander of the Pacific Fleet. The doubts, the questions, the uncertainties surrounding the alleged attack on the night of August 4 were misrepresented. Truth was the first casualty just as Joseph Goulden designated.

The facts are that on the night of August 4 there probably never was such an attack on the *Maddox*. Nevertheless, both Admiral Moorer, Commander of the Pacific Fleet, and Admiral Sharp, Supreme Commander of the Pacific, reported confirmation of night attacks on the destroyers *Maddox* and *Turner Joy* and at no time later withdrew these charges. Admittedly, it was a bad night, conditions at sea were horrible, making for extreme confusion. But if that is true, how could commanders miles away be so certain of the facts when the commander at the scene was not?

Beyond the question of whether an attack took place is the question of whether or not it could have been claimed to be unprovoked if it had taken place. Here again the crucial issue is a man's judgment and interpretation of facts.

Mr. President, during the time the *Maddox* and *Turner Joy* were engaging in spy patrols, electronic surveillance patrols, in the Gulf of Tonkin, the South Vietnamese Navy was attacking North Vietnamese coastal installations. They had also done this 4 days earlier, and the *Maddox* passed by the area attacked by the South Vietnamese. The North Vietnamese naval and civilian officials had every reason to be concerned and fearful of the intrusion of the *Maddox* and *Turner Joy* close to their harbor and installations. This is readily understandable.

The South Vietnamese attacked in American-built PT boats whose exterior appearance was unchanged from that of U.S. PT boats. Their officers and crews had been trained by American advisers. These South Vietnamese operated gunships attacked North Vietnamese radar and harbor installation on the islands of Hon Me and Hon Ngu on the 31st of July. They attacked new targets shortly before midnight on August 3d and continued into the 4th.

Then our destroyers appeared close to the North Vietnamese coast and islands on the 4th together with air cover. What were the North Vietnamese to think? What would the U.S. naval officers think if, at the same time as Cuban vessels were attacking Miami, Russian destroyers appeared off the coast?

Mr. President, when leaders of the Johnson administration came before the Congress to request passage of the Gulf of Tonkin resolution, they did not mention this second South Vietnamese attack. They did not know about the South

Vietnamese attacks on August 3 and 4. Secretary of Defense McNamara later disclaimed having received any information of this. He was a victim of the credibility gap, just as we Senators were. We Senators did not know at that time nor were we given any information concerning South Vietnamese attacks with American-made PT boats on August 3 and 4. I submit that that was a crucial fact in determining whether the North Vietnamese were acting in an unprovoked way or whether they were responding to what they might justifiably claim was U.S. harassment.

We can now ask why did not the report of the South Vietnamese attacks made on August 3 and 4 reach Washington and why were not such attacks, if not made public, at least reported to the Secretary of Defense and U.S. Senators?

The reason is that there was a cut off at the Pacific command level. If Admiral Moorer should claim that he did not believe this information and knowledge was of sufficient importance to officials in Washington, then, to say the least, he demonstrated bad judgment.

And this is the point, Mr. President. The high command in the Pacific had a predetermined view of the enemy. They had definite preconceptions as to what they thought the enemy would do, as to who the enemy was, as to how they thought the enemy behaved. They were unable to see beyond these preconceptions, and they interpreted the facts to fit the conclusions they wanted to draw. They either were insensitive to the importance of certain key facts or they chose to ignore them. This is what I mean by judgment, Mr. President.

Mr. President, for the reason that I have strong reservations regarding the wisdom of this nomination, it is my intention to vote against confirmation of Admiral Moorer to be Chairman of the Joint Chiefs of Staff. I indicated this in the Armed Services Committee. I assert that Admiral Moorer is a very superior naval officer. Without a doubt Admiral Moorer and as far as I know every other admiral in our Navy has served our Nation with distinction and with utmost patriotic fervor. I would not say otherwise under any circumstances. We are all proud of the U.S. Navy.

But this is not a routine appointment we are asked to confirm. This is an appointment to a position of the highest importance and sensitivity. I have stated the reasons why I question his judgment, and the exercising of judgment on the part of the Chairman of the Joint Chiefs of Staff of the Armed Forces is crucial and of the utmost importance.

Because I do have reservations I desire my vote to be recorded against the confirmation of the nomination of Admiral Moorer to be Chairman of the Joint Chiefs of Staff.

Mr. GOLDWATER. Mr. President, I yield 3 minutes to the distinguished Senator from South Carolina.

The PRESIDING OFFICER (Mr. BIBLE). The Senator from South Carolina is recognized for 3 minutes.

Mr. THURMOND. Mr. President, Adm. Thomas H. Moorer is eminently qualified to be the Chairman of the Joint Chiefs of Staff. He has a long and dis-

tinguished record of outstanding service to his country. If it had been known 37 years ago when he was commissioned at the Naval Academy that he was destined to be the Chairman of the Joint Chiefs of Staff, the Navy could not have trained and prepared him any better for this vital assignment than the training he has received.

Admiral Moorer's record and integrity are impeccable. His leadership, ability, achievements, and dedication will go down in naval history as one of our Nation's greatest admirals of all time.

Mr. President, it is inconceivable that any one would challenge Admiral Moorer's nomination. In my judgment, such action is not a challenge of his ability or character. It is another attempt to discredit the military and the administration. One only has to examine Admiral Moorer's distinguished service in detail to realize that our Nation is fortunate to have a leader of his caliber to serve in the highest military position in our country.

Admiral Moorer is the only admiral who has commanded both the Atlantic and Pacific Fleets. He also commanded the 7th Fleet which is deployed in Southeast Asia. As Supreme Allied Commander, Atlantic, Admiral Moorer's duties included maintaining control of the sea area of the Atlantic in support of the North Atlantic Treaty Organization with the NATO forces made available from the member nations. As Chief of Naval Operations and a member of the Joint Chiefs of Staff since August 1967, Admiral Moorer is well prepared to serve as Chairman of the Joint Chiefs of Staff.

In my judgment, his selection is none too soon in view of the Soviet threat to dominate the seas. Admiral Moorer is a master of naval strategy. His knowledge, shrewdness, and toughness will be great assets to our Nation in formulating strategic policy to confront the formidable and expanding Soviet threat to our supremacy at sea.

Mr. President, I strongly urge my distinguished colleagues to confirm Admiral Moorer's nomination by a unanimous vote.

Mr. GOLDWATER. Mr. President, I yield 2 minutes to the distinguished Senator from Oregon.

The PRESIDING OFFICER (Mr. BIBLE). The Senator from Oregon is recognized for 2 minutes.

Mr. HATFIELD. Mr. President, I am very happy to add my vote and word of support to the nomination of Adm. Thomas H. Moorer to become Chairman of the Joint Chiefs of Staff.

I suppose I have a certain amount of pleasure in this because of the fact that I am a Navy veteran and also because of my personal friendship with the Admiral. Also, I take this opportunity to commend President Nixon for presenting to the Senate Admiral Moorer's name because of the superior qualifications he possess. I have had many opportunities to discuss with him matters not only of military import but also of general national interest and issues other than military ones. I have found Admiral Moorer to be a man of great intellect, a man who comprehends not only his own

military field of expertise but a man who also certainly has great understanding for many other important national and international issues.

I feel the President made a wise selection. I believe those of us who have been critical of the war policy should support Admiral Moorer's nomination because he possessed the military training and background to qualify him for this position, and the intellectual capacity as well. Our positions or viewpoints on the war have nothing to do with the qualification of this man to act as Chairman of the Joint Chiefs of Staff.

I enthusiastically endorse the nomination of Admiral Moorer and I only hope he will have much opportunity to demonstrate the kind of leadership I believe he possesses by giving that kind of leadership not only to the Joint Chiefs of Staff but also in counseling the President on issues of war and peace.

Mr. GOLDWATER. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 3 minutes.

Mr. GOLDWATER. Mr. President, as a member of the Committee on Armed Services, I support the nomination of Admiral Moorer to be Chairman of the Joint Chiefs of Staff. I think this is an excellent choice. He has had a fantastic record in the Navy.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a résumé of the career of Thomas Hinman Moorer.

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

RÉSUMÉ OF SERVICE CAREER OF ADM. THOMAS HINMAN MOORER

Date and place of Birth: 9 February 1912, Mt. Willing, Alabama.

Years of active service: Over 36.

Present assignment: Chief of Naval Operations, Washington, D.C., since August 1967.

Military schools attended: United States Naval Academy, Flight Training, Pensacola, Naval War College.

Educational degrees: BS (Naval Science) U.S. Naval Academy, 1933.

MAJOR PERMANENT DUTY ASSIGNMENTS (LAST 10 YEARS)

Commander, Carrier Division Six, Jul. 1959 to Nov. 1960.

Director, Long Range Objectives Group, Office of Chief of Naval Operations, Washington, D.C., Nov. 1960 to Oct. 1962.

Commander,¹ Seventh Fleet, Oct. 1962 to Jun. 1964.

Commander in Chief,² United States Pacific Fleet, Jun. 1964 to Apr. 1965.

Commander in Chief,² Atlantic and Atlantic Fleet and Supreme Allied Commander, Atlantic, Apr. 1965 to Aug. 1967.

PROMOTIONS, DATE AND RANK

Ens., 1 Jun. 1933.

Ltjg, 1 Jun. 1936.

Lt, 23 Nov. 1940.

LCdr, 1 Oct. 1942.

Cdr, 1 Jan. 1944.

Capt, 1 Jan. 1952.

RAdm, 1 Aug. 1958.

¹ VAdm while serving in this billet, 5 Oct. 1962.

² Adm while serving in these billets, 26 Jun. 1964.

MEDALS AND AWARDS

Distinguished Service Medal with two Gold Stars in lieu of subsequent awards.

Silver Star Medal.

Legion of Merit.

Distinguished Flying Cross.

Purple Heart.

Presidential Unit Citation awarded Patrol Squadron 22.

American Defense Service Medal with Fleet Clasp.

American Campaign Medal.

European-African-Middle Eastern Campaign Medal.

Asiatic-Pacific Campaign Medal.

World War II Victory Medal.

Navy Occupation Service Medal with Asia and Europe Clasps.

China Service Medal.

National Defense Service Medal with one bronze star in lieu of second award.

Philippine Defense Ribbon.

Armed Forces Expeditionary Medal (Vietnam).

Republic of Vietnam Campaign Medal with Device (1960-).

FOREIGN DECORATIONS

Silver Star Medal, First Class (Greece).

Medal of Pao-Ting (China).

Order of the Double-Rays of the Rising Sun (Japan).

Legion of Honor (Commander) (Republic of the Philippines).

Military Order of Aviz (Grand Cross) (Portugal).

Order of Naval Merit (Grand Officer), (Brazil).

Grand Star of Naval Merit (Chile).

Mr. GOLDWATER. Mr. President, some question has been raised about Admiral Moorer's judgment. It must be kept in mind that the activities that happened on August 4, 1964, were over 6,500 miles from the headquarters of the Pacific commander; that he had to rely on what was at that time not too rapid communications; that he had to rely on the great preponderance of messages coming from the endangered ships, and from the mainland, and those emanating from his own headquarters.

This was a routine mission, contrary to what has been suggested. They were cruising in international waters. I might say that we do that all the time, and so does the enemy. I have seen the Russian ships 70 miles off the coast of California, as we passed each other and sort of laughed at each other's equipment.

Admiral Moorer answered truthfully when he said it was a routine mission and they were in those waters looking for enemy craft, doing intelligence work, monitoring and so forth, when the attack was made. His judgment was superb.

I know a little more about this matter than other Senators—I remember the remark the other day—because at that time I was engaged in the campaign and the President called me when this matter first came up and briefed me in complete detail. I was cleared for top secret classifications then as I am today. I have since verified the facts.

Many of the questions that have been asked today could not be answered because they are carried with a classification of at least top secret and many are classified higher than that. These matters are downgraded every 12 years so we have to be patient.

This distinguished naval admiral

served as commander, Carrier Division 6, from July 1959 to November 1960. He was director of the Long Range Objective Group, Office of Chief of Naval Operations from November 1960 to October 1962. He served as commander of the 7th Fleet from October 1962 until June 1964. He served as commander in chief, U.S. Pacific Fleet, from June 1964 until April 1965. He served as commander in chief, Atlantic Fleet and Supreme Allied Commander, Atlantic, from April 1965 until August 1967.

I do not know how a man could compile a more brilliant record, not only in service to the Navy, but in service to his country. I am very proud to be able to vote for this man, Adm. Thomas Moorer, to be Chairman of the Joint Chiefs of Staff.

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

Mr. GOLDWATER. I yield 2 minutes to the Senator from Texas.

Mr. TOWER. Mr. President, so much has been said about Admiral Moorer's distinguished record that it would be repetition and redundancy for me to repeat it.

I think from what has been said here it should be apparent to everyone that this is a man with a very distinguished record of service to his country, a man whose country owes him a great debt, indeed. He has spent his life in the service of this country. He has shown himself to be a man of superior qualifications for command, a man of superior skill, a man of superior courage, and most importantly of all, a man of superior judgment.

He has had multifarious experience in the Navy and he has a very comprehensive notion of what the defense of the free world is all about. I could think of no one better qualified, and I shall be very happy, indeed, to support his nomination and vote for the confirmation of Adm. Thomas Moorer to be Chairman of the Joint Chiefs of Staff. As a reservist in the U.S. Navy I am proud to belong to a service which has produced a man like Adm. Thomas Moorer.

The PRESIDING OFFICER. Who yields time?

Mr. GOLDWATER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GOLDWATER. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 8 minutes remaining.

Mr. GOLDWATER. Mr. President, I yield such time as she may desire to the distinguished Senator from Maine and then I shall yield the remainder of my time to the chairman of the committee.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Mrs. SMITH of Maine. Mr. President, I shall be very brief. I am at a loss to understand this opposition to Admiral Moorer's nomination as Chairman of the Joint Chiefs of Staff. The Senate has confirmed his nomination as Chief of Naval Operations on other occasions, and no questions were then raised. I cannot understand why he should be held responsible for the errors made by civilians.

The questions that have been raised today should have been raised with the President and the Secretary of Defense at the time of the incidents of the *Pueblo* and the C-121-ECM—electronic countermeasure—aircraft. This is particularly true since so much of the military tactics were being planned by civilians on a day-to-day—and, yes, hour-to-hour—basis at the White House. This discussion, I think, has underscored this fact. I am getting a little tired—yes, I am getting sick and tired of the military always being blamed for the errors made by civilians.

I have full confidence in Admiral Moorer, and I trust the Senate will do what it has done before, this time confirm his nomination as Chairman of the Joint Chiefs of Staff.

The PRESIDING OFFICER. Who yields time?

Mr. GOLDWATER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GOLDWATER. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 7 minutes remaining.

Mr. GOLDWATER. Mr. President, I yield such time as he may desire to the chairman of our committee, the Senator from Mississippi (Mr. STENNIS).

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 7 minutes.

Mr. STENNIS. Mr. President, I ask that the Chair notify me at the end of 4 minutes.

The PRESIDING OFFICER. The Chair will notify the Senator at the expiration of 4 minutes.

The Senator may proceed.

Mr. STENNIS. Mr. President, I have the greatest respect for the distinguished Senator from Ohio who is so religiously and diligently following his line of duty, but it is an opinion as to the competency of Admiral Moorer. Except for one vote, we had unanimous approval in our committee for the nomination of Admiral Moorer to be Chairman of the Joint Chiefs of Staff. There was a certain solidarity behind the opinion of that membership that so voted with a very strong recommendation. I am very pleased that we had available a man of this type and that the President did select him.

From my own experience as a member of the Committee on Armed Services, I have found no one having the all-around ability and the added qualities of integrity and very high respect of his fellow officers—and that based on his integrity and ability and knowledge of military affairs—who would fit better into this position.

Furthermore, this is a position that is known around the world, especially in military circles. I judge Admiral Moorer to be unusually adept at filling this role. He was an excellent witness and made a full and complete disclosure with the utmost candor. That is how I found him in his appearance before the committee.

Admiral Moorer has had an outstanding naval career. He has been outstanding as Chief of Naval Operations for 4 years. I believe the Nation is fortunate,

in times like these, to have a man with the training to whom we can turn.

Although he is a member of the Joint Chiefs, as Chairman of the Joint Chiefs he will preside at all the meetings. More than anyone else, he will become the spokesman to the Secretary of Defense. He will be the military adviser to the Secretary of Defense and to the President. It takes a rare combination of abilities, indeed, to fill those roles. The Secretary of Defense and the President may have other military advisers—and in some areas, doubtless they do—but the Chairman of the Joint Chiefs of Staff is the one man who carries the load.

Mr. President, so that the RECORD may show just what the duties of the Joint Chiefs of Staff are, I ask unanimous consent that sections 141 and 142 of chapter 5, United States Code Annotated, be printed in the RECORD at the end of my remarks.

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

(See exhibit 1.)

Mr. STENNIS. Mr. President, without any hesitation whatsoever, but with real satisfaction in the solidarity in our thinking, I am glad that our committee could, with the exception of one distinguished Member, recommend the confirmation of the nomination of this outstanding man.

EXHIBIT 1

CHAPTER 5.—JOINT CHIEFS OF STAFF

Sec.

141. Composition; functions.

142. Chairman.

143. Joint Staff.

§ 141. Composition; functions

(a) There are in the Department of Defense the Joint Chiefs of Staff consisting of—

- (1) a Chairman, who has no vote;
- (2) the Chief of Staff of the Army;
- (3) the Chief of Naval Operations; and
- (4) the Chief of Staff of the Air Force.

(b) The Joint Chiefs of Staff are the principal military advisers to the President, the National Security Council, and the Secretary of Defense.

(c) The Commandant of the Marine Corps shall indicate to the Chairman any matter scheduled for consideration by the Joint Chiefs that directly concerns the Marine Corps. Unless, upon request of the Chairman for a determination, the Secretary of Defense determines that such a matter does not concern the Marine Corps, the Commandant shall meet with the Joint Chiefs of Staff when that matter is under consideration. While the matter is under consideration and with respect to it, the Commandant has equal status with the members of the Joint Chiefs of Staff.

(d) Subject to the authority and direction of the President and the Secretary of Defense, the Joint Chiefs of Staff shall—

- (1) prepare strategic plans and provide for the strategic direction of the armed forces;
- (2) prepare joint logistic plans and assign logistic responsibilities to the armed forces in accordance with those plans;
- (3) establish unified commands in strategic areas;
- (4) review the major material and personnel requirements of the armed forces in accordance with strategic and logistic plans;
- (5) formulate policies for the joint training of the armed forces;
- (6) formulate policies for coordinating the military education of members of the armed forces;
- (7) provide for representation of the United States on the Military Staff Committee

tee of the United Nations in accordance with the Charter of the United Nations; and

(8) perform such other duties as the President or the Secretary of Defense may prescribe. Aug. 10, 1956, c. 1041, 70A Stat. 6; Aug. 6, 1958, Pub.L. 85-599, § 7, 72 Stat. 519.

Historical and Revision Notes

Source (U.S. Code)

Revised Section

141 (a) 5:171f(a) (1st par., less 20th through 26th words of 1st sentence, and less last sentence)

141 (b) 5:171f(a) (last sentence of 1st par.)

141 (c) 5:171f(a) (less 1st par.)

141 (d) 5:171f(b).

Source (Statutes at Large)

July 26, 1947, ch. 343, § 211(a) (less 20th through 26th words of 1st sentence of 1st par.); (b); restated Aug. 10, 1949, ch. 412, § 7(b) (1st par., less 20th through 26th words of 1st sentence; and 2d par.), 63 Stat. 582; June 28, 1952, ch. 479, § 2, 66 Stat. 282.

Explanatory Notes

In subsection (a), the word "are" is substituted for the words "is established", to make explicit the continuing authority of the organization established by the source statute.

In subsection (c), the words "While the matter is under consideration" are substituted for the words "on such occasion".

In subsection (d), the words "armed forces" are substituted for the words "military forces" and "military services".

1958 Amendment. Subsec. (a) (1) amended by Pub.L. 85-599, by striking out "who has no vote" which followed "Chairman".

Legislative History: For legislative history and purpose of Pub. L. 85-599, see 1958 U.S. Code Cong. and Adm. News, p. 3272.

Cross references

Chief of Naval Operations, generally, see sections 5081-5084 of this title.

Chief of Staff of the Army or Air Force, appointment and duties, see sections 3034, 8034 of this title.

Command when different commands of Army or Air Force and Marine Corps join, see sections 3576, 5954, and 8576 of this title.

Commandant of the Marine Corps, appointment, term and emoluments, see section 5201 of this title.

Instruction by Secretary of Defense as to interaction of research and development and strategy, see section 2351(5) of this title.

National Security Council, establishment and function, see section 402 of Title 50, War and National Defense.

Selection of Director of the Joint Staff, see section 143(b) of this title.

United Nations Organization—

Personal money allowance of officers serving as members of Military Staff Committee, see section 254 of Title 37, Pay and Allowances.

Representation, see section 287 of Title 22, Foreign Relations and Intercourse.

§ 142. Chairman

(a) The Chairman of the Joint Chiefs of Staff shall be appointed by the President, by and with the advice and consent of the Senate, from the officers of the regular components of the armed forces. He serves at the pleasure of the President for a term of two years, and may be reappointed in the same manner for one additional term. However, in time of war declared by Congress there is no limit on the number of reappointments.

(b) In addition to his other duties as a member of the Joint Chiefs of Staff, the Chairman shall, subject to the authority and direction of the President and the Secretary of Defense—

- (1) preside over the Joint Chiefs of Staff;
- (2) provide agenda for the meetings of the Joint Chiefs of Staff and assist them in carrying on their business as promptly as practicable; and

(3) inform the Secretary of Defense, and, when the President or the Secretary of Defense considers it appropriate, the President, of those issues upon which the Joint Chiefs of Staff have not agreed.

(c) While holding office, the Chairman outranks all other officers of the armed forces. However, he may not exercise military command over the Joint Chiefs of Staff or any of the armed forces.

(d) The Chairman is entitled to the pay and allowances provided by law for the Chief of Staff of the Army. Aug. 10, 1956, c. 1041, 70A Stat. 7.

Historical and revision notes

Source (U.S. Code)

Revised Section

142(a) 5:171f(c) (less last sentence)
142(b) 5:171f(e); 5:171f(a) (20th through 26th words of 1st sentence of 1st par.)

142(c) 5:171f(d) (less applicability to admiral in 1st sentence)

142(d) 5:171f(c) (last sentence)

Source (Statutes at Large)

July 26, 1947, ch. 343, § 211(a) (20th through 26th words of 1st sentence of 1st par.), (c), (d) (less applicability to admiral in 1st sentence), (e); restated Aug. 10, 1949, ch. 412 § 7(b) (20th through 26th words of 1st sentence of 1st par., and 3d, 4th, and 5th pars.), 63 Stat. 581.

Explanatory Notes

In subsection (a), the words "armed forces" are substituted for the words "armed services". The words "(hereinafter referred to as the 'chairman')," "hereafter", and "except" are omitted as surplusage. The words "in the same manner" are substituted for the words "by and with the advice and consent of the Senate" (following the word "reappointment [reappointed]").

In subsection (b), the words "his other duties as a member of the Joint Chiefs of Staff" are substituted for the words "participating as a member of the Joint Chiefs of Staff in the performance of the duties assigned in subsection (b) of this section".

In subsection (c), the words "armed forces" are substituted for the words "armed services" and "military services". The word "outranks" is substituted for the words "shall take precedence over". 5:171f(d) (1st sentence, less applicability to admiral) is omitted, since the limitation on numbers in grade under 10:506b(b) (3d proviso) is executed (see opinion of the Judge Advocate General of the Army (JAGA 1951/6180, 17 Oct. 1951)).

In subsection (d), the words "basic and personal money" and "and such special pays and hazardous duty pays to which he may be entitled under other provisions of law" are omitted as surplusage.

Cross references

Armed Forces Policy Council, member of, see section 171(a)(6) of this title.

Management of the Joint Staff and its director, see section 143(c) of this title.

Pay and allowances—

Grade of General, see section 3034 of this title; sections 232, 251, and 252 of Title 37, Pay and Allowances.

Personal money allowance of the Chief of Staff of the Army, see section 254 of Title 37, Pay and Allowances.

Mr. GOLDWATER. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Arizona has 2 minutes remaining.

Mr. GOLDWATER. I yield 2 minutes to the distinguished Senator from Missouri.

Mr. SYMINGTON. Mr. President, I appreciate the gracious courtesy of the distinguished Senator from Arizona.

It has been my privilege to know Admiral Moorer for many years. He has the training, capacity, and integrity to be a great Chairman of the Joint Chiefs of Staff, just as he has been a great Chief of Naval Operations. I would hope that the Senate will confirm this superb nomination that has been sent by the President to the Senate.

As the chairman of the Committee on Armed Services has just stated, these are days when we need men of great experience and the highest character in the military field. It is my opinion that of all the persons who could have been appointed to this position, the President has selected the best man as his choice at this time.

Mr. GOLDWATER. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Arizona has 1 minute remaining.

Mr. GOLDWATER. I yield 1 minute to the distinguished Senator from Michigan.

Mr. GRIFFIN. Mr. President, I wish to add my voice in support of the nomination of Admiral Moorer to be Chairman of the Joint Chiefs of Staff.

It is not only proper but imperative that the Members of this body should consider carefully the nomination that is before the Senate now.

I believe it would be useful to look first at the position for which the nomination has been made—its responsibilities now and in the foreseeable future—and the qualities and attributes the American people have a right to expect of the person who is appointed. Only then can we properly judge the fitness of the nominee and the wisdom reflected in the choice of the President of our United States.

As is evident to every Member of this body, our country is in the throes of almost unparalleled torment. The question of domestic priorities has been pushed to the forefront—and with it inevitably the question of America's role and purpose in the world in which it must continue to seek the best means for the security and fulfillment of its citizens.

We have been wracked by a long and costly war in Southeast Asia. Only recently has the most reasonable course to the resolution of that conflict been firmly outlined. Even with this prospect in view, our attention has been drawn increasingly to the tragic course of events in the Middle East.

No matter what individual desires may be, it should be obvious that we cannot responsibly abandon our position of leadership in world affairs. Equally obvious should be the fact that among all the influences that this Nation can bring to bear, the military influence is, and will be, a very important one that undergirds our other efforts.

What kind of man do we need in this position, now, and in the years ahead?

We need a person with professional competence and experience—a man endowed with wisdom and courage—a man who has compassion and an understanding of our changing world.

The voice of the man who serves as Chairman of the Joint Chiefs will be

registered in the years ahead not only in the committee rooms of this Congress but in all the other councils of our Government. His judgments will bear heavily upon the extent and character of our military preparedness in the future.

Against these requisites how do we gauge Adm. Thomas M. Moorer?

Past experience and performance certainly comprise a basic yardstick.

Within his own service and during the years of his military maturity, he has been singled out for the positions of heaviest responsibility and greatest demands on the capacity for forward thinking. As Director of the Long-Range Objectives Group in the Navy Headquarters and then as commander of the U.S. 7th Fleet in the Western Pacific and later as commander in chief of the entire U.S. Pacific Fleet, he exerted a major influence on the shape and course of the Navy's readiness to meet the country's expectations. In his subsequent position as the U.S. unified commander of the Atlantic Area and the NATO Supreme Allied Commander Atlantic, he dealt with the concerns not only of the armed services of our United States but of our most important allies. The high regard in which he is held at home and abroad is eloquent testimony to his depth of understanding and breadth of vision in all matters military.

Here in Congress we know him for his counsel and recommendations in Committee hearings during the last 3 years. As Chief of Naval Operations he has been positive, forthright, and articulate in presenting the point of view not only of the Navy but of the professional core of all our armed services. He has pointed out the challenges to our national purposes in the real world in which we are going to have to exist and has outlined the risks that lie before us. He has shown a deep understanding of all the forces at work in our society and throughout the world. His sense of perspective has gained the respect of all who have been associated with him. He has proven himself many times over in periods of national stress and military crisis. In a word, he epitomizes all the best that the American military man represents.

I am convinced that this is the man that Americans want and need as Chairman of the Joint Chiefs of Staff in the years ahead.

Of all the consequences of our commitment to the course of affairs in Southeast Asia, the most disturbing to me has been the derogation of the American military by certain vocal segments of our citizenry. These are the men upon whom so much of our national security depends now and in the uncertain future. More than ever before, we need a man of wisdom and calm judgment to represent them in the Government, before this Congress, and before the American people.

Mr. President, the times ahead demand that the men best equipped and most experienced come forth to help us shape our course into the perilous future. The President of the United States has put before us the nomination of such a man as Chairman of the Joint Chiefs of Staff. I urge my colleagues to

join me in consenting to the nomination of Adm. Thomas H. Moorer for that position; he is the obvious choice.

Mr. GOLDWATER. Mr. President, how much time have I now remaining?

The PRESIDING OFFICER. The Senator from Arizona has 30 seconds remaining.

Mr. GOLDWATER. I yield 30 seconds to the distinguished Senator from Tennessee.

Mr. BAKER. Mr. President, I wish to join in the accolades that have been given to Admiral Moorer today. I am privileged to know Admiral Moorer personally. I think that few persons, if any, have better qualifications to be the Chairman of the Joint Chiefs of Staff.

Mr. JACKSON. Mr. President, I want to express my strong support for Admiral Moorer in connection with his new responsibilities as Chairman of the Joint Chiefs of Staff. This Nation is fortunate to have available for that important office so distinguished a public servant. He richly deserves this position with all he has done and is doing for the country.

I have known Admiral Moorer for many years and followed his distinguished career. As a military officer, he is skilled in his own profession, but there is nothing narrow about his professionalism. His breadth of training and experience and his sensitivity to the full context in which national security decision-making must today proceed have qualified Admiral Moorer as a true military generalist.

As I have watched him over the years, I have concluded that he has the most valuable of all qualities, judgment—the ability to make good decisions in the face of uncertainty.

I will vote for the confirmation of his nomination with enthusiasm.

The PRESIDING OFFICER. Five minutes remain to the Senator from Ohio.

Mr. YOUNG of Ohio. Mr. President, should any of my distinguished colleagues who have taken exception to my motion desire any of my time, I shall yield to them, because I wish to make my final remarks brief and to the point.

Of course I join in the high admiration that other Senators have just expressed for Admiral Moorer. And I wish to say concerning my vote in committee and the vote that I shall cast in a few minutes in the Chamber in opposition to the nomination, that I hold such Senators as the chairman of the Committee on Armed Services (Mr. STENNIS), the Senator from Missouri (Mr. SYMINGTON), the Senator from Arizona (Mr. GOLDWATER), and the Senator from Oregon (Mr. HATFIELD), in the highest respect. It is a fact that in the Committee on Armed Services mine was the only voice that expressed any hesitancy regarding the nomination.

Of course Admiral Moorer has a distinguished record in the service of his country. He has merited every promotion he has received and every high position he has held.

The distinguished Senator from South Carolina (Mr. THURMOND) said it is unbelievable that anyone would oppose this nomination unless he has a grudge against the military. Well, I never assail

the motives of any Senator. But as one who served in the armed services of our country in World War I and in World War II, most of that time as a serviceman who never attained higher rank in the Army of the United States than lieutenant colonel. I, of course, yield deference, devotion, and admiration to any great serviceman in the Navy who attains through his own efforts, intelligence, and record the rank of admiral. I have never expressed any lack of belief in the competency of Admiral Moorer, and I shall not do so. He is an outstanding admiral in our Navy.

But I base my objection principally on answers to a number of questions I asked of Admiral Moorer.

Captain Herrick was the commanding officer of the *Maddox* and of the *Turner Joy*. At one time he stated that he considered that a continuance of the patrol presented an unacceptable risk. One question I asked was: Is it not a fact that Captain Herrick did make such a report at one time? Admiral Moorer spoke about this report, and he emphasized that the *Maddox* was on a routine patrol. It was disclosed as a result of my inquiry, and it is disclosed now, that the *Maddox* and the *Turner Joy* were on an intelligence-gathering mission in the Gulf of Tonkin. That may be considered by naval officers to be a routine patrol. But to me, a civilian who once was a private and later an officer in uniform, that does not mean intelligence collecting.

I wish my vote to be recorded in the negative when the roll is called, though I realize, Mr. President, that there will be very few if any other "nay" votes.

The PRESIDING OFFICER (Mr. BIBLE). All time has expired. The question is, Will the Senate advise and consent to the nomination of Adm. Thomas H. Moorer to be Chairman of the Joint Chiefs of Staff?

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Virginia (Mr. BYRD), the Senator from Connecticut (Mr. DODD), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Alaska (Mr. GRAVEL), the Senator from Indiana (Mr. HARTKE), the Senator from Massachusetts (Mr. KENNEDY), the Senator from New Mexico (Mr. MONTROYA), the Senator from Georgia (Mr. RUSSELL), the Senator from Maryland (Mr. TYDINGS), and the Senator from Texas (Mr. YARBOROUGH) are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut (Mr. DODD), the Senator from Georgia (Mr. RUSSELL), the Senator from Virginia (Mr. BYRD) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Kentucky (Mr. COOK), the Senator from New Hampshire (Mr. CORTON), the Senator from Illinois (Mr. SMITH) and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from Nebraska (Mr. CURTIS) is necessarily absent to attend the funeral of a friend.

The Senator from Florida (Mr. GURNEY), the Senator from California (Mr. MURPHY), and the Senator from Pennsylvania (Mr. SCOTT) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Maryland (Mr. MATHIAS) is detained on official business.

If present and voting, the Senator from Kentucky (Mr. COOK), the Senator from Nebraska (Mr. CURTIS), the Senator from Florida (Mr. GURNEY), the Senator from South Dakota (Mr. MUNDT), the Senator from Illinois (Mr. SMITH), and the Senator from California (Mr. MURPHY) would each vote "yea."

The result was announced—yeas 78, nays 2, as follows:

[No. 157 Ex.]

YEAS—78

Aiken	Goldwater	Mondale
Allen	Goodell	Moss
Allott	Gore	Muskie
Anderson	Griffin	Nelson
Baker	Hansen	Packwood
Bayh	Harris	Pastore
Bellmon	Hart	Pearson
Bennett	Hatfield	Pell
Bible	Holland	Percy
Boggs	Hollings	Prouty
Brooke	Hruska	Proxmire
Burdick	Hughes	Randolph
Byrd, W. Va.	Inouye	Ribicoff
Cannon	Jackson	Saxbe
Case	Javits	Schweiker
Church	Jordan, N.C.	Smith, Maine
Cooper	Jordan, Idaho	Sparkman
Cranston	Long	Spong
Dole	Magnuson	Stennis
Dominick	Mansfield	Symington
Eagleton	McClellan	Talmadge
Eastland	McGee	Thurmond
Ellender	McGovern	Tower
Ervin	McIntyre	Williams, N.J.
Fannin	Metcalfe	Williams, Del.
Fong	Miller	Young, N. Dak.

NAYS—2

McCarthy Young, Ohio

NOT VOTING—20

Byrd, Va.	Gurney	Russell
Cook	Hartke	Scott
Cotton	Kennedy	Smith, Ill.
Curtis	Mathias	Stevens
Dodd	Montoya	Tydings
Fulbright	Mundt	Yarborough
Gravel	Murphy	

So the nomination was confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

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

Mr. MANSFIELD. Mr. President, I call up the nomination of Adm. Thomas H. Moorer to the rank of admiral.

The PRESIDING OFFICER. The nomination will be stated.

The bill clerk read the nomination of Adm. Thomas H. Moorer, U.S. Navy, to be admiral.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

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

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

PRESIDENT NIXON'S ADDRESS ON ECONOMIC POLICY AND PRODUCTIVITY

Mr. GRIFFIN. Mr. President, I ask unanimous consent to have printed in the RECORD the text of the address by President Nixon on economic policy and productivity.

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

TEXT OF THE LIVE RADIO AND TELEVISION ADDRESS BY THE PRESIDENT ON ECONOMIC POLICY AND PRODUCTIVITY

Good afternoon, my fellow Americans: Today I would like to share my thoughts with you on three subjects that reach into the homes and pocketbooks of every family: your job, your income and your cost of living. Specifically, I shall announce actions that will help to move us ahead more quickly toward our goal of full employment, economic growth and reasonable price stability.

Let us begin by recognizing these facts: The American economy is the strongest in the world. This year, the number of Americans who have jobs is the highest in our history. Even allowing for taxes and inflation, the average real income of Americans is higher this year than ever before, in part because of the increase in Social Security benefits, and the reduction of the tax surcharge, which will end entirely this month.

In the light of that basic economic strength, we can honestly and confidently face up to our current problems.

Unemployment has increased; the price index continues to rise; profits have gone down; the stock market has declined; interest rates are too high.

Today I am presenting a program to deal with these problems.

First we should recognize the causes of our economic difficulties. We must deal with the problems of a nation in transition from a wartime economy to a peacetime economy.

Our economy must consequently make adjustments to two great changes at the same time.

One change is that defense spending is on the way down. For the first time in twenty years, the Federal government is spending more on human resource programs than on national defense.

This year we are spending \$1.7 billion less on defense than we were a year ago; in the coming year, we plan to spend \$5.2 billion less. This is more than a redirection of resources. This is an historic reordering of our national priorities.

The cuts in defense spending mean a shift of job opportunities away from defense production to the kind of production that meets social needs. This will require adjustment by many employees and businesses.

For example, over 400,000 military and civilian employees have been released in this past year by our armed forces. In that time, cutbacks in defense spending have reduced jobs in defense plants by about 300,000. Taken together, that's almost three quarters of a million people affected by the reduction in defense spending. While many of these workers have found new jobs, it is not hard to see where much of the current increase in total unemployment has come from.

Despite the difficulties of this transition, progress toward a peacetime economy is a good sign for the labor force and the business community. Reduction in defense spending gives us more room in the Federal

budget to meet human needs at home, making it possible to build a much more enduring prosperity.

With its trials and with its hopes, a peacetime economy is clearly on the way. We have already brought home 115,500 troops from Vietnam. Our success in destroying enemy supply bases in Cambodia has made it possible for us to go forward with the program for withdrawal of 150,000 more men which I announced in my speech of April 20, without jeopardizing the lives of our men who will be brought home after that.

Our scheduled withdrawal of forces from Cambodia by June 30 will be kept. Our scheduled transition from a wartime economy to a peacetime consumer economy will be kept as well.

While our economy adapts to the reordering of our national priorities and resources, we are undergoing a second great change. We are trying to do something that has never been done before: to avoid a recession while we bring a major inflation to an end.

This Administration took office after a long period in which this nation lived far beyond its means. In the decade of the Sixties, Federal deficits totalled 57 billion dollars, and the American consumer was forced to pay the piper in terms of a rising spiral of prices.

Seventeen months ago, we stood at a crossroads of economic policy. There were four roads open to us—four different directions.

One was the road of runaway inflation—to do nothing about government spending and rising prices, to let the boom go on booming—until the bubble burst. That was the road the nation was taken on in the Sixties, and the people who suffer most along that road are the millions of Americans on fixed incomes.

The road headed in the opposite direction was a possible choice as well: to bring on a major recession—to "put the economy through the wringer," as some suggested.

That would abruptly stop inflation, but at a cost in human terms of broken careers and broken lives that this nation must never again have to pay.

A third choice was the route of wage and price controls. That would lead to rationing, black marketing, total Federal bureaucratic domination, and it would never get at the real cause of inflation.

That left a fourth choice, to cut down the sharp rise in Federal spending and to restrain the economy firmly and steadily. In that way, prices would slow their rise without too great a hardship on the working man, the businessman and the investor. That was the road of responsibility. That is the road we chose, and that is the road we are continuing on today.

Because we are concerned with both prices and jobs, we have put the brakes on inflation carefully and steadily.

This did not mean that inflation could end without some slowdown in the economy. But we were willing to make a trade—to sacrifice speed in ending inflation in order to keep the economic slowdown moderate.

At the outset of our fight against inflation, we pointed out that it would take time to relieve the heavy spending pressures on the economy; after that beginning, it would take more time to see those reduced pressures result in a slowdown in price rises.

Many people wonder why we are easing some of the restraints on the economy before we have seen dramatic results in slowing down the rise in the cost of living. Why, they ask, don't we keep on with all our measures to hold down the economy until price rises stop completely?

Let me put it this way: It is a little like bringing a boat into a dock. You turn down the power well before you get to the dock and let the boat coast in. If you waited until you reached the dock to turn down the power

you'd soon have to build yourself a new dock or a new boat.

In the same way, we're heading for the dock of price stability: We have to ease up on the power of our restraint and let our momentum carry us safely into port.

That's why our independent central banking system has seen fit to ease up on the money supply lately. That is why I relaxed the cutback on Federally-assisted construction projects, and why I have not asked for a new surtax.

These actions are not a signal that we are giving up our fight against inflation; on the contrary, they mean that there was already enough power applied to reach the dock and now we had better make sure we don't damage the boat.

The Federal Reserve's monetary policy, which permitted no growth in the money supply at all in the second half of 1969, has now been relaxed. In the past six months, the money supply has grown at a rate of about 6% a year.

The chairman of the Federal Reserve System has assured the nation that there will be enough money and credit to meet future needs, and that the orderly expansion of the economy will not be endangered by a lack of liquidity.

I'm not asking anyone to put on rose-colored glasses. We are well aware of the forces working against us.

To make sure the coming upturn will not be the kind that brings on a new surge of inflation, we have gained control of the runaway momentum of Federal spending—the spending that triggered the rise in prices in the first place.

In the three years before this Administration took office, Federal spending rose an average of 15% a year—the sharpest rate of increase since the Korean war. In the current fiscal year, we slashed that rate of increase in half, to 7%. And in the coming year, we intend to cut that rate of increase in spending by half again.

This required some hard decisions—including the veto of a popular appropriations bill—but it was vital to win that battle to hold down spending so that we could ultimately hold down prices. We are winning that battle, but we cannot let up now.

I am convinced that the basic economic road we have taken is the right road, the responsible road, the road that will curb the cost of living and lead us to orderly expansion.

However, we must face up to some difficult problems. The momentum of four years of inflation was stronger than had been anticipated. The effect on unemployment is greater than we foresaw. The pace of our progress toward price stability and high employment has not been quick enough.

This does not mean that we now should abandon our strategy. It does mean that we must pay heed to economic developments as we move along and adjust our tactics accordingly.

While relying basically on continued moderation in general fiscal and monetary policies, I think it is now necessary and timely to supplement them with several more specific measures.

Here are the actions I am taking to speed up the fight against inflation:

First, I shall appoint a National Commission on Productivity with representatives from business, labor, the public and government.

In general, productivity is a measure of how well we use our resources; in particular, it means how much real value is produced by an hour of work. In the past two years, productivity has increased far less than usual.

In order to achieve price stability, healthy growth and a rising standard of living, we must find ways of restoring growth to productivity.

This Commission's task will be to point the way toward this growth in 1970 and in the years ahead. I shall direct the Commission to give first priority to the problems we face now; we must achieve a balance between costs and productivity that will lead to more stable prices.

Productivity in the American economy depends on the effectiveness of management; the investment of capital for research, development and advanced technology; and most of all on the training and progressive spirit of 86 million working Americans.

To give its efforts this proper base of understanding, the Commission will this summer bring together leaders of business, labor, government and the general public to meet in a special President's Conference on Productivity.

Second, I have instructed the Council of Economic Advisers to prepare a periodic Inflation Alert. This will spotlight the significant areas of wage and price increases and objectively analyze their impact on the price level. This Inflation Alert will call attention to outstanding cases of price or wage increases and will be made public by the National Commission on Productivity.

Third, I am establishing a Regulations and Purchasing Review Board. All government actions will be reviewed to determine where Federal purchasing and regulations drive up costs and prices; our import policy will be reviewed to see how supplies can be increased to meet rising demand, without losing jobs here at home.

Let me specifically spell out what I will do and what I will not do. I intend to help focus the attention of business and labor on the need for increased productivity. This is the way for them to serve their own interest while serving the public interest. This is the only way to make sure that increases in earnings are not wiped out by the rising cost of living.

This Administration, by its spending restraint, has set the example in the past year; we believe we have now earned the credentials to call for similar restraint from business and labor to slow down inflation.

Now is the time for business at every level to take price actions more consistent with a stable cost of living, and now is the time for labor to structure its wage demands to better achieve a new stability of costs.

The fight against inflation is everybody's business. If you act against the national interest; if you contribute to inflation in your price or wage demands—then you are acting against your own best interests and your customers' best interests, and that is neither good business nor good bargaining.

If businessmen and workingmen are willing to raise their sights by lowering their demands—they will help themselves by helping to hold down everybody's cost of living.

I believe there is a new social responsibility growing in our economic system, on the part of unions and corporations. Now is the time for that social concern to take the form of specific action on the wage-price front.

Now, here is what I will not do:

I will not take this nation down the road of wage and price controls, however politically expedient they may seem.

Controls and rationing may seem like an easy way out, but they are really an easy way in to more trouble—to the explosion that follows when you try to clamp a lid on a rising head of steam without turning down the fire under the pot.

Wage and price controls only postpone a day of reckoning, and in so doing they rob every American of an important part of his freedom.

Nor am I starting to use controls in disguise. By that I mean the kind of policy whereby government makes executive pronouncements to enforce "guidelines" in an attempt to dictate specific prices and wages without authority of law.

I realize that there are some people who get satisfaction out of seeing an individual businessman or labor leader called on the carpet and browbeaten by government officials. But we cannot protect the value of the dollar by passing the buck. That sort of grandstanding distracts attention from the real cause of inflation and can be a dangerous misuse of the power of government.

The actions I have outlined today are well within the powers of the President. But there are other actions that the President cannot take alone.

This is not the time for the Congress to play politics with inflation by passing legislation granting me standby powers to impose controls on wages and prices. The Congress knows I will not impose controls because they would do far more harm than good.

This is the time, however, for Congress and the President to cooperate on a program specifically addressed to help the people who need help most in a period of economic transition.

Here is that program:

First, to provide more help now to those workers who have lost jobs, I urge the Congress to pass legislation I proposed nearly a year ago to expand and strengthen our unemployment insurance system. This legislation would cover almost five million more people who lack this protection now, and the system would be made more responsive to changing economic conditions. In addition, individual States would be eligible for expanded Federal support if they passed complementary legislation to lengthen the time a person out of work could receive benefits.

Second, to help those in need of job training, I urge the Congress to pass the Manpower Training Act which provides an automatic increase in manpower training funds in times of high unemployment. I submitted this proposal to the Congress ten months ago. I ask for full appropriation for the Office of Economic Opportunity and I request the Congress to provide at once a supplemental budget of \$50,000,000 to provide useful training and support to young people who are out of school for the summer months.

Third, to further protect the small investor, I support the establishment of an insurance corporation with a Federal backstop to guard the investor against losses that could be caused by financial difficulties of brokerage houses. While it does not affect the equity risk that is always present in stock market investment, it will assure the investor that the stability of the securities industry itself does not become cause for concern.

Fourth, to relieve the worries of many of our older citizens living on fixed incomes, I urge the Congress to pass my proposal to tie Social Security benefits to the cost of living. This proposal, passed by the House and awaiting Senate action for the past month, will keep the burden of the fight against inflation from falling on those least able to afford it.

Fifth, to stimulate an industry bearing the brunt of high interest rates, I strongly supported the Emergency Home Finance Act of 1970. This would attract as much as six billion dollars into the housing market in the coming fiscal year. More than a third of a million families need this legislation for home financing now; the resulting new construction of more than 200,000 houses will also help provide many new jobs. I urge the House to act promptly on the housing bill passed unanimously by the Senate, and awaiting action for three months in the House.

Sixth, to help the small businessman who finds it difficult to get necessary credit, I have asked the Congress for greater authority for the Small Business Administration to stimulate banks and others to make loans to small

businesses at lower interest rates. I submitted this legislation to the Congress three months ago.

Seventh, to strengthen our railroad industry, I am asking for legislation that will enable the Department of Transportation to provide emergency assistance to railroads in financial difficulties. I am also urging the independent Interstate Commerce Commission to give prompt attention to the urgent financial problems of this industry.

And finally, to curb inflationary pressures throughout our economy, I call upon the Congress to join me in holding down government spending to avoid a large budget deficit. This requires a new restraint on spending programs and the passage of the revenue-producing proposals I have already made.

There is an old and cynical adage that says that in an election year, the smart politician votes for all bills to spend money and votes against all bills to raise taxes.

But in this election year of 1970, that old adage cannot apply. The American people will see through any attempt by anyone to play politics with their cost of living. Whenever a member of Congress displays the imagination to introduce a bill that calls for more spending, let him display the courage to introduce a bill raising the taxes to pay for that program.

Long before the art of economics had a name, it was called "political arithmetic." The American people expect their elected officials to do their political arithmetic honestly.

The actions I have taken today, together with the proposals I have made, are needed now to help us through this time of transition.

I believe this is the right program at the right time for the right purpose. There is no more important goal than to curb inflation without permitting severe disruption. This is an activist administration, and should new developments call for new action in the future, I shall take the action needed to attain that goal.

Before I close today, I would like to give you a broader view of the significance of what is happening in the American economy.

We have more at stake here than a possible difference of one or two tenths of a percentage point in the price level in 1970. All of us have to make decisions now which will profoundly affect the survival of a free economic system throughout the world.

Industrial countries around the world all face the problem of inflation. By solving our problem here without throwing away our freedom, we shall set an example that will have great impact on the kind of economic system others choose.

Our free economic system has produced enormous benefits for the American people. The United States, with 10% of the free world's population, produces 40% of the free world's output. We did not gain that production power by shackling our free economic system.

The average American has the highest real per capita disposable income in the world, and it is higher today than ever before in our history. He did not reach that height by turning over his economic freedom to the government.

In the next five years, and in real terms, the American consumer will be able to buy almost 20% more than he does today. To reach that attainable goal, we need no artificial dependence on the production of the weapons of war—on the contrary, we will all share much more fully in a peacetime prosperity.

As I see it, prosperity is not a period of good times between periods of hard times—that's false prosperity, with people riding high but riding for a fall.

Nor is prosperity a time when the well-to-do become better off while everyone else stays

the same of falls behind—that's partial prosperity, and it only widens the gap between our people.

The true prosperity that I envision offers a new fairness to our national life.

We are working toward a system that will provide "job justice"—open and equal opportunity for every man and woman to build a good career.

We are working toward a system that replaces the old ups and downs with a new steadiness of economic growth within our capacity to produce efficiently.

We are working toward a system that will deliver a higher standard of living to a people living in peace.

That is the hope offered by a modern free enterprise system—not managed by government and not ignored by government, but helped by a government that creates the climate for steady, healthy growth.

As we move forward into a peacetime economy, I am confident that we will achieve the only kind of prosperity that counts—the prosperity that lasts, the prosperity that can be shared by every American.

Mr. JAVITS. Mr. President, if we could have 3 minutes, I would like to yield to the Senator from Illinois (Mr. PERCY) and the Senator from Kansas (Mr. DOLE). I just want to make a very brief comment on the President's economic address.

Within the policies the President has set for himself, the economic speech gives and also seeks some real action on the inflation-recession front. I believe, of course, that until we know we are on the way out of Vietnam quite promptly, we really cannot make any major change in the economy. The President has not given us any drastic medicine, but I do welcome his emphasis on productivity, which is really the core of American strength, and I hope that he will now instruct the Treasury to match his words on the appointment of a highly desirable commission with a revision and modernization of the depreciation schedules for equipment.

Finally, Mr. President, as the ranking minority member on the Joint Economic Committee, I express great satisfaction that the President has adopted our incomes policy and will cause to be published periodically—that is, every month—the implications of wage and price decisions having a major inflationary impact.

I now yield to the Senator from Illinois (Mr. PERCY).

Mr. PERCY. Mr. President, the President has issued a challenge to Congress.

I, for one, accept that challenge with respect to the economy of the country. Its importance cannot be over-emphasized.

First, I pledge to do everything within my power to expedite the passage of any measure affecting the economy of the country.

This morning, we finished hearings on the Small Business Administration legislation which was advanced by the President, and we will try to move it forward in the Committee on Banking and Currency and bring it to the floor of the Senate as quickly as possible.

Second, I renew the pledge I made several months ago, that I will not introduce any spending measure that goes beyond the Director of the Bureau of the Budget's level or the administration's

budget level without showing how other cuts can be made to offset these additional expenditures or how increased revenues can be brought in.

Third, I renew my pledge to bring to the floor of the Senate, from time to time, cuts in the proposed 1971 fiscal year budget. These cuts could total \$4 billion to \$5 billion, so that we can have a balanced budget in fiscal 1971.

I fully support the President's decision not to propose wage and price controls. I think that would be self-defeating, as they could not be enforced.

I am very much pleased, indeed, that the President did accept the proposal advanced by the distinguished Senator from New York (Mr. JAVITS) and the other Republican Senators on the Joint Economic Committee to have the Council of Economic Advisers publicize the implications of wage and price decisions or proposals advanced by companies and unions.

The moral persuasion of the Presidency should be behind any unconscionable increase in wages or prices. The pressure of the moral persuasion of the President should be enough to advance the national interest without the necessity for wage and price controls.

Increases in productivity are the only real way for wage increases to be earned. That is the only way we can insure that unnecessary price increases not be enacted. This is the way to increase real income and not by phony inflationary increases, as we have seen over the past 3 years.

I thank the Senator from New York for yielding to me.

Mr. DOLE. Mr. President, in listening to the President's speech this noon, I was pleased to note his general tone of confidence in the state of the economy and, at the same time, his willingness to face up to its problems.

It was a realistic speech, neither overly optimistic nor overly pessimistic.

Even more importantly, it was a speech that told the American people again that President Nixon is prepared to meet our domestic challenges in the same way that he meets challenges abroad—with courage and a hardheaded toughness that augers well for our country in the years ahead.

Like the President, I am convinced that we have taken the right road and the responsible road in restoring stability and noninflationary growth to the economy.

But, like him, I am also convinced that there are other steps that must be taken to insure that we obtain that stability.

I think that the President has recommended and proposed some worthwhile actions.

The National Commission on Productivity is certainly a step toward involving all parts of the economy in the effort to make it work properly.

An inflation alert will certainly point the finger at the hot spots in the economy and this must be done.

The Regulations and Purchasing Review Board will certainly help hold Government spending down and thus help hold inflation down.

All of these are worthwhile steps the President can take.

But he has also recommended steps the Congress can take alone. I hope that we will do so. The state of the economy is everybody's business. Inflation and recession alike affect us all.

It is up to all of us to do what we can to combat these twin economic evils.

The President is doing his part. I hope that we will do ours.

ADDITIONAL STATEMENTS OF SENATORS

THE MOST "INVOLVED" NURSE

Mr. MANSFIELD. Mr. President, the American Nurses Association several weeks ago honored their most "involved nurse" at their convention in Florida. Montana is indeed proud that this year's honor goes to Miss Audra Pambrun, a member of the Blackfeet Indian Tribe.

Miss Pambrun is the director of community health aids for the Office of Economic Opportunity community action program in Browning. Miss Pambrun is a devoted public servant and is most deserving of this recognition. The June issue of Hospital Management contains an interesting article on this year's award winner. Interestingly, the editor of Hospital Management is a former resident of Montana, having been born in Glendive.

Mr. President, I ask unanimous consent to have this article by Vernon Spencer printed in the RECORD.

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

HOSPITAL MANAGEMENT SALUTES AWARD WINNER MISS AUDRA PAMBRUN, R.N., AS AMERICAN NURSES' ASSOCIATION MOST "INVOLVED" NURSE

(By Vernon Spencer, F.A.C.H.A., F.A.P.H.A. and Raymond B. Beich)

(EDITOR'S NOTE.—The basis for this story began the last week of February, 1970, when a brief article in Glendive, Montana's *The Ranger-Review* announced that Miss Pambrun had been selected from nine Montana nominees named by the Montana Nurses' Association to enter the national contest at Miami, Florida, May 3-8, 1970. Writing the story became truly national in scope with Mr. Beich doing the preliminary interviewing and writing in Montana followed by telephone interviews in Chicago, Florida, Washington, D.C., and New York City. We are proud to present this brief profile of an outstanding young nurse who has distinguished herself of the unselfish motivation and personal involvement with the community health of her fellow Blackfeet Indians. We wish, particularly, to thank Miss Ann Warner, American Nurses' Association, for her invaluable help in gathering many of the facts for the article.)

Miss Audra Pambrun, a member of Montana's Blackfeet Indian Tribe, became the first winner of the national award sponsored by the American Nurses' Association (ANA) for the registered nurse giving the most exceptional performance in improving either the health, social or economic climates of the community.

The award was financed by the Schering Corporation and presented by Mr. Joseph J. Ingolia, vice president and general manager of Schering Laboratories, at the American Nurses' Association national convention in Miami, Florida, on May 6, 1970.

Miss Pambrun, the director of community health aids for the Office of Economic Opportunity's Community Action Program in

Browning, Montana at the edge of Glacier National Park, received \$2,000. She immediately stated she was donating one-half of the award to Montana's first class intervention center which she originated in May, 1969, as a result of her concern for the high suicide rate among the Blackfeet Indian youth. The center is manned by aides trained and supervised by Miss Pambrun.

"Suicide on this million and a half acre reservation is devastating," Miss Pambrun said. "The Blackfeet Tribe, of which I am a member, consists of approximately 13,000 Indian Americans, about 6,000 of whom live on the reservation. One-half of the population on the reservation is under 20 years of age. Suicide is primarily among those from 12 to 21 years of age with those 15 to 17 years of age being the critical group. This reservation shows an almost 47 percent higher rate than the official national rate for suicide."

Miss Pambrun is responsible for a territory of 1,500,000 acres with a caseload of 7,000 Blackfeet Indians. Every month, she drives 2,000 miles to visit at home with at least 50 families. She has trained local people, mostly Indians, to work as community aides. She and her aides visit practically every home on the Blackfeet reservation to help in such services as transportation to the reservation hospital for inpatient and outpatient care, housing repair and sanitation.

Miss Pambrun's crisis center intervenes in crises of all types and everyone contacting the center is seen by some trained person, i.e.: a clergyman, a psychiatrist, a nurse. She stressed that the average life-span of the Blackfeet Indians is only 45 years of age as a result of their hazardous living conditions. Thus, she has given her crisis center four priorities: Mental Health, Accident Prevention, Maternal and Child Health, Geriatric Health.

"Suicide among Indians of the past was never a problem; it was unheard of," Miss Pambrun emphasized. "Today, the problem is of an extreme nature. The potential suicides relate that they can not cope with the conflict between their Indian culture and the so-called mainstream American culture which surrounds them. Indians, as with all minority groups, have a deeply imbedded desire to prove themselves whole men and to be successful without ceasing to be Indian. An overall consideration of this problem leads one to believe that the issue is that of identity. The Indian youth lacks real examples of Indians functioning in successful roles and knowledge of his past, great leaders."

After Miss Pambrun was named the national winner in the ANA BE-IN-volved Nurse Search, she began a whirlwind tour on her first trip to the Eastern United States. On May 13, she was the personal guest of Mrs. Richard M. Nixon at the White House where Miss Pambrun showed Mrs. Nixon a recruitment poster and a color motion picture that will be the focal point of a nationwide campaign to improve health services. The poster and motion picture were produced for the ANA by the Schering Corporation. Miss Pambrun proudly revealed that, "Mrs. Nixon is a very gracious lady and she knew a great deal about nursing. She took us on a tour through the White House gardens and I was very thrilled."

The following day, Miss Pambrun was touring New York City where she was featured on NBC's *The Today Show*. Hugh Downs referred to her as "The Florence Nightingale of the Frontier." Mr. Downs said, "This is the 150th anniversary of Florence Nightingale's birth and great nurses, such as Audra Pambrun, personify the Florence Nightingale tradition. I am proud to salute a lady who frequently has nursed the sick in wards where there is only sky for a roof and earth for a floor. . . ."

As this salute goes to press, Miss Pambrun returns to her native Montana where Satur-

day, May 16, 1970 was declared "Audra Pambrun Day" for the entire state of Montana by its Governor, Forrest Anderson.

MICHIGAN VIETNAM VETERAN'S VIEWS ON U.S. ROLE IN ASIA

Mr. GRIFFIN. Mr. President, the *Muskegon Chronicle* of Thursday, June 4, 1970, contains a most thoughtful article written by Kenneth J. Rop, of Muskegon, a veteran of the Vietnam war.

I ask unanimous consent that the article by Mr. Rop, now a graduate student in international affairs at George Washington University, be printed in the RECORD.

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

EX-RESIDENT FEELS THE UNITED STATES ABOUT TO FORSAKE FREEDOM

(By Kenneth J. Rop)

(NOTE.—Kenneth J. Rop, a former Muskegonite who served in the Peace Corps and is a veteran of the Vietnam war, writes in this article his "voice of concern" for America. He is now residing in Arlington, Va., and is a graduate student in international affairs at George Washington University.)

I am writing this in the hope that perhaps—amidst the flurry of student protest and senatorial rhetoric—a voice of concern may somewhere find expression in the media.

Since leaving Muskegon, I have served with the Peace Corps in Africa, I have been in Czechoslovakia and on the other side of the Berlin Wall and I have served in the military in Vietnam.

I can sympathize with American students who find their lives disrupted by the conflict in Asia. I can sympathize with and support the black man in his struggle for justice and equality. But I cannot help but feel that America is about to take the wrong road in the course of history. I cannot help but feel that America, while turning toward her domestic difficulties, is about to forsake the cause of freedom in the world that lies beyond her national frontiers. As I walk down the streets of my campus, I see windows smashed, posters and paint splattered on buildings, and a private automobile burned out. I hear voices calling the President of this country a liar, a man with a mental and moral void, a "fascist pig," and a "f . . . ing imperialist." Yesterday I overheard a gathering of very young undergraduates discussing the best course toward achieving a revolution in America that would bring us up to the standards of Fidel Castro and Mao Tse-tung (albeit a very small group of students).

Amidst all these cries of outrage, I recalled that time in 1965 when I passed through Checkpoint Charlie into East Berlin. I recalled the barrier gates, the brick walls, the barbed wire, the tank traps, the East German guards looking down from windows with the menacing muzzles of their machine guns aimed at that small breach in the wall. But, most of all, I remember a large poster on the wall of a West Berlin building that faced directly into the east. On that poster was the photograph of a young East German hanging from the barbed wire with his life's blood flowing to the ground. The words of that poster were a simple, defiant, "Freedom Shall Not End Here." I recalled, too, those Vietnamese Christians who fled the North in 1954 in order that they might find sanctuary—sanctuary to live their lives and worship their God without fear of repression and terror. I recalled the Cubans among whom my wife works as a Public Health nurse, who chose to leave Castro's "paradise" with nothing but the clothes upon

their backs, in refugee planes, in small boats, in trucks crashing through the gates of Guantanamo under a hail of gunfire. I recalled the pictures of bloody Budapest in 1956 and the anguish of Czechoslovakia in 1968 as well as the many bodies floating down the river from Canton to Honk Kong not long ago.

I asked myself whether the protest here did have a point—that we should concentrate on our internal problems, that we should seek justice for our minorities at home and not expend our treasure in Southeast Asia. I came to the conclusion that the motives were valid . . . that the young were, indeed, genuinely concerned. But more than that, the feeling struck me that if I showed grief, shock, and outrage over the fate of Martin Luther King, then I must show that same grief, shock, and outrage over the fate of the young German in his death throes only inches from precious freedom. That young German also had a dream . . . a dream not far different from that of Dr. King. If Martin Luther King is my brother, then that young lad is also my brother. Is not this world of advanced technology so small that every man is, indeed, a brother? But now you ask me to choose between one brother and another. How do I choose? Do I make the choice on the basis that one lives in Muskegon and the other, perhaps, in Saigon? Do I make the choice on the basis of the nationality stamped on a man's passport? Do I choose the one who lives down the block or the one who, by a stroke of fate, lives many miles away?

It is evident that to assume the responsibility to help both brothers is going to demand sacrifice on our part. But has not the defense of justice and liberty always exacted the price of sacrifice? Has this not been so for Americans since that very day when a little band of men assembled on the green at Lexington? And is not the greatest sacrifice the one that is made unselfishly to help another? I am leery of the argument that Vietnam is not in our national security interests. After all this time are we now to sink again into the narrow confines of "national security interests"? Is there never to be a higher motive than self-interest in this bleeding world? How easy it is to sell the freedom of another in order to seek one's own domestic well-being. If we walk out on our Asian brothers, for example, how easy it will be, when the chips are down, to walk out on a brave, little Israel—fighting only for a chance to survive. Someday we may even find it easy to walk out on each other! How utterly perplexing that some of our own leaders and some of our European allies castigate us for our efforts in Vietnam while they sit comfortably under the protective shade of American military strength.

An American abdication of our role in Southeast Asia will not cause the menace of totalitarianism to fade mysteriously away. It will not stop the flow of blood, the communist system thrives on blood. It eliminates all those with unorthodox views and molds the remaining ones into pitiful remnants of true human spirit. It atomizes society and controls the isolated individual through the threat of terror. It puts a wall between us and the millions trapped behind it. Unfortunately, the state of weapons technology does not allow us to help a Hungary or a Czechoslovakia without risking the consequences of a nuclear holocaust. All we can do is hope that the heart of the movement in Moscow and Peking will rot and disintegrate. But we can strive to prevent the fall of additional millions before this creeping infection. We can, like John F. Kennedy, stand tall and proclaim that we, too, are not just Americans, but also Berliners!

If, perhaps, some of those nations that we term "free" appear to be authoritarian, as has been the case with the Thieu regime in South Vietnam, we must remember that

democracy is not something that is easily fabricated in an underdeveloped country, especially one that is torn by war. But at least, with the vital advantage of true national independence, these peoples have a fighting chance to build an egalitarian society. This is not so for those supposedly "independent" states in the communist world. Czechoslovakia and the Brezhnev Doctrine spelled that out very clearly. Much has been made over the "independence" of North Vietnam from Communist China. But do you imagine that Peking would be willing to see a transformation of North Vietnamese society any more than Moscow was able to countenance such actionisms in Prague?

If we step aside, then every chunk torn out of the Free World will also be turned out of the soul of America. As the greatest of the free nations, we, like Pontius Pilate, will be unable to really and truly wash the blood off our hands.

NEW YORK CASE ILLUSTRATES ABUSIVE USE OF UNION FINES

Mr. ERVIN. Mr. President, for more than a year now the Committee on Labor and Public Welfare has had pending before it a bill introduced by me and Senator FANNIN to amend the National Labor Relations Act to make it an unfair labor practice for any labor organization to impose any fine or other economic sanction against any person for exercising his right not to engage in concerted activities or for invoking any process of the National Labor Relations Board.

A case from the State of New York has recently come to my attention which I feel points up vividly why S. 1946 should be approved by committee and sped to the floor of the Senate for our consideration.

That case involves fines of \$3,000 levied by the International Association of Machinists and Aerospace Workers, AFL-CIO, customarily referred to as the IAM, against three of its members who were employed by the airlines in New York. I would like to review briefly the facts of that case as I understand them.

The three defendants in the case were members in good standing of IAM's Lodge 1894 which has a union shop agreement with the airlines at LaGuardia and Kennedy airports in New York. In fact, two of them were elected to positions in the union. They understood the import of their membership and participation in the union and of its role as bargaining agent for the airline employees.

However, the three defendants apparently ran afoul of the union leadership back in 1962 when they participated in the formation of a rival group, the Aircraft Mechanics Fraternal Association—AMFA. That organization made application for craft separation from the IAM, but the National Mediation Board turned it down.

About 5 years later, the defendants participated in a move by AMFA to replace IAM as bargaining agent for the mechanics working for National Airlines in New York.

It seems to me that under the statutory process of the labor laws, such activities would clearly fall under the right of employees to move for decertification of a union that has become unresponsive to its members. As I understand facts of

this case, the three airline mechanics thought the AMFA would be more responsive to their needs than the IAM, and consequently they took action to win recognition for the new group.

The IAM, however, equated this action to "treason" and brought charges against the three men for participating in dual unionism. The allegations were that the three men tried to destroy the IAM local while they held office in it. The men were tried by the union in accordance with procedures set out in its constitution. They were adjudged guilty and the fines were imposed. The defendants refused to pay the \$3,000, and although the union made no attempt to interfere with their employment or cause their discharge, it did bring suit in the New York State courts to collect the fines.

Unfortunately, the law as it now stands would allow this court action, and the mechanics may yet be forced to pay the fines. Under the NLRB's infamous Allis-Chalmers ruling, which was upheld by the U.S. Supreme Court, unions may sue in the State courts to collect such fines. The Board and the Court reasoned in Allis-Chalmers that the Taft-Hartley Act did not apply to a union's internal affairs, and that union fines were internal matters which did not violate the "coerce or restrain" prohibition of Taft-Hartley. S. 1946, which would prohibit union fines, is designed to correct this indefensible reasoning and restore the true intent of Taft-Hartley to protect the rights of employees. The Allis-Chalmers decision reduced the status of any individual union member from that of a substantially free man to that of a union puppet.

We must remember that labor organizations operating under union shop agreements are not voluntary associations. Prof. Clyde W. Summers, a member of the Yale University Law School faculty and a noted authority on labor law, dealt succinctly with this problem in "Union Democracy and Union Discipline," NYU 5th Annual Conference on Labor 443, 459-460 (1952):

A union, however, is not a voluntary association. A worker does not have a free choice whether he shall come within its power, nor can he readily escape its reach. The union as bargaining agent represents all employees in the unit, whether they are members or not. It helps determine for each and every one his hours, his wages, his seniority, his vacation and his retirement. A worker does not voluntarily submit himself to its control, but is bound by its decision regardless of his choice. His only escape is to quit his job and seek work elsewhere—and be governed by another union! Unions are not only involuntary associations but obtain a substantial measure of their compulsory jurisdiction over individuals from the law itself. Labor relations acts, both federal and state, compel the employer to give the union exclusive bargaining rights, and the individual is legally barred from asserting his independence.

Union-shop agreements are not required by the law; they are permitted by the law. Many unions have been able to rely on voluntarism and not the coercion of compulsion. Others, however, have resorted to union fines and other forms of coercion and restraint to completely

negate the rights of their members, rights which have been guaranteed by the Congress in the labor statutes but which have been stomped into nothingness by the unions themselves.

The bill S. 1946 would go a long way toward restoring the rights of employees to insist that their unions be responsive to their needs, and it would insure that they be allowed to exercise the rights already written into the labor statutes.

I urge the members of the Labor and Public Welfare Committee to take this bill up and report it favorably in order to give the entire Senate an opportunity to vote for individual freedom.

THE PRESIDENT'S ADDRESS ON THE ECONOMY

Mr. HANSEN. Mr. President, I want to join those who have spoken out in praise of President Nixon's nationwide talk today on the economy.

I found it a realistic speech that faces up to the problems of that economy and offers concrete proposals for meeting those problems.

I was gratified to note that the speech was not political in nature or in tone, but instead recognized that these problems affect all of us and all of us here in the Congress have a duty to help solve them.

I can assure the President he has my support in combating both inflation and the threat of unemployment. And I am confident that with his leadership and his recognition of what must be done, we can keep our economy strong, we can end the inflation without a drastic recession or depression, we can renew our productivity and we can build a healthy and prosperous peacetime economy.

MINNESOTANS OPPOSE VIETNAM WAR

Mr. MONDALE. Mr. President, the tragic escalation of the war in Southeast Asia has been shown by strong disapproval by my constituents. I am interested to see that the White House continues to issue vague statements about public support for this dangerous escapade. There is no doubt about the views of Minnesotans. My mail has been very heavy on the Cambodian invasion and has been running 10 or 12 to one against the President's action.

An excellent letter from a thoughtful Minnesotan was recently printed in the Minnesota Tribune. Mr. Russell points out so well:

We have serious problems at home that demand our full attention and . . . the time to get out of Vietnam is now—in 1970.

I understand that readers of the Tribune who contacted Mr. Russell were unanimous in their support of his position.

I ask unanimous consent that the text of this perceptive letter to the editor be printed in the RECORD.

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

EX-NAVY MAN IS FED UP

To the Editor: As a short-haired, middle-aged, conservative, ex-Navy, establishment-

type Republican, I am getting increasingly fed up with all the generals, politicians and press, radio and TV characters who keep talking about "the enemy" in Vietnam, Laos, Cambodia or Thailand.

Whose "enemy"? Certainly not mine. No war has been declared, I don't hate anybody, anywhere in Southeast Asia, and I don't know a single Minnesotan who does. I couldn't care less what kind of government they have, if any.

If a bunch of Asians came over here and tried to tell us how our part of the world should be run, I'd be happy to help throw them back across the Pacific, and I just can't conceive of any self-respecting, patriotic Vietnamese not feeling the same way about half a million Americans trying to play God 10,000 miles from home.

Like us, the Vietnamese, North and South, are perfectly capable of lousing up their own affairs with no "help" from outsiders. After all, they've been successfully fighting off the Chinese for centuries, they finally got rid of both the Japanese and French, and then we crazy Americans had to come over and drop more bombs on their little country than were used by both sides in Europe in all of World War II. With "friends" like that, who needs enemies?

You don't need to visit Expo '70 to figure out that the Japanese, who have led the world in shipbuilding for the last 14 years and know the Chinese can't walk on the water, are again the dominant power in the Western Pacific. Also, you don't need to wear long hair and a beard or be under 30 to realize that we have serious problems at home that demand our full attention and that the time to get out of Vietnam is now—in 1970. As the world's most powerful nation, the initiative is completely ours, nobody can stop us, and no "negotiations" are necessary or desirable, least of all with a fourth-rate power in Paris.

TERRORISM IN THE MIDDLE EAST

Mr. HATFIELD. Mr. President, Life magazine for June 12, 1970, contains an article and an interview by Oriana Fallaci with Dr. George Habash, the head of the Popular Front for the Liberation of Palestine. This group is responsible for many acts of terror which have shocked the world, and the nation of Israel in particular. It is a rare opportunity to look behind such violent and seemingly irrational acts to the individual committing them, and this interview is one of those occasions. I commend the article to Senators so that we may better understand the tragedy of the Middle East and, it is hoped, change the tendency toward escalating conflict and polarization in that troubled land.

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

A LEADER OF THE FEDAYEEN: "WE WANT A WAR LIKE THE VIETNAM WAR"

(By Oriana Fallaci)

The man I was facing was responsible for most of the acts of terror the Arabs have committed in Europe. The head of the Popular Front for the Liberation of Palestine: Dr. George Habash, a Christian doctor who until a few years ago was a Schweitzerlike figure running a private clinic with a group of nuns in Amman. This hospital was filled mostly with children and poor old people. Dr. Habash never insisted on being paid and he bought the drugs for his patients out of his own pocket, then slipped them a roll of notes when they were ready to leave. Born rather rich, he used up much of his wealth in this way. He spent nothing on himself:

a sterilized white coat over old clothes was all he ever wore, and he slept under a crucifix on a cot in his hospital.

One day the clinic was closed and Dr. Habash disappeared. He had gone with the *fedayeen* to follow the only calling in which he now believed—the pitiless fight for vengeance. It was 1967 and since that day he has given up everything, including his two children and his beautiful young wife whom he had married five years before. He now lives in the *fedayeen* bases that he leaves only at night escorted by a bodyguard.

In any sense, it's a tough life. The *fedayeen* who belong to the Front have no regular salary like those who belong to Al Fatah; at most they got a subsidy of \$5 a month and transport every 30 days to visit their families. Their few military bases are ill-equipped and insufficiently supplied; the daily fare is boiled beans, meat once a week if all is well. Any free time left over from military training is filled with study of Marxist and Leninist classics. There is no question that the Palestinian resistance is a socialist movement aided by China and the U.S.S.R. But the Front is so poor that it doesn't even have a headquarters or a telephone, so a *fedayeen* who joins the Front does not do it for material gains. That would explain why there are only 1,600 or so members.

Yet those 1,600, for ill or for good, are attracting the world's attention with acts of terrorism. "Why?" is what I went to ask Dr. Habash. We met at night in the suburbs of Amman, in a building attached to a refugee camp. The room contained one desk and a few chairs; outside the closed doors, armed *fedayeen* stood guard. Inside there were only four of us: Habash, myself, a photographer and the man who had driven us there. I was sitting behind the desk and Habash sat on a chair in front of me, with his hands resting on his baggy knees, his tired, unshaved face slightly lifted in expectation of my questions. Solidly built, with shoulders like a wrestler, he kept watching me through steady and pained eyes, making it hard for me to attack him. I ask his age, and he said 44. Then he rumped his gray hair with his fingers, as if to apologize for looking so old, and smiled humbly. But when I asked "Why?" the smile disappeared.

Dr. Habash, the Front specializes in acts of terrorism, many of them carried out in Europe. What right do you have to impose this war on Europeans?

I will explain. Let us start with a premise: in a war one has to establish scientifically who one's enemies are. In this war Israel is not our only enemy. Our enemy is Israel, plus the Zionist movement that controls many of the countries which support Israel, plus imperialism. I mean specifically British imperialism from 1918, and American imperialism from 1948 on. If we had to face Israel alone, the problem would have been almost a simple one: but we have to stand against whoever supports Israel economically, militarily, politically, ideologically. This means the capitalist countries that have conceived Israel and are now using it as a bulwark to protect their interests in Arabia. They include the U.S., and almost every country in Europe.

Let us for a moment leave out Europe, and concentrate on Israel. From an economical and political point of view Israel is an island isolated from its friends and surrounded by enemy lands: Syria, Lebanon, Jordan and Egypt. Its communications with friendly nations can take place only through the air and the sea; therefore it becomes imperative for us to block those avenues. In the future we will take care of maritime communications, aboard ships at the docks or at sea. We have been taking care for some time now of the air routes by striking at the planes of El Al, the Israeli airline. El Al planes are a perfectly legitimate military target: they

belong to the enemy, they connect the island of Israel with other shores, and they transport troops and ammunition. They are flown by reserve officers of the Israeli Air Force. In a war it is fair to strike the enemy wherever he happens to be, and this rule leads us also to the European airfields where El Al planes land or take off.

Dr. Habash, you are forgetting that those planes also carry citizens of neutral countries, and that the airfields belong to neutral countries, not Israel. To respect neutral countries is another rule of war.

Aside from the fact that these airfields are always located in pro-Zionist countries, I repeat that we have the right to fight our enemy wherever he might be. And as for the non-Israeli passengers, they are on their way to Israel. Since we have no control over the land that was stolen from us and called Israel, it is right that whoever goes to Israel should ask for our permission. Countries like Germany, Italy, France, and Switzerland, with many Jews among their population, allow their territory to be used as a base for the Jews to fight the Arabs. If Italy, for instance, is a base against the Arabs, the Arabs have a right to use Italy as a base against the Jews.

No, Dr. Habash, Italy is not used as a Jewish base, nor is Germany, France or Switzerland. And you don't stop with El Al's planes. How far are you planning to go? Do you want to make war on three-fourths of the planet?

No, we don't want to do that. But we have to look at this scientifically and recognize that our revolution is a phase of the worldwide revolution. We ought to be honest and admit that what we want is a war like the war in Vietnam. We want a Vietnam war not just in Palestine, but throughout the Arab world. Palestinians are part of the Arab nation, and what we need is for the whole Arab nation to enter the war; which will occur anyway, within three or four years. By then, if not before, the revolutionary forces in Jordan, Syria and Lebanon will rise to our side in a total war. Our struggle has barely begun, the worst is yet to come. And it is right for Europe and America to be warned now that there will be no peace for them until there is justice for Palestine. There are uncomfortable days ahead for you all, and they will not be too steep a price to pay for the help you extend to Israel. Now that this is clear, let us return to the subject of planes not belonging to El Al. I assume that you refer to the TWA flight we rerouted to Damascus. Well, the United States are a harbor of our enemies, and so they are our enemy too. The plane was hijacked in protest against the American sale of Phantom jets to Israel.

America sells Phantoms to Israel, and Russia sells Migs to Egypt. Don't you think it all evens out in the end? If the Israelis were to hijack planes every time Russia gives weapons to Egypt, we would all be traveling on bicycles. Don't the prospect of triggering a third World War bother you?

To be frank, it doesn't. The world has been using us and has forgotten us. It is time they realized we exist, it is time they stopped exploiting us. Whatever the price, we'll continue our struggle to return home.

The opinion of the world does not concern you?

Obviously we are concerned with world opinion. When it is on your side it means you are in the right, when it's against you it means there is something wrong in what you are doing. But the problem has to be stated differently, because we are interested in public opinion more on the plane of knowledge than on that of emotion. Let me explain: the attacks of the Popular Front are based on quality, not quantity. We believe that to kill a Jew far from the battleground has more of an effect than killing 100 of them in battle; it attracts more attention. And when we set

fire to a store in London, those few flames are worth the burning down of two kibbutzim. Because we force people to ask what is going on, and so they get to know our tragic situation. You have to be constantly reminded of our existence. After all, world opinion has never been either with us or against us; it has just kept on ignoring us. Since 1917, when the Balfour Declaration was signed, you have ceased to know about us. It is only now beginning to dawn on people that we were chased from our land like rabid dogs. Well, through sabotage we want to remind the world that a catastrophe has taken place here, and that justice must be done. Believe you me, after what has happened to us we have the right to do anything, including what you call acts of terrorism. Where was world opinion in 1917 when the British decided to give a land that was 90% populated by Palestinians as a gift to the Jews?

It was busy, Dr. Habash, with a trifle known as World War I. I assume from your answer that you don't mind making casualties among Europeans. Does it follow that you intend to go on burning our stores, shooting up our air terminals, placing bombs in our mail, and harassing us with terrorism?

When the Jews were doing this sort of thing in Palestine you didn't call it acts of terrorism, but a war of liberation. Of course we will continue to work according to our strategy; in fact we will escalate it. However, we will do our best not to harm Europeans; I swear it upon the head of my children that we are devoting a lot of attention to this problem. Orders to our commandos always emphasize that neutrals should be spared. During the whole of 1969 this order has always been followed, and never has a European lost his life as a result of our operations. Let's take the burning of the London store. It would have been very easy for our *fedayeen* to just throw a couple of bombs and kill a lot of people. He waited till night instead, to avoid causing casualties. It's true that a child was killed in Athens, but the Front had nothing to do with that operation. We are not the only ones to resort to what you call terrorism; you should remember that there are several Palestinian organizations.

Let's change the subject, Dr. Habash, to the countries that are your friends.

Our position is the same as that of the Vietnamese: we are friends with those who are our friends. The goal of our struggle is not only that of restoring the nationhood of Palestine, but to transform it into a socialist state as well. We are nationalist and socialist in equal measure: the Popular Front is a movement that proceeds within the framework of socialist ideology. By 1967 we had understood the undeniable truth, that to liberate Palestine we have to follow the Chinese and Vietnamese examples. There is no escape from this logic, although we have spent a long time thinking about it. Israel is a product of colonialism, colonialism is a product of imperialism, and imperialism is a product of capitalism. Therefore, the only nations we consider to be friendly, the only ones whose planes we spare, are the socialist countries. Our best friend, in fact, is China. China wants Israel erased from the map because as long as Israel exists there will remain an aggressive imperialistic outpost on Arab soil.

How about the Soviet Union?

Obviously the Soviet Union is also a friend, although to a lesser degree. They provide weapons to the Arab nations, or, should we say, to the governments that presently rule the Arab nations. Perhaps it isn't even right to say "to a lesser degree," because we are also very close to the Soviet Union. We don't see the Russians the way the Chinese would like us to see them, and vice versa. Of course we don't appreciate it when the U.S.S.R., in the Security Council of the U.N., presents peace resolutions that are nothing

but disguised traps. We don't want peace, we will never agree to any peaceful compromise. And China sees eye to eye with us on this issue.

Do you send your army instructors to be trained in China?

We don't. The Front trains its soldiers by itself, in our camps we teach more than shooting; our recruits, among other things, have to learn Hebrew. Our training is not the same as Al Fatah's.

In fact you don't get along too well with Al Fatah.

We fight on the same side of the barricades. At the same time, our position is very different from Al Fatah's on a variety of issues. To give you an example, we would never accept the money they are getting from reactionary sources; we would never touch money that stinks of American oil. Before, when I listed our enemies to you, I forgot to mention the Arab national states. That was an omission, because if I were to tell you the history of the last 52 years of Palestine, I could show you that the worst obstacles have always been those placed in our path by Arab reactionaries. Like Saudi Arabia, where the majority of oil wells are in American hands. Or Lebanon, with its rotten government. Then there is Jordan, whose king is ready to recognize Israel. And the list could be extended. These are all countries with whom Al Fatah collaborates; but for us to accept money from them would mean to trample on our moral beliefs, to lose our honor. We have been collecting money among ourselves, and if the financial problem becomes crucial we will take money away from those who have it. We will take it, not ask for it. Those who join the Popular Front know that we aren't joking. After all, it is us who give the revolutionary momentum to Palestine, not Al Fatah. The real people, the proletarian masses, follow our lead.

How do you explain the fact, then, that the immense majority of the common people are for Al Fatah, and that you seem to attract mostly intellectuals and bourgeois?

It is true that we aren't numerically strong; at least not yet. But this doesn't give an inferiority complex, because it is not enough to have many proletarians in a party to be a proletarian party. What counts is a proletarian ideology, proletarian program. It doesn't mean anything to have a lot of *fedayeen*, perhaps recruited with money as an incentive: 100 men with clear revolutionary ideas fight better than 1,000 mercenaries. We wouldn't accept many people even if we had the money Al Fatah has; we would continue to hold that the strength of the *fedayeen* is not in their numbers but in their quality. Especially when one is forced to rely on terrorism, as you call it, to wage one's war.

But what is so heroic about setting fire to an old people's home, destroying the oxygen supply of a hospital, blowing up an airplane or a supermarket?

It's guerrilla warfare, a special kind of guerrilla warfare. The main point is to select targets where success is 100% assured. To harass, to upset, to work on the nerves through unexpected small damages. Brute force is out; this is a thinking man's game. Especially when one is as poor as the Popular Front is. It would be silly for us to even think of waging a regular war; imperialism is too powerful and Israel is too strong. The only way to destroy them is to give a little blow here, a little blow there; to advance step by step, inch by inch, for years, for decades, with determination, doggedness, patience. And we will continue our present strategy. It's a smart one, you see; would you really want to fly El Al? I wouldn't. What's the matter, you seem upset.

I am upset.

You are perfectly entitled to dislike what I say, but I can't afford to take your opinions and emotions into account: it would be like

trying to do surgery without spilling blood. I am not interested in what you think, even though you might be right, in a way; I am interested only in what my people think. And you should see how my people react to a successful operation! Spirit shoots sky-high. The more you are upset, the more they are encouraged.

Do you ever engage in real military operations? The kind where you risk your lives?

Certainly. Eighty-five per cent of the military activity inside Israel is our doing, not Al Fatah's. We lead almost every attack within the Gaza Strip, and about 50% of those in the rest of the occupied territory. In Gaza we have fought a battle that Moshe Dayan himself has admitted to be the worst of all those that took place in Israeli territory; the battle of the field of Madhazl. And every day a tank gets destroyed somewhere, a soldier is killed, a traitor executed.

I would like to talk now a little about yourself. You were a doctor, your job was to save the lives of people, not to destroy them. You were also a Christian, and your religion was based on love and forgiveness. Do you ever yearn for your past?

I was . . . a Christian. Yes. An orthodox Christian. Yes, I was a doctor, a pediatrician. I enjoyed that very much, I believed I had the most beautiful job in the world. And it is that, you know. Because it is something that involves you completely—brain and emotions both. Especially with children. I loved to care for children and it has been hard to leave it all behind. Yes, sometimes I do feel a yearning for my past, like the pricking of a pin. But I had to do what I did, and I am not sorry. There was just too much contradiction between my political activity and my work at the hospital. A man cannot split his feeling like that: to cure on the one hand, to kill on the other. There is a time when he has to say to himself: it's either or.

Dr. Habash, what made you decide, what produced such a metamorphosis?

What made me decide? It was nothing rational, I'm afraid. For instance, it wasn't Marx; I had read his work already, I had reached his scientific conclusions some time ago. It was more of a feeling. You see, I am used to the sight of physical suffering, but not to that of spiritual pain. I have not gotten used to shame, to injustice. Until 1948 I was an average young man, a typical son of well-to-do parents; the college student who swims, plays tennis, runs around with girls. I was humiliated by the events of 1948, but they didn't affect my life much; I was 22 then, I lived in Lydda, near Jerusalem, and I was spared the fate of the refugees. After getting my degree I buried myself in medicine as the only means of making myself useful to humanity. And also as a means of applying my socialism: I had become a socialist in the last years of college. Then it was 1967 and they [the Israelis] came to Lydda and . . . I don't know how to explain this . . . what this still means for us not to have a home, not to have a nation, or anyone who cares. . . . They forced us to flee. It is a picture that haunts me and that I'll never forget. Thirty thousand human beings walking, weeping . . . screaming in terror . . . women with babies in their arms and children tugging at their skirts . . . and the Israeli soldiers pushing them on with their guns. Some people fell by the wayside, some never got up again. It was terrible. One thinks: this isn't life, this isn't human. Once you have seen this, your heart and your brain are transformed . . . What's the point of healing a sick body when such things can happen? One must change the world, do something, kill if necessary, kill even at the risk of becoming inhuman in our turn. . . . You can't understand us, perhaps you find us despicable: but you'll understand us some day. And you won't despise us then, you will be on our side 100%.

Dr. Habash's lips began to tremble and his eyes filled with tears, and one of them descended along his nose. What can I add? Human nature is the ultimate mystery, and the boundary between good and evil is such an elusive line. It is a thin thread that sometimes snaps in your hand, just like that.

NORTH CAROLINA GIRL WINS NATIONAL SPELLING BEE

Mr. ERVIN, Mr. President, I was certainly pleased to learn that Miss Libby Childress of North Carolina is the new National Spelling Bee champion. The contest was sponsored by the Washington Daily News and other Scripps-Howard newspapers.

With all the complexities of our society today it is very refreshing to see a contest emphasizing part of the fundamental three R's. Good communications are indeed a vital necessity in coping with modern technology and rapid changes; therefore, I wish to commend our State's national champion for the excellence she has displayed in the great art of spelling. Miss Childress has distinguished not only herself and her hometown of Mount Airy, but she has brought national acclaim to the entire State of North Carolina because she represents the best of 7½ million students who competed in the national contest.

Mr. President, I ask unanimous consent that the articles in the Washington Daily News and the Raleigh News & Observer of June 5, 1970, and an editorial from the Raleigh News & Observer of June 10, 1970, concerning the National Spelling Bee, be printed in the RECORD.

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

[From the Washington Daily News, June 5, 1970]

N.C. GIRL WINS THE BEE

Libby Childress, a shy dark haired girl from Mt. Airy, N.C., her eyes downcast and her voice steady, spelled her way to victory yesterday in the National Spelling Bee to become the 1970 national champion.

Libby won the contest over 73 other contestants in the 25th round of the Bee, which is sponsored by The Washington Daily News and other Scripps-Howard newspapers. Her winning word was "croissant."

For the last nine rounds Libby and second-place winner Tom Moe, Jr., of Denver, Colo., battled thru words like "lapniette" and "boutonniere." The break came when Tom, 14, missed "corymb" by spelling it "chorimbe."

The winning word was the 541st word used in a day and a half of spelling. Last year, 571 words were used before the winner was named.

Libby took her victory calmly, but admitted she was "relieved" it was over. She had been trying to get to a National Bee for three years and this year was privately tutored by E. L. Reese of Boone, N.C. Libby's father and her two brothers rushed forward to congratulate her just behind Scripps-Howard promotion director James Wagner who ran to her, raised her hand high in the air and declared her the new champion.

Tom, the second place winner, was sponsored by The Rocky Mountain News, a Scripps-Howard paper.

The 74 young spellers had come from 33 states and Okinawa to compete for the top prize of \$1,000 and a trip to New York. Libby, who has been to New York before, said she was anxious to go back because "I didn't

really see anything on the first trip." Second prize is \$500, third is \$250 and the next five contestants receive \$100 each.

[From the Raleigh (N.C.) News and Observer, June 5, 1970]

N.C. GIRL WINNER OF SPELLING BEE

WASHINGTON.—Three years of coaching by a private tutor paid off Thursday for a shy North Carolina teen-ager, who flawlessly spelled 26 tough words like "droshky" and "lagniette" to win the 43rd National Spelling Bee.

Libby Childress, a 14-year-old eighth-grader at Mount Airy (N.C.) Junior High School, polished off "corymb" (form of blossom) and then "croissant" (French pastry) to claim the title and the \$1,100 first prize.

Spelling slowly and deliberately, rarely taking her eyes off the floor, Libby outlasted a poised and determined Tom Moe Jr., 14, Denver, on the 25th round of the two-day elimination competition.

She did not falter at droshky, a horse-drawn Russian carriage, or even lagniette, a Creole term for gratuity.

Libby and Tom were the only contestants left after the 16th round.

Seventy-six local champions from as far away as Okinawa began the bee Wednesday morning, dropping out one by one as each misspelled a word. They represented the best of 7.5 million school children who competed nationwide in the annual event sponsored by Scripps-Howard newspapers in 14 cities and 58 other daily and Sunday newspapers.

Almost inaudibly, the new champion told reporters she had been coached in spelling for three years by E. L. Reese of Boonville, N.C., who accompanied her, her father and two brothers to Washington.

She finished second in local competition last year and said she "was really trying for this one." Since she has now finished the eighth grade, she would be ineligible next year.

When Tom fluffed "corymb" contest rules required Libby to spell that correctly and then to get one more word right.

Tom, a fourth-year French student, squirmed in his chair in self-disgust when he heard what the next word was, the French "croissant." Asking again and again for its pronunciation and derivation, Libby slowly spelled it right—though she has never studied a foreign language.

[From the Raleigh (N.C.) News and Observer, June 10, 1970]

A TRUE CHAMPION

Libby Childress, the 14-year-old spelling champion from Mt. Airy, will not make the N.C. Hall of Fame. This accolade is reserved for athletes of extraordinary talent. And thus far our colleges offer no grants-in-aid for expert spellers. College recruiting experts, abetted by alumni, will not wear down the grass on the Childress lawn.

Yet the indomitable discipline, the grace under fire, Libby exuded as she battled runner-up Tom Moe of Denver through 25 rounds, would do credit to any member of our Hall of Fame. If the world doesn't beat a path to Mt. Airy, Libby is a real champion in the finest sense. Fashions may change but time can not deface her remarkable accomplishment. It is as Robert Burns wrote: "Wha does the utmost that he can, / Will whyles do mair." ("Whyles," at times; "mair," more.)

While the champion speller doesn't receive the deference accorded in bucolic days, such expertise is glorious at a time when many high school teachers swear half their students spell "grammar" as "grammer." At a time when many individuals are lost in the anonymity of group endeavors, here is a child who spent three years working hard to attain excellence in one inexorable rendezvous.

Spelling may be considered square by self-

winding aesthetes, and Kipling may be put down as a rabble-rouser. But truth is still beauty, and Kipling spoke for all the Libbys when he said:

"If you can fill the unforgiving minute
With sixty seconds worth of distance run,
Yours is the earth, and all that's in it,
And what is more, you'll be a man, my son."

VICE PRESIDENT AGNEW'S ADDRESS TO MICHIGAN REPUBLICANS

Mr. GRIFFIN, Mr. President, last Monday night, more than 4,000 Michigan Republicans had the pleasure of hearing an outstanding address by Vice President AGNEW in Detroit's Cobo Hall.

Mr. President, I ask unanimous consent that the text of the Vice President's address be printed at this point in the RECORD.

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

ADDRESS BY VICE PRESIDENT AGNEW

I would like to present a case tonight for progressive partisanship.

The word "partisan" has taken on an unfortunate coloration. It is being equated with divisiveness, with backbiting and acidulous personal references. This is not new in our history—James Madison, in the most famous of the Federalist Papers, warned of the "spirit of faction" that could tear the country apart.

Partisanship misplaced, partisanship overdone, can be a danger to democracy; but a progressive partisanship is at the heart of our liberty and without it, there would be no change in our society and no movement in our public philosophy.

We are entering our traditional period of intensified partisanship before an election campaign. Whether that period will be productive of intelligent challenge and debate, or sterile and conducive to angry shouting, is a test that we as a people will have to take.

I believe we will pass that test if we embrace the principle of progressive partisanship.

To do that successfully, we have to examine two slogans. One of these is rich with age and honor; the other is bright with new and conventional wisdom; both can be twisted to get us into trouble.

Slogan number one is seemingly unassailable: "United we stand, divided we fall." And slogan number two is becoming one of the most high-minded clichés of our time: "Let us de-escalate the rhetoric."

Let us begin with the first, which had its genesis in a poem written in 1776 by John Dickinson: "Then join hand in hand, brave Americans all/by uniting we stand, by dividing we fall."

That is the sentiment that brought us together as a nation, the spirit that permitted us to overcome our disagreements by acknowledging a deeper sense of common purpose.

On the great ends of liberty and justice and opportunity, that sentiment has never been truer. But we demean that spirit of unity when we try to restrict ideas about how to meet those ends. Here is what I mean:

We cannot agree about the need for freedom without acknowledging the freedom to disagree.

We cannot govern with the consent of the governed unless we respect the right of dissent of the governed. But remember, respect for the right of dissent does not mandate agreement with the dissent.

We cannot encourage a unity of purpose without stimulating a diversity of approach.

That is why every attempt to deny our diversity, to smother partisanship in an

amorphous cloud of consensus, is doomed to failure. It confuses the ends with the means. United we stand in love of country, in desire for peace and progress—but divided we stand in approach, in style, in policy to reach the ends we seek.

By demanding unity, by denouncing dissent, we might find ourselves standing united but standing still. That is not what this nation is all about—unity is not an end in itself, it is a byproduct of progress.

Just as unity is not an end in itself, dissent is not an end in itself. Here is where I part company with some dissenters.

Rational dissent focuses on an issue, calls it to public attention and marshals the arguments to persuade the majority to its view. That is the essence of progressive partisanship.

Irrational dissent focuses on an emotional issue, rejects logic, and demands change without intellectual challenge, without offering a constructive alternative.

Rational dissent anticipates disagreement; irrational dissent expects its views to be adopted as a revelation of truth and is infuriated when this does not happen.

Rational dissent properly defines its right to be heard and is ready and willing to accept criticism of its point of view; irrational dissent considers criticism of its point of view to be an attack on the right to dissent.

Rational dissenters, in the tradition of Holmes and Brandeis, have never been more needed than they are today. They are with us, but their ideas are too often ignored—not by the majority, but by the emotionaries, a relatively small group of anti-intellectuals that has snatched the standard of dissent from their hands.

Some of the rational dissenters I have been meeting with recently have pointed out that the emotionaries are not limited to their side. This is true. But we cannot abandon the public forum to the antis versus the anti-antis. We cannot refrain from speaking out in the voice of reason, both in affirmation and in dissent, for fear of becoming identified with the emotionaries of the extremes.

That, of course, brings me to the next slogan, the new favorite of editorial writers of all shades of opinion: "Let's de-escalate the rhetoric."

I think the word "rhetoric" is being badly misused. It is being defined as vituperation, as poisonous invective. But rhetoric is not that at all: Rhetoric is the use of public discourse to persuade.

We do not have to depress that kind of rhetoric at all; on the contrary, we have to elevate the rhetoric. Only in that way can we hope to enter a season of progressive partisanship.

This does not mean that affirmers or dissenters have to color their speeches gray. It does not mean that we must dwell on abstractions and totally refuse to engage in personalities.

Our history is rich in anecdote about the cut and thrust of partisan debate, and it did get a little personal at times. I recall the remark of John Randolph of Virginia, aimed at a brilliant fellow member of the House of Representatives, Edward Livingston. Said Randolph: "He is a man of splendid abilities, but utterly corrupt. Like rotten mackerel by moonlight, he shines and stinks."

That was pretty rough. And so was labor leader John L. Lewis' characterization of one of my predecessors in office, John Nance Garner as a "card-playing, whisky-drinking, evil old man." (Some people have recently suggested that I stick to playing cards, which could contribute to the public safety.)

Governor Hiram Johnson of California did not like some of the press coverage he was getting during his administration, and he had this to say about the publisher of a

major newspaper: "He sits there in senile dementia with a gangrene heart and rotting brain, grimacing at every reform, chattering impotently at all things that are decent, frothing, fuming, violently gibbering, going down to his grave in snarling infamy . . . disgraceful, depraved . . . and pretentious."

Now what have I ever said about the press to compare with that? Fortunately, the days of that kind of ad hominem blast are gone forever. But perhaps it has evolved into a less rancorous form of attack, similar to that unleashed by Winston Churchill at Ramsay MacDonald in 1933, when he was Chancellor of the Exchequer: "I remember when I was a child, being taken to the celebrated Barnum's Circus, which contained an exhibition of freaks and monstrosities, but the exhibit on the programme which I most desired to see was the one described as 'The Boneless Wonder.' My parents judged that that spectacle would be too revolting and demoralizing for my youthful eyes, and I have waited fifty years to see the Boneless Wonder sitting on the Treasury Bench."

Can you imagine the wave of shock and horror that would pass through certain circles if anyone were to make such a remark today about, say, the chairman of a Senate committee? It would be an unthinkable example of the arrogance of power. The most one could get away with in these more sensitive times is another Churchill gibe at one of his opponents as "a modest man, with much to be modest about."

The purpose of this brief review of political invective is to show that we are indeed past our vituperative peak, in a sense, happily so. It is also good for us to recall that the shouted epithets we hear today are no match for the flashes of wit that lay behind some of the studied insults of yesteryear.

Were they alive today, Randolph and Wilkes, Disraeli and Churchill, Huey Long and Harold Ickes would have to temper their blasts; history might have been the less colorful, but the times have changed and the climate is wrong for slambang vituperation. In its improper definition as invective, the rhetoric has already de-escalated.

But in its proper definition as rational public persuasion, the rhetoric of our times needs to be put to constructive use. In the very act of encouraging peaceful argument, we automatically discourage violent protest. In agreeing to disagree, as reasonable people, we admit to a unity of purpose.

A Greek philosopher first laid down the rules of rhetoric. I do not presume to challenge the principles of my ancestor Aristotle, but let me try to update them for the coming campaign:

Every view is a proper target for rational challenge.

Every challenge is a proper target for criticism and rebuttal.

No view has a claim on truth by virtue of wide acceptance.

No view has a claim on truth by virtue of limited acceptance.

Every partisan has an obligation to present his position forcefully, factually and fearlessly.

Every partisan has an obligation to admit to the possibility of error.

Every man has a right to be heard to the extent he shows a willingness to listen.

No man should interpret a willingness to listen as a commitment to follow.

No argument is fair that appeals exclusively to emotion.

No argument is realistic that rules out all emotion.

No age group or minority group or income group has a monopoly on wisdom.

No majority has the obligation to be silent, or the right to overwhelm dissent.

And finally, the thirteenth rule of rhetoric for our times, and the most painful one of all: Provided he acts without violence and

within the Constitutional law, every man has the right to disagree with, and to break, every one of these "rules."

In doing so, I think it would be to his loss and society's loss, but freedom is not freedom unless it includes the freedom to be wrong.

Let us, then, elevate the rhetoric; let us think through all we stand for, and then stand for it publicly and affirmatively.

Let us not be afraid to be progressive partisans for all we believe to be right, and not speak of partisanship as something unworthy or un-American.

This was a nation built by ardent advocates of popular and unpopular causes. In each generation, they triumph over the detractors who shrug in hopeless resignation, and the sloganeers of puerile obscurities, and the bookburners who try to destroy the ideas they cannot discuss.

Let us join the "happy warriors of the political battlefield," discovering new depths of loyalty in opposition, new heights of unity, in our diversity, and a new spirit of respect for each other's point of view.

DOMESTIC SULFUR SITUATION

Mr. LONG. Mr. President, for some time now I have been troubled by the succession of signs that one of America's most basic, vital industries—sulfur mining—is under severe economic strain. Since early 1968, when sulfur began to be in oversupply, there has been a drastic decline in sulfur prices and a consequent reduction in the earnings of sulfur producers. At least six sulfur mines have had to shut down, and many sulfur workers have lost their jobs. Exploration for new reserves of sulfur has come to a virtual halt.

The most recent sign for concern is the news that Freeport Sulphur Co., the world's largest sulfur producer, has had to lay off some 11 percent of its employees in Louisiana since the first of the year and that further reductions may ultimately become necessary.

What is the cause of the problem? The Louisiana sulfur industry's difficulties appear to stem largely from the pricing policies of western Canadian producers who are forcing into U.S. markets already fully supplied a large increase in sulfur recovered from sour natural gas. I am told that the unremitting pressure from imports of low-priced Canadian sulfur has caused substantial reductions in Louisiana sulfur productions and prices. Canadian sulfur, unlike Louisiana sulfur, is not a primary product but a byproduct or coproduct. It is obtained from the hydrogen sulphide which must be removed from the gas in order to make the gas salable. Consequently, Canadian sulfur production is unrelated to market requirements and it is priced without regard to cost. One of our Louisiana sulfur companies reports that in the large Midwestern market, for example, offers of Canadian sulfur at below prevailing prices have been responsible since June 1968 for 10 successive price cuts.

Mr. President, sulfur is essential to the well-being of the national economy. All farms and all industries rely upon the availability of sulfur in adequate supply. But the assurance of future supply depends upon producers being able to continue to conduct increasingly expensive, increasingly difficult explora-

tions for and development of new sources. Current conditions seriously impair producers in this respect.

There may well be actions our Government should be taking to safeguard the domestic sulfur industry. I intend to give the entire matter immediate and serious attention, and I invite other Senators who may be as concerned about this as I am to join me.

A considerable amount of useful information is contained in two items which I ask unanimous consent to have printed in the RECORD at this point. They are an article, entitled "Freeport Cuts Working Force," published in the Times Picayune of May 26, and an in-depth analysis prepared by Freeport Sulphur Co. for its stockholders earlier this year, entitled "The Competitive Situation in Sulphur."

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

[From the New Orleans Times-Picayune, May 26, 1970]

FREEPORT CUTS WORKING FORCE—11 PERCENT LAYOFF BLAMED ON IMPORT PRESSURE

Freeport Sulphur Company announced Monday it has had to lay off 11 per cent of its employees in Louisiana sulphur operations because of "unremitting pressure from imports of low-priced Canadian sulphur."

The company said further cutbacks in its work force may be ultimately necessary.

Cutbacks affect sulphur mining operations in and off the Louisiana coast, the research and development laboratory Belle Chasse and the company's Southern operations offices in New Orleans.

In a statement to the press, Freeport reported a 56 per cent decline in earnings in the first quarter of 1970 compared to the corresponding period in 1969. In April the directors cut the quarterly dividend to stockholders in half.

The company said employment in Freeport's sulphur operations is expected to decline from the January level of 1,340 to 1,190 in June.

Z. W. Bartlett, vice-president, Southern operations said, "Because of concern for the well-being of Freeport employees, we have resisted until now the inevitable result of the continuing, unremitting pressure from imports of low-priced Canadian sulphur."

Bartlett attributed Louisiana sulphur industry's problems to the pricing policies of western Canadian producers, which, he said, are forcing a large increase in by-product or co-product sulphur recovered from sour natural gas into already fully supplied markets.

He said since the Canadian sulphur must be removed from the gas in order to make the gas salable, its output bears no relation to market requirements and is priced without regard to cost.

Bartlett said offers of Canadian sulphur at below prevailing prices have been responsible for 10 successive price cuts in the large midwestern U.S. market since June 1968.

THE COMPETITIVE SITUATION IN SULPHUR

(Sulphur is now in oversupply. Prices have fallen. Mines have been shut down. Exploration is being curtailed.)

The sulphur problem today is similar to that of the late 1950's and early 1960's. At that time the development of new sulphur mines in Mexico, accompanied by the recovery of sulphur from sour natural gas in France and Canada, created substantial oversupply. Producer stockpiles of mined sulphur mounted, and inventories reached a peak of

nearly a year's supply. Prices everywhere were driven down by over-eager sellers seeking to enlarge their market positions and by over-zealous buyers seeking short-term bargains. In the United States, where virtually all of the production was brimstone (elemental sulphur) mined by the Frasch process on the Gulf Coast, prices f.o.b. Gulf ports declined by about one third over a period of eight years.

The price cutting in the late 1950's and early 1960's had many harmful effects. Unless the output of a sulphur mine can be sold at a profit, the mine cannot long be operated even though it may still contain sulphur. As a consequence of the low prices, a number of mines closed down, leaving sulphur in the ground all or most of which would never be recovered, or if recovered at all only at exceptionally high cost. Of still greater importance, exploration for new reserves was curtailed or terminated. Even when success attends exploration efforts and sulphur is discovered in commercial quantities, it takes years to bring a deposit into production. In view of the continuing growth in the demand, a sulphur shortage was clearly in the making but prices were too low to encourage either new exploration or new production.

The shortage came, and for five successive years—1963 through 1967—demand exceeded production. What had happened was that the consumption of brimstone, particularly by the expanding fertilizer industry, had grown at an above-average rate of 10 percent per year for the years 1962 through 1966, and had caught up with and passed productive capacity, stalled by the unattractive prices.

Only the aboveground stockpiles of mined sulphur which had been maintained by large producers prevented a disastrous curtailment of agriculture and industry. The stockpiles were drawn upon heavily, and eventually fell to 12 weeks' supply (which, considering the amount of sulphur in transit and the necessity for maintaining sizeable quantities of sulphur as "bin-bottoms"—foundations for the stockpiles—was probably no more than six to eight weeks' supply of sulphur available for shipment to consumers). The stockpiles of sulphur built during the period of oversupply, together with large increases in current production which Freeport and some other producers were able to achieve, enabled most of the requirements to be met. Even so, sulphur had to be allocated and plans for new plants which would use sulphur in the processes had to be shelved.

Thus, the unremitting pressure for ever-lower prices proved to be very harmful to producers and consumers alike. About one half of all the sulphur consumed goes into the manufacture of fertilizer so necessary for production of food for the world's increasing population. The remaining half is required by industry; sulphur is consumed directly or indirectly in the making of almost everything we eat, wear or use. It is no overstatement to say that a major sulphur shortage would seriously threaten the entire economy of the world.

Freeport took the position, both in published statements and in discussions in Washington and elsewhere, that the cure for the shortage lay in higher prices. Higher prices, we said, would stimulate exploration for and development of new sources of supply, which in turn would bring supply and demand back into balance. Eventually prices did rise. The price of Gulf Coast sulphur increased to its pre-shortage level and then rose by another two fifths. Prices of sulphur from other areas rose very much more.

Exploration was resumed on a large scale by sulphur producers, consumers and others and many new projects to add to the supply were initiated. In 1968, sulphur production

exceeded demand for the first time in five years. In 1969, the excess became much larger.

Today, notwithstanding the fact that production exceeds consumption, production of brimstone continues to rise. The main source of the additional sulphur is the sour natural gas produced in Alberta in western Canada, principally by oil and gas companies. There, brimstone is recovered as a by-product (or coproduct) in the production of the gas. The hydrogen sulphide in the gas must be removed to make the gas salable. The cost of recovering the brimstone from this hydrogen sulphide may be considered by producers either as a cost of producing the gas or as a cost of producing the brimstone. A recovered brimstone producer may therefore ascribe to his brimstone any cost he wishes—or indeed none at all—because, the argument goes, his brimstone must be produced in order to sell the gas and therefore regardless of market considerations.

From the start of 1968—the first recent year of oversupply—to the end of 1969, the daily production rate of recovered brimstone in Alberta increased by more than 60 percent. This additional production of recovered brimstone, large as it is, had an impact on sulphur prices out of proportion to the quantity involved. It nevertheless has occurred because some producers (and their brokers), in their efforts to force ever-increasing quantities of their sulphur into markets already fully supplied, have progressively initiated reductions in prices. Alberta brimstone is now being offered in the upper Midwest of the United States and elsewhere at prices that, on the basis of net realization in Alberta, are approximately one third of the average obtained from all sales of Alberta sulphur at the start of 1969! *It is believed that much of the Alberta sulphur is now being sold below its actual cost determined in accordance with good accounting practice and on the basis of any reasonable distribution of total costs between gas and sulphur.*

United States brimstone producers have had no choice but to meet the insistently lower competitive sulphur prices. During 1969 and in early 1970 price "allowances" or discounts became widespread and increasingly large.

Much harm is being done by the excessively low prices at which sulphur is now being dumped into world markets. Already mines have shut down; others are believed near termination. Exploration for new supplies is being curtailed. We do not think these results are in the best interest of anyone in the industry or of the public generally.

This pricing problem in the sulphur industry has been caused by factors similar to those which existed in the potash industry. Well before oversupply came about in sulphur, the development of large new potash mines in Saskatchewan in western Canada created substantial oversupply in potash. As this new supply forced its way—on a price basis—into the United States, the domestic potash industry became increasingly imperiled; some mines shut down, and unemployment followed. Bills were introduced in Congress for the imposition of import quotas and duties on imports of potash. In 1969 the U.S. Tariff Commission ruled that Canadian potash which was being dumped into this country was injuring the domestic potash industry, and the U.S. Treasury Department commenced assessing damages against the Canadian sellers. In an effort to remedy this situation, the provincial government of Saskatchewan recently adopted a production control program which has resulted in higher prices and export quantities much more in line with actual market requirements.

Whether a somewhat similar program—or some other remedy—for the Canadian sulphur problem will be put forth remains to

be seen. There are good reasons for a program similar to that adopted for potash. The very low prices at which Canadian brimstone is being forced into the markets are adversely affecting the Province of Alberta and also the Canadian economy. The prices are resulting in lower royalties to the Province and lower tax revenue to the Dominion. A program for sulphur would need to control only the export of sulphur and not its production; unlike potash, sulphur can be stored easily and for long periods above ground without being under cover, with no deterioration and at almost no cost.

As the demand increases—and it will surely do so—the stockpiles of sulphur, together with then-current production, would be shipped to fill the requirements of industry and agriculture. This course of action is the one followed by individual sulphur producers during the period of oversupply in the late 1950's and early 1960's. *Had Freeport and other sulphur producers not stockpiled sulphur during those "years of abundance," the shortage during the five "lean years"—1963 through 1967—would have had severe consequences for sulphur consumers and for the economy of this country and the rest of the Free World.*

From 1950 through 1967 brimstone consumption in the Free World grew at an average annual rate of about 5½ percent per year due in good part to the large growth in the fertilizer industry. In 1968 the rate of growth in brimstone consumption dropped sharply to about 1½ percent; in 1969 it rose to about 3 percent, which, of course, was still far below the historical growth rate.

The decline in the growth of brimstone consumption in 1968 and 1969 was caused mainly by the slowdown in the manufacture of new supplies of fertilizer in the United States. This slowdown occurred because of the very high level of inventories of finished fertilizer at the end of 1967. To compound the problem, bad weather in the United States retarded application of fertilizer to the soil, and in addition the U.S. Government cut back its AID program for shipment of fertilizer overseas. Significantly, however, consumption of phosphate fertilizer (the largest brimstone-consuming market) continued to grow during each of the two years by more than 3 percent in the United States, and by more than 5 percent in the entire Free World. It is believed that the excessive inventories of finished fertilizer have now been reduced to normal or near-normal levels, and that production of new fertilizer (and therefore consumption of sulphur) should again approach their historical growth rates.

The food needs of the expanding world population must inevitably bring great growth in fertilizer use and therefore in the use of sulphur. The Food and Agriculture Organization of the United Nations, in a recently announced plan for world agricultural development, estimated that use of fertilizer in all forms in developing countries would double in 1975 over 1968-69 and would more than quadruple by 1985. In another recent study, The Sulphur Institute projected an average annual increase of 6 percent in sulphur requirements for phosphate fertilizers between 1970 and 1975 for the Free World. In the non-fertilizer segment of the market, sulphur consumption tends to follow industrial output and is therefore also expected to increase.

Sulphur demand thus will in time equal—and probably again exceed—the supply.

EXPLOSIVE BOMBINGS AND FIRE BOMBINGS

Mr. HRUSKA. Mr. President, on March 26, 1970, this Senator introduced on behalf of the Attorney General, S. 3650, a bill designed to strengthen the laws con-

cerning illegal use, transportation, or possession of explosives. The bill was referred to the Senate Judiciary Subcommittee on Criminal Law and Procedures which is chaired by the Senator from Arkansas (Mr. McCLELLAN).

When this bill was introduced, I described the needless bombings which have terrorized our cities. President Nixon himself stated in support of this bill that:

Schools and public buildings have had to be evacuated; considerable property has been destroyed; lives have been lost. Clearly, many of these bombings have been the work of political fanatics, many of them young criminals posturing as romantic revolutionaries. They must be dealt with as the potential murderers they are.

The Criminal Laws Subcommittee, under the able leadership of Senator McCLELLAN, is processing this legislation promptly and expeditiously.

In the meantime, terrorism continues unabated. In my own State of Nebraska, the North Omaha police station was partially destroyed by a bomb planted and timed to go off when the building was full of police officers. Earlier, two firebombs were thrown into the University of Nebraska Student Union, in Lincoln, and last week two firebombs caused \$15,000 damage to the university ROTC building.

In our neighboring State of Iowa the story is much the same. On May 13, the Des Moines police station was bombed. Damage approximated one-half million dollars and two persons were injured.

These irresponsible criminal acts must be stopped, and soon. The Government must be allowed to mobilize the resources of Federal law enforcement and bring stiffer criminal sanctions to bear on the problem. S. 3650 must be enacted and enacted promptly.

Mr. President, these sentiments are shared by the Omaha World-Herald. In an editorial published on June 13, the newspaper urged stiffer laws, State and Federal, to deal with these irresponsible acts. I ask unanimous consent to have a copy of this editorial printed in the RECORD at the conclusion of my remarks.

During study and consideration of this bill, the subject of use by sportsmen of black gunpowder was brought to the attention of members of the Judiciary Committee. Present law provides for legitimate, properly supervised use of black gunpowder for muzzle-loading weapons used by sportsmen. These provisions would not in any way be impaired or adversely affected by the proposed bill.

It certainly will be my intention to insure the continued use for legitimate, lawful purposes, consistent with the objectives of S. 3650. The users of black gunpowder for sports purposes are not terrorists and are not bombers. The use of black gunpowder for sports purposes is justified.

The purposes and the thrust of S. 3650 are to get at the terrorist and those who seek to abuse the use of gunpowder in an intolerable fashion. Every effort will be made to achieve these purposes and not to interfere with proper uses.

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

TOUGHER PENALTIES NEEDED FOR BOMBERS

Bombings of the kind that have racked the nation and recently have hit the Midlands are particularly vicious, dangerous crimes.

The dynamite blast that ripped the Omaha Police Department's north assembly building at Forty-eighth Street and Ames Avenue Thursday night went off minutes before a shift rolleal, when the building would have maximum occupancy. The conclusion is that the bomber or bombers sought to injure or kill policemen, rather than merely damage the building.

Whatever the intention, setting a bomb is as irresponsible an act as can be imagined. Any number of persons, besides intended victims, could be killed. It is a nondirectional crime.

There has been a sharp increase, this year and last, in the number of explosive bombings and fire bombings in the Midlands.

The Des Moines police station was bombed May 13. Damage came to \$500,000; two persons were injured. The Ames, Ia., City Hall was bombed May 22. The Council Bluffs police station was scorched by a firebomb May 23.

Iowa and Nebraska communities experienced a number of bombings believed to be related to the Iowa Beef Packers strike last winter and spring.

Cars and homes, businesses and apartments, government agencies and schools have been targets.

On May 13 two firebombs were thrown into the University of Nebraska Student Union. Last October three Molotov cocktails were hurled into the library of Hiram Scott College in Scottsbluff.

Last November Horace Mann Junior High School in Omaha was bombed. Firebombs have been exploded at Technical High School and Franklin and Indian Hill Schools.

This list is not all-inclusive. And bomb threats have become too numerous even to mention.

Clearly, bombing has become a newly important category of crime.

A question arises as to whether existing laws are stiff enough to mete out the punishment deserved by convicted bombers, and to offer a convincing deterrent to would-be bombers.

The person or persons responsible for bombing the police assembly station probably would be charged with felony vandalism, which carries a sentence of up to three years, or under a recent explosives statute, which has a penalty of up to five years.

It is interesting to compare these penalties with what President Nixon has recommended on the federal level.

On March 25 the President asked Congress to strengthen federal laws on bombings and bomb threats, requesting that the death penalty be imposed if a fatality occurs as a result of a bombing, and that present penalties be doubled if injuries occur.

Other requests included raising maximum sentences to 10 years in prison for conviction on charges of transporting explosives for unlawful use, raising penalties for bomb threats to a maximum of five years, and making it a federal crime to use explosives against federal property or businesses.

If such legislation is thought to be necessary on the federal level, it ought to be paralleled by similar enactments on the state level. It should not be necessary for a bomber to kill or injure someone to receive a stiff penalty.

Planting or throwing a bomb, especially of the explosive variety, should bring a long sentence—longer than the maximum five years provided in present Nebraska law.

HOW TO WRECK A NATIONAL PARK

Mr. McGEE. Mr. President, the high, wide, and wild State of Wyoming has long

been a popular place to visit. In part, this has been because of the easily accessible and picturesque Yellowstone and Grand Teton National Parks. They have always been on America's itinerary as where to go to get away from the monotony of urban life.

But today the pressures of increased population and the lack of responsible use of recreation land by the public threatens to reduce the quality of recreation in Wyoming's Yellowstone and Grand Teton National Parks.

Some 4 million visitors flooded the parks last year. Obviously, unless the public learns and actually desires to care for these park lands, they will be eroded from sheer use alone.

Tom Milligan, northern district ranger at Grand Teton, gives a good description of the impending problem in an article entitled "How To Wreck a National Park," by Christopher S. Wren, published in *Look Magazine* for June 16, 1970.

Ranger Milligan predicts that unless Americans learn to care for their wildlands, "Parks are going to have to become a privilege, not something you just take for granted."

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

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

HOW TO WRECK A NATIONAL PARK

Once, the National Park Service had to hustle for customers. Now it doesn't quite know how to keep them away. Last year, 164 million visits were paid to the national parks (many of them repeats by the same people), but such rampant popularity is enough to erode the park wilderness. Wyoming's Grand Teton National Park alone drew 3,134,000 visits—90 percent of them crammed between Memorial Day and Labor Day.

Still more visitors are expected this year. Tom Milligan, northern district ranger at the Grand Tetons, worries that the hordes of vacationers may, by sheer numbers, crush the fragile ecology he and other rangers are pledged to preserve. "Maybe someday," he half-jokes, "we'll have to build a fence, tastefully, around a moose. We'll label it moose and tell you what camera exposure to shoot."

A love of the outdoors tempered Tom Milligan to take the job. He had smoke-jumped for the Forest Service before earning his B.S. in wildlife management at the University of Montana in 1953. He stayed on as a smoke-jumper foreman until he married in 1957 and joined the National Park Service.

Milligan is at ease in the woods. Out fishing in a remote corner of Yellowstone National Park in 1959, he was mauled by—and fought off—a grizzly bear. But the trout were biting, so he patched himself up and stayed out with his pregnant wife to fish three more days.

To cope today, Milligan says, a ranger needs sociology far more than backwoods savvy. Yet he can never entirely please the public and still save the park. "Parks are going to have to become a privilege, not something you just take for granted," Milligan predicts. Until then, he's got his hands full. Through the hectic summer months, Tom Milligan floats the Snake River to prevent traffic jams of rubber tourist boats. Sometimes, he dons a pack and patrols the backcountry, stuffing trail litter into a plastic bag. He checks the packed campgrounds, and

visits as he goes ("It takes a real artist to get through a place in four hours"). The questions that he gets make him wonder why some tourists show up at all. "People drive up to look at these wonderful mountains," he says, "and they ask, 'What is there to do here?' I don't know what to answer."

Increasingly, Tom Milligan has found himself a cop: "We downplay law enforcement, but that's what we are. I didn't come here to pack a gun and stop people. When I first started, nobody even wanted to talk about law enforcement."

It's a big issue now. Serious crime—from homicide to larceny—in the national parks jumped 35.4 percent in 1968 (latest year studied) over the previous year. The rise exceeds the national average. Milligan carries a shotgun, a pistol and Mace in his patrol car. After 9 p.m., park rangers on their rounds wear sidearms.

Milligan has investigated "car clouting" (theft from cars), narcotics use and game poaching. Despite some FBI and state-police courses, he still feels much an amateur. Now the National Park Service is recruiting police professionals for full-time security work.

"We don't have problems because people come here unlawfully," Milligan reflects. "It's because of the congestion." The big headache is just too many people. And the urban pressures they bring may damage not only the Grand Tetons but all the national parks.

"Up to ten years ago," recalls Tom Milligan, "the parks were proud of people coming to visit. Today, there's too many people. You can't conserve and preserve under the present system with such a mass of people. We're batting our heads against the wall, but part of the fun is in batting."

Park attendance has more than doubled within the last decade, though only ten percent of the system so far is overcrowded. Still, during the summer months, congestion becomes desperate, not just in Grand Teton, but also in the equally popular Yosemite, Yellowstone, Great Smoky and Shenandoah national parks. Officials had hoped the \$7 annual admission fee might cut down casual visits. It sometimes makes matters worse. Tom Milligan explains: "A man comes with his family and pays the seven dollars and then is told there's no room. He thinks he is entitled to stay overnight."

Since 1916, the National Park Service has labored under a conflicting mandate "to conserve the scenery and the natural and historic objects and the wildlife and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." The resulting confusion between preservation and use has given park rangers who run the 73 natural, 170 historical and 34 recreational areas a split personality.

George B. Hartzog, Jr., director of the National Park Service, argues it isn't really people who clog the parks: "It's the stuff people have—cars, trailers, campers, boats—that creates the jam. There's too much paraphernalia in the parks."

The mechanical tonnage in summer transit becomes awesome. Rangers at Grand Teton, who on occasion let in blocs of vehicles free just to clear the highway, get headaches from the exhaust. Campgrounds are transformed into aluminum cities and, when the electrical overload blows out fuses, residents complain to rangers that their electric blankets won't work.

More roads, more sewage plants and more campgrounds would have to be carved out of wilderness to meet just the present demand. Conceivably, the entire park system might end up under asphalt. The National Park Service isn't about to do that. Less than one percent of Grand Teton's 303,174 acres is in campgrounds. "If we were to double our camping space," says Chief Ranger Frank Betts, "next year we'd be just as

crowded. We can't ruin what this place was set aside for just to provide for the enjoyment now."

Hartzog insists that national parks are not meant to be way stations: "You can't fulfill the demand for recreational camping in the national parks. We should offer a range of camping experience and not try to meet the entire demand."

"Parks are not for all people for all purposes at all times. There's a need for outdoor recreation involving a whole gamut of games. But you wouldn't go to Yosemite to play baseball, although baseball is a worthwhile endeavor. You don't put the bathtub in the living room."

Vacationers, afraid of being bored, do pack along almost everything but the family bathtub. Paradoxically, the most crowded parks are still under-used. At Grand Teton, rangers estimate that barely two percent of the tourists venture further than a quarter-mile from the road.

The prospect of all those people really getting out of their cars and tramping the back trails isn't particularly inspiring either. An outhouse had to be hauled to the summit of 14,495-foot Mt. Whitney in Sequoia National Park to accommodate the waves of climbers. Even Grand Teton's remote Lake Solitude has become polluted from horseback traffic.

Rangers have waged running campaigns against littering and vandalism. But what if tourists no longer drop candy wrappers on Yellowstone's nature trails or fling beer cans over Grand Canyon's rim just to watch them fall? What if tourists no longer flinch rare wood from the Petrified Forest or chisel their initials into national monuments? The crowds will still get larger. "If you follow the projected lines in population growth and park visitation," says George Hartzog, "there comes a time when you will have to say—no more people."

The National Park Service has concluded that, depending upon the park, regulation is the only alternative to ruin. Overnight camping fees are being imposed this year, more to encourage private competition outside the parks than to earn money. Camping is now limited in duration, and may eventually be by reservation only. New campground construction has stopped. Some campgrounds have been redesigned with fewer sites to preserve privacy. Primitive mountain chalets are being considered as replacements for backcountry camping.

Though some traffic congestion has been relieved by making roads one-way, as in Yosemite, park officials agree that someday, private vehicles may have to be eliminated altogether. "The time has come for more than roads and automobiles," says Hartzog. "You let visitors use other means that put them into the park experience directly." Under discussion are monorails, tramways, minibuses and even hydrofoils and helicopters that will shuttle visitors from peripheral parking lots into the park itself. Those looking only for amusement will be encouraged to go to less fragile areas like the national seashores.

The National Park Service is also trying to bring more business into its sizable urban-park holdings, particularly from people who couldn't visit a wilderness area. Just outside Washington, D.C., the Service runs a farm of pre-tractor vintage, to which it buses ghetto children. It is now pioneering a nature center in a Washington low-income housing development.

A difficult decision has been reached that, if national parks are to survive, the way they are used will have to change. It may not be altogether a bad thing. A tourist who has to leave his camper or mobile home in a lot outside the park may leave his big-city nerves there as well. When he is alone,

he will find the time to comprehend the primitive beauty and tranquility that caused the national parks to be set aside for future generations in the first place.

AN AGRICULTURAL POLICY STATEMENT

Mr. TOWER. Mr. President, so that Senators and other interested individuals may have the benefit of the thoughts of agriculture groups in my State, I ask unanimous consent that a statement of policy adopted by the directors of the Deaf Smith County Chamber of Commerce be printed in the RECORD.

I note particularly the recommendation that the United States pursue an aggressive sales policy with regard to American agricultural products. I have always supported increased efforts to sell our farm products abroad, and I am glad to see this brought forth in this statement of policy.

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

AGRICULTURAL POLICY STATEMENT

The Deaf Smith County Chamber of Commerce supports the adoption of a farm bill that would support prices at a level that would give farmers an opportunity to operate at a profit. This could be a program similar to what we have had since 1965.

The Federal government, commodity groups, and our own organization should be encouraged to work on programs that would remove the need for acreage controls, price supports and direct payments. Some of the programs that would help remove these needs are:

1. The State Department should take more aggressive action to counter common market tariffs on U.S. agricultural products with tariffs on industrial imports from common market countries and other countries that bar our agriculture products from their market place.

2. Our government and commodity groups should be more aggressive in promoting United States agricultural products at home and abroad.

Parity should be based on the purchasing power farmers had during a base period rather than an average price of a commodity during the past three years. The program should not be extended to other products not now included in the program.

We are opposed to any type of long-term retirement or whole-farm retirement program. We are also opposed to proposed legislation calling for a low level of price support and participating farmers agree to "set-aside" a percentage of their tilled land. Many segments of our economy are subsidized for the benefit of the consumer.

ABOUT SECOND-CLASS STATEHOOD

Mr. HANSEN. Mr. President, the United Press International recently wrote an excellent article dealing with the exploitation of a State—the State of Wyoming—by the Federal Government. That article was printed in the RECORD on June 11, with the consent of the Senate.

The Cody, Wyo., Enterprise, in an editorial June 10, entitled "About Second-Class Statehood," dealt with the same subject. This subject is the fact that Wyoming, a State of only about 330,000 people, is bearing more than a fair share of supporting the Federal Government.

The Enterprise editorial points out that:

Since Wyoming gained statehood income and royalties from federally owned lands has totalled \$664 million—more money than the sum total of Wyoming's state budgets during this period. Much of this money (83½%) went into the Reclamation fund and was earmarked for surface development in the states where the federal government retained possession of land. However, Wyoming has paid \$377 millions more into this fund than it has received in reclamation development.

Mr. President, the Enterprise editorial, in the following sentences describes the difficulty of Wyoming people in understanding why the Congress of the United States allows such an unfair situation to continue:

Every day we are deluged with statements, orations and news stories extolling the democratic virtues of equal opportunities, equal representation, racial equality, equality of opportunity—dozens of different kinds of equality.

It seems to us a paradox that we citizens of the Equality State can't seem to receive any of this equal treatment. Maybe we aren't vocal enough, or maybe it's just because we are too minor a minority to receive consideration.

Mr. President, the people of Wyoming ask for no privileges that are not extended to other States—they ask only that they be accorded equal treatment—a fairer return of Wyoming's Federal mineral royalties.

I ask unanimous consent that the Enterprise editorial be printed in the RECORD.

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

ABOUT SECOND-CLASS STATEHOOD

Every day we are deluged with statements, orations and news stories extolling the democratic virtues of equal opportunities, equal representation, racial equality, equality of opportunity—dozens of different kinds of equality.

It seems to us a paradox that we citizens of the Equality State can't seem to receive any of this equal treatment. Maybe we aren't vocal enough, or maybe it's just because we are too minor a minority to receive consideration.

Mainly what makes us second class is the set of rules by which Wyoming became a state. At the time we acquired Statehood the federal government retained possession of a vast majority of Wyoming land and mineral wealth. This happened in other western states also. What sets Wyoming apart is that we did not develop in the time period following statehood as rapidly as some of our neighbors; and when we did develop, a large part of our growth was in the mining and petroleum producing industries. In the meantime the federal legislation providing the mechanism for passing these lands into private or state ownership had been allowed to lapse or to be repealed. In effect this leaves Wyoming largely federally owned but with only a small interest in the landowner's royalties from these federal lands available to us to support our state and to develop our water and surface land resources.

Unfortunately it also leaves Wyoming the principle victim of federal exploitation. Since Wyoming gained statehood income and royalties from federally owned lands has totalled \$664 million—more money than the sum total of Wyoming's state budgets during this period. Much of this money (83½%) went into the Reclamation fund and was

earmarked for surface development in the states where the federal government retained possession of land. However, Wyoming has paid \$377 millions more into this fund than it has received in reclamation development.

Meanwhile other more fortunate states (a prime example is Alaska) have managed to retain up to 90% of the landowner royalties from their minerals for development in-state. Many states never gave up any land, without purchase, to the federal government in the first place. At the same time these states benefit from reclamation projects largely financed by funds drawn from Wyoming.

We are indeed second-class citizens in a second-class state. It is time these inequalities are corrected.

BUSINESS LEADERSHIP AND THE INDOCHINA WAR

Mr. MONDALE. Mr. President, one of the truly encouraging notes in the awakening public awareness and conscience over the course of the Indochina war has been the response of great segments of the business community.

While we will always owe so much to our young people who have been most alert to this tragedy, it is heartening to see the broadening base of responsible concern over the war and its terrible effect upon our entire society.

I was recently sent a copy of an "Open Letter to my Colleagues in the Securities Business" from Mr. Wheelock Whitney, a man whom I have long known as a close friend and admired as a business leader.

I think that this letter is one of the finest expressions I have seen of one man's deep, human, and perceptive thoughts on the effect of the war throughout our economy and our society.

I commend it to Senators, and ask unanimous consent that it be printed in the RECORD.

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

DAIN, KALMAN & QUAIL, INC.,
Minneapolis, Minn., May 25, 1970.

AN OPEN LETTER TO MY COLLEAGUES IN THE SECURITIES BUSINESS

The securities industry is in the middle of its second major crisis in the past three years—in some respects, there are similarities between the two crises.

The operational crisis of recent years forced several firms out of business; it brought forth a rash of short-term palliatives to combat the existing headaches; i.e., shorter hours, buy-ins, firms put on restrictions, etc.; and there was a loss of public confidence in the ability of our industry to deal with its problems.

Today's crisis is infinitely more serious. It is forcing many firms out of business; it is bringing forth a new set of short-term solutions; i.e., personnel cut backs, salary reductions, office closings, etc.; and the loss of public confidence in our industry is worse than any time in the past 40 years.

What was different about the first crisis was the knowledge that once we zeroed in on the root cause, our industry had the capacity to develop long-range solutions—the problems were peculiarly our own—and they were solvable. All that was needed was to modernize our operational techniques—increase our capacity—take better advantage of computers—develop more efficiencies. We have

addressed ourselves to these long-range solutions and have made considerable progress.

Today's crisis is different. We find ourselves in a fight for survival, but we are unsure of our enemy. We feel almost helpless. We are acting and reacting to the serious conditions that plague us daily—but we are not confident of long term solutions. The devastating reduction of market price is far more severe than the economic state of the nation could possibly justify. Therefore, our old measuring yardsticks must be thrown out the window. The end does not appear to be in sight—and we are becoming increasingly alarmed about the impact on our customers and our industry.

No wonder! We have experienced disastrous declines in stock and bond values; volume is low; many firms and individuals have left the securities business, both voluntarily and involuntarily; offices are being closed; recruiting has come to a standstill; and we are incurring operating losses in nearly every phase of our business.

While these conditions are serious enough, an even greater tragedy lies in the erosion of public confidence in our business. With the loss of approximately \$300 billion in market values, the public is stunned—they have lost confidence in our products. "Own your share of American business" is falling on deaf ears.

What has been our industry's response? What are we doing to stem the tide, to restore public confidence? What are our responsibilities and obligations to investors? How are we using the considerable energies and talents of our industry leaders?

Other than frantic attempts to reduce operating costs and to boost customer and salesman morale, we have concentrated in three areas during recent months: (1) on the recently enacted Tax Reform Bill, (2) on the development of a new commission rate schedule, (3) on an industry alternative to the Muskie Bill. I have personally participated in all three of these efforts. I believe in them. They warrant our deepest concern and involvement.

But they are not enough. They do not get to the heart of the problem. We must look beyond the immediate solutions to our severe problems and try to more closely identify the root cause that has brought us to this critical stage. We must identify the villain.

In my judgment, the true villain is the war. Not only has it put an intolerable strain on our economy, but it has created deep divisions in our society, which in turn, have caused a lack of public confidence in the ability of our country and our system to resolve the many problems we face at home and abroad. Until we, as an industry address ourselves to the true significance of this war and its impact on our way of life; until we use our efforts to bring the war to an end, our customers (25 million investors and their families) will be plagued with even more serious problems in the months ahead.

I have just returned from several industry meetings. There were no serious discussions in which I was involved, either publicly or privately, where industry leaders were debating the impact of the war on our customers and on the securities business.

There were many peripheral discussions: Are you for the administration or against it? How do you feel about Agnew? Are you for "the kids" or against them? Did the "hard hats" do right or wrong in Wall Street? Were we right to go into Cambodia or was it a mistake? Was it the students or the National Guard who should be blamed for the killings at Kent State? Whose side are you on? How patriotic are you? Do you want America to become known as "a second-rate power"?

I call those discussions peripheral—not because I don't consider them important—I

do—but because I believe they beg the main issue.

The questions that need to be asked and answered are: To what extent is the war undermining our way of life in America? To what extent is the war creating doubts among our citizens about our future as a nation? To what extent is the war responsible for the erosion of public confidence in general and in the stock market in particular?

I have asked myself these questions and have come to the conclusion that the war is not only at the root of our national malaise but is the root cause of the chaotic conditions in our industry as well. One of the purposes in writing this letter to you is to find out if you have thought these issues through in your own mind—as a businessman.

On the whole, businessmen have been silent, at least publicly, on their feelings about the war. This silence can be contrasted in terms of the overt and effective public leadership business has given to the problems of minorities in our society. This silence on the war tends to confirm the mistaken belief shared by many, that a war economy is good for business. Perhaps this silence is due to the reluctance of businessmen to be aligned with "the irresponsible kids" or with politicians they don't agree with on most other issues.

Does our industry have any special responsibility within the business community? I believe we do. Our particular business, in many ways, is the most public of all businesses. What happens in our business is published daily in every corner of the globe. Without question the securities business is the most visible barometer of public opinion and public confidence—and the most sensitive.

Can it be argued that since everyone is against the war—including the administration—there is no reason to speak out, because we can add nothing to the dialogue? I don't think so. If, in fact, we were to agree that this prolonged war is severely damaging public confidence in our country, then we must raise our voices and join those who feel it is imperative to bring the war to an end at the earliest possible date. The people in our industry talk to thousands of Americans every day. We have friends and acquaintances in congress and in the administration. We owe it to the public to make our views known on the war.

This is not an attack on the Nixon administration. The President has made it clear he intends to end our involvement as quickly as possible. I am confident that he would appreciate knowing the views of thoughtful business leaders in the securities industry.

Our business is a vital part of the capitalistic society. We are at the core of the free enterprise system. What we are doing is good for our way of life in America. It is in the public interest that the securities business be preserved—but we are in danger of being destroyed.

We have persuaded the public that our products are good for them. We must stand behind our word to the 25 million shareholders who are our customers and who have put their faith in us.

And so I am writing to urge you to give this matter your most serious and thoughtful attention. If indeed you feel that my analysis misses the mark, I have no doubt you will let me know your feelings.

If, on the other hand, you agree with my contention that the war is the root cause of our problem—that a continuation of the war not only imperils our customers and our industry, but perhaps our whole way of life in America—that public confidence will not likely be restored until the war is ended—

If you agree, then I would further urge you to make your views known—to your congressman, your senators, the administration, your customers, your fellow workers, and other businessmen in your community.

The President needs your viewpoint as he faces the lonely and agonizing decisions that he must make on how to disengage our country from the war—how to restore public confidence in America—how to establish priorities—how to bring us together.

It is not too late for each one of us to act!

Most sincerely,

WHEELOCK WHITNEY.

U.S. TROOPS IN CAMBODIA

Mr. TOWER. Mr. President, Dr. Roy Coward of Arlington, Tex., authored a particularly thoughtful column published in the May 6 edition of the Fort Worth Star-Telegram. The column concerns our action in Cambodia and concludes by stressing the need for a united America to encourage the North Vietnamese to negotiate in a serious manner in an attempt to bring the war in Southeast Asia to a close.

I ask unanimous consent that Dr. Coward's article be printed in the RECORD.

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

NIXON SHOULD HAVE SUPPORT OF NATION ON HARD TROOPS-TO-CAMBODIA DECISION

(By Dr. Ray Coward)

President Richard M. Nixon has made the biggest, the most difficult, and the most far-reaching decision since he entered the White House on Jan. 20, 1969.

In a nationwide telecast on April 30 the President announced to the American people, and to the world, that he had ordered American armed forces, accompanied by South Vietnamese forces, into Cambodia. The joint attack was against the headquarters controlling all Communist military operations in South Vietnam. These forces have the mission to search out and destroy Viet Cong and North Vietnamese communications and supplies as well as the sanctuaries from which they operate against the allied forces in South Vietnam.

Early reports indicate initial successes in these attacks, which are being supported by B52, eight-engined jet bombers, but it is too early to assess the ultimate results of this bold action. However, it has the distinct possibility of saving American and Allied lives, in the long run, and of shortening the war and allowing American troops to be returned to the United States.

It may also pressure the Communists toward becoming more seriously involved in negotiations for a settlement of the war in Southeast Asia. The President could still attain his goal, announced 10 days earlier, to bring another 150,000 American troops home within the next year, since he has not coupled this goal with any specific timetable.

One advantage which the President made maximum use of was the element of surprise. This is a most important element in attaining success in any military operation of any sizable dimension. This gives psychological advantage to the attacking forces and can be expected to cause disruption and confusion in the Communist forces being attacked.

One thing about this operation is certain. It has not only surprised the Communist forces, but it has caused consternation in the political arena inside the United States and abroad.

Political figures in both the Democratic and Republican parties were as surprised and shocked as were the Communists.

Some of Mr. Nixon's critics may interpret this action as the beginning of the downfall of the President's political career. However, the exact opposite may be the result.

This decision took great courage and dem-

onstrated great strength of character, and if the operation is successful and the war is shortened, which may very well be the case, then Mr. Nixon is well on his way toward taking his place among the great Presidents of the United States. It will also enhance his role as a world leader. Further there is nothing that the Communists respect any more than power.

The Presidents who stand out in history as great leaders, such as Lincoln, Wilson, Roosevelt, Eisenhower, and others, were men who had to make difficult decisions about complex and frequently unpopular causes. They were also well known and highly regarded as world leaders. Such a President has to rise above partisan political considerations and make a decision as to what he thinks is best for our country.

The person making such an important decision travels a lonely road and spends restless days and nights in arriving at his conclusion. Once the decision is made he assumes full responsibility for all its unforeseeable consequences.

This heavy responsibility is too great for many men. One of lesser strength and character would shudder, falter, and shy away from such an awesome decision.

The U.S. Constitution places the responsibility for conducting American foreign policy on the President. Under the Constitution the President is also commander-in-chief of the armed forces. In the latter capacity he is responsible for the security of our armed forces abroad. Therefore he has wide latitude in making these decisions.

In some instances there may not be sufficient time to consult with and to obtain the approval of Congress. Also, at times, secrecy about such an important decision may better insure the safety of American forces.

President Nixon had highly competent advice on the political aspects of the Cambodia problem from his political advisers, and from his military advisers on the military operation. He carefully weighed the conflicting elements of the complex situation and alone reached the decision to order the military operation irrespective of the political consequences.

He appealed for American support of his action and frankly stated: "I have rejected all political considerations in making this decision. Whether my party gains in November is nothing compared to the lives of 400,000 brave Americans fighting for our country and for the cause for peace and freedom in Vietnam."

Several Presidents have made decisions which helped to involve the United States in the Vietnam problem. President Nixon inherited this problem when he assumed office only a little over a year ago.

Regardless of how distasteful our involvement there may be, we all should be objective enough to understand that this is not Nixon's war. It is not a Democratic party war. It is not a Republican party war nor an American party war. It should not be a partisan political issue. Where is the blame to be placed when Presidents from both major parties have been involved in these decisions?

No useful purpose will be served by arguing whether or not the United States should have become involved in a land warfare in Asia, which General Douglas MacArthur warned against. This is no time for Monday morning quarterbacking about last Saturday's game. Such fuzzy thinking evades the problem and is irrelevant to finding a proper solution.

The President, having been duly elected, carries the responsibility for decision-making on Vietnam and he deserves the understanding and support of all citizens.

A united America may influence the Communists to enter into serious negotiations and shorten the war. A divided America will cause them to stall and prolong the war. As

Americans and as a nation we should stand for something, lest we stand for nothing. Let's stand behind and give our full support to our President.

VETERANS' ADMINISTRATION HOSPITALS

Mr. MCGEE. Mr. President, there has been much concern expressed in this body and elsewhere about the conditions of our Veterans' Administration hospitals. Indeed, I am concerned because I believe that we must do all in our power to see that these hospitals are equipped and staffed to offer the best possible medical care to our veterans. But it is encouraging, too, to hear of the good work which does go on in the VA hospitals, and to have firsthand reports of conditions which are more than acceptable. I have such a report today in the form of a letter from the family of Michael James Desmond, who was a patient in the VA hospital at Cheyenne, Wyo., prior to his death last month. I ask unanimous consent that it be printed in the RECORD.

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

JUNE 9, 1970.

HON. GALE MCGEE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MCGEE: The recent article in Life magazine concerning the Veterans Administration Hospitals in our country, prompted me to write this letter.

I am certain there are hospitals in our country that require a good cleaning or face lifting and are understaffed to the point of being inoperative. However, the Veterans Administration Hospital at Cheyenne, Wyoming stands out as a shining exception to these conditions.

Our beloved father was a patient at the Veterans Hospital in Cheyenne for four and one-half months until his death May 15 of this year. We feel the hospital gave him the best medical attention available anywhere, and did everything possible to ease his distress and suffering.

Distance from the hospital being a factor, our visits were unannounced and at various times of the day. The Veterans Hospital was always very clean and the services were performed in an excellent manner.

Above the normal care received in any hospital, Dr. R. T. Cauthorne, the nursing staff, the aides and orderlies continually showed a very pleasant, personal type attention not only to our father but to all the patients under their care.

The courtesies shown our mother by the Doctors, staff and Mr. Worthley, the Social Service Officer, were of the highest caliber. During one of her visits they allowed a small celebration for our parents 50th wedding anniversary at the hospital.

Wyoming can be proud to have such an efficient, proud, yet human Veterans Hospital in our State Veterans Administration Center.

Sincerely,

JOHN R. DESMOND,

(For the family of Michael James Desmond).

EDITORIAL SUPPORT FOR THE AMENDMENT TO END THE WAR

Mr. HATFIELD. Mr. President, several editorials which I have seen in recent weeks speak to the issue currently before the Senate. I ask unanimous consent that they be printed in the RECORD.

An editorial from the Portland, Oreg., television station KGW-TV, of June 8, 1970.

A Minneapolis, Minn., Tribune editorial of May 17, 1970.

A Lewiston, Idaho, Tribune editorial of May 17, 1970.

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

EDITORIAL

(KGW TV-8, Portland, Oreg., June 8, 1970)

We listened carefully to the President's latest appeal for support for the extension of the Indochina war into Cambodia; we closely reviewed the supportive statements made over this station by a number of Administration officials.

Three years ago we appealed to the Democratic administration to step down or de-accelerate what had then already become a corrosive, ignoble war. We have constantly maintained that objective. We hold it today. We do not believe a war can be brought to an end by expanding it; we do not believe a conflict can be de-escalated by escalating it.

Therefore, we appeal to Congress to recognize its moral and constitutional obligation and act now to reduce the money given the Defense Department to spend on this war which threatens our liberties; drains our strength and blackens our honor throughout the world. The Constitution grants the President no authority to declare any war and the present war's intensity ought to be curtailed rather than extended and expanded.

A continued extension of the war risks terrible destruction, imbeds us deeper, damages our standing abroad and rends our own society's fabric.

We are in agreement with the many leaders in Congress including our own Senator Mark Hatfield, in their attempt to restore the constitutional balance, restricting the Presidential power to start and wage undeclared war. They should now try to check the flow of public money on which this ruinous foreign venture depends. The war cannot be sustained without both Presidential decisions and money from Congress. Since neither the previous nor this Administration has chosen to heed the intent of the Constitution, it cannot be expected to heed us, but we can do something about money.

Let us encourage members of our own Congressional delegation, every one of whom has expressed the gravest personal doubts about this conflict, to appropriate fewer dollars for use in the Indochina theater. The less money in hand the less harm can be done. To approach the question by reducing up-coming appropriations means a delayed result, thus allowing complete support for every serviceman now fighting that war, but the move does reach the problem's root because it forces planned de-acceleration, and it does so without impairing Presidential prerogatives.

Since December, 1966, when we last called for de-escalation, over 30,000 more young American men have been killed in this conflict—always through the illusory attempt to end the war by quick and temporary escalations. By decreasing appropriations we must now make de-escalation a reality and bring the war to an end.

[From the Minneapolis Tribune,
May 17, 1970]

THE AMENDMENT TO END THE WAR

Senate sponsors call it "The Amendment to End the War." Whether that amendment, sponsored by Sens. McGovern, Hatfield and 17 others, would be any more successful than other legislative moves gathering momentum in both houses is, of course, wholly speculative. There is no assurance, either, that the

legislative route to a settlement in Indochina will be more productive than the escalation, pacification, Vietnamization or negotiation approaches past and present.

The merit of the McGovern-Hatfield amendment to a military authorization bill—and the reason we urge its passage—is that it puts the burden for decision where the decision must finally be made anyway: on the government of the United States. Alternative strategies require the cooperation of other governments which, from the standpoint of American logic, have much to gain by cooperation. The trouble is that the rules of logic in Saigon, Hanoi, Phnom Penh, Vientiane, Bangkok, Peking and Moscow appear to vary from capital to capital. More important, the rules of logic in all of them seem quite different from the rules in Washington.

The Thieu-Ky government, for example, seems bent on "liberating" Cambodia by a long-term military presence, thereby contradicting the logic in President Nixon's explanation of quick tactical strikes into Communist sanctuaries. Western reasoning has also been defied by the Viet Cong and North Vietnamese. American logic would hold that the prolonged and massive bludgeoning of the Communists should induce them to welcome a negotiated settlement. Yet after five years—or 16 or 25, however one measures the length of the Vietnamese civil war—Hanoi shows not the least sign of wanting to accept the peace offers of the United States. The reason, we believe, is that the U.S. position is tied to the perpetuation of the present Saigon government.

In that kind of dilemma, and given the long and bloody history of the war, we doubt that there are any "good" solutions. The choice must be among the less undesirable. The range of choice is narrowed by a general American consensus that neither extreme—conquest of North Vietnam or precipitate pull-out of American forces—is a viable alternative. Although the Nixon administration is part of that consensus, the attack into Cambodia has triggered alarm in Congress and across the nation that Mr. Nixon's undisclosed plan for ending the war is open-ended. If the President's announced troop withdrawals bring U.S. force levels in Vietnam down to around a quarter million men a year hence, what happens after that?

The McGovern-Hatfield amendment is intended to move a large measure of the uncertainty by setting a final withdrawal deadline of June 30, 1971. Opponents see the amendment as an impingement upon the President's duties and powers as commander-in-chief. Supporters see it as a reassertion of authority constitutionally vested in Congress. Appropriations, war powers and maintenance of the armed forces are the pertinent congressional prerogatives.

Unlike some critics, we do not interpret the amendment as an attempt by Congress to act as a surrogate Joint Chiefs of Staff. True, the proposal includes a cutoff of funds for military operations in Cambodia 30 days after enactment, which will probably not be accomplished in both houses (if it gets through either) before the end of this month. But Commander-in-Chief Nixon promised to have U.S. forces out of Cambodia by July 1, and it would seem reasonable for Congress to take him at his word. Administration hints in recent days that there might, after all, be a need for a bit more military action in Cambodia after the July 1 limit are to our way of thinking further evidence of the need for congressional action.

The longer-term part of the amendment calls first for an end to military offensives in Vietnam and Laos by next January and, second, final withdrawal by July 1971. That is clearly at odds with administration policy; but if the proposal gains support in

Congress, then responsibility will rest with the White House to say what later deadline would be acceptable. The change in emphasis would be refreshing. Heretofore the responsibility has been on Congress to appropriate funds for a war whose purpose has become increasingly obscure. The "advice and consent" duties of the legislative branch have been construed as requiring more of the latter than the former.

If enacted, the McGovern-Hatfield amendment ought to redress the constitutional balance, which is important. It ought to bring the country well along toward extrication from Vietnam, which is crucial. And it ought to demonstrate to the world at large that, far from being the "pitiful, helpless giant" described last month by President Nixon, the United States is willing to move as decisively out of war as into it.

[From the Lewiston (Idaho) Tribune,
May 1970]

WHEN WRONG, TO BE PUT RIGHT

Our country, right or wrong. When right, to be kept right; when wrong, to be put right.—SENATOR CARL SCHURZ.

It is not any massive national conviction of propriety that keeps this nation in Vietnam, but merely the fear of losing face. The error of our going there in the first place is widely recognized, but the act of acknowledging the mistake and correcting it is widely resisted.

And yet one of the surest ways to gain face would be to become one of the first powers in history to acknowledge a national error. The world would cheer our courage.

If, by some miracle, the American war to settle a fight between two dictatorships should be "won" tomorrow, that would only make the enterprise successful, not right.

But, if the last American troops ever leave this longest war in our history, it is more likely to be because of an approach suggested by a wag some years ago—declare a victory and leave.

The trouble with that approach is that you can't leave until you can see enough of what appears to be victory to fool yourself, if not the rest of the world. So we have become the prisoners of our own obsession with saving face.

However, some members of the U.S. Senate offer a plan to give this nation both its exit from Vietnam and renewed respect in the world at large. They propose that we declare a mistake and leave—that we acknowledge that a struggle between two bloody dictatorships was never a fit cause for American participation.

Our presidents, with not only the national face to save, but their own, have resisted the most obvious way to get out of Vietnam—leave. Two presidents have now suggested they would not preside over such an open admission of error. And, understandably, they have reminded their critics in the Senate and elsewhere that the loss of face, if any, would be that of the President who ordered the withdrawal.

Both the solution to the worry of how to get out of Vietnam and the saving of presidential face would be taken care of by an appropriations amendment sponsored by 20 senators, including Oregon Sen. Mark Hatfield and Idaho Sen. Frank Church.

The amendment to end the war in Vietnam would, by withdrawal of money to continue the conflict, force the President to terminate the American portion of the war by Dec. 31 of this year. After that date, American tax dollars could be spent only for withdrawal of troops, for exchanging prisoners, for providing political asylum to Vietnamese who feel threatened by the action and for materiel needed by those South Vietnamese who want to continue the war on their own.

If Vietnamization is ever going to work, it should have worked by now. And if it is ever going to work, it cannot work until the American crutch is no longer there to fall back on.

But what the Vietnamese do about a struggle between the despots of Saigon and Hanoi is their business. Supplying weapons and materiel for those Vietnamese who want to continue the war is merely a concession to the hawks. And it would reduce this nation's participation to the same supply-only role as the Red Chinese and the Soviet Union. The Communist world stands ready to fight to the last Vietnamese. Saigon and Washington have been prepared to fight to the last young American.

The amendment to end the war in Vietnam would return to Congress its constitutional right to declare war and its implied right to keep this nation out of war. Constitutionally, the President cannot, on his own, take this nation to battle. But four presidents have taken us to the Vietnam war or kept us there without benefit of congressional approval.

Properly, this amendment would also shift the "blame" for ending the war away from the President and upon the Congress which, constitutionally, should share the blame or the credit for any war.

But how much blame would there be? What would the world reaction be if America, almost alone among the big powers in world history, brought its forces home from the wrong war? No one looms so large as the individual who admits an error. And the same is true of nations. Would the result of our departure from Vietnam be loss of face, or ecstatic congratulation?

Call it Vietnamization or what you will, but sooner or later the Vietnamese must stand on their own.

Or are we to remain forever in that land?

At the present rate of withdrawal, it will take another four years to end American participation in what is already the longest war in our history. That means every healthy American teen-ager 15 years old and up is a prime target for death in a vague cause. And there have been no assurances that withdrawal will continue once the force in Vietnam is pared down to 50,000 or 100,000. Every male child in America is threatened ultimately by this war.

Such painful sacrifice would be easier to accept if the cause were more clear. We old men who send the young off to fight our wars could do so with a clearer conscience if this were the Nazis bombing London, the Italians slaughtering Ethiopians, or, indeed, even the Soviets storming into Czechoslovakia.

But America stands today with Saigon—a regime that has imprisoned the candidate who lost the last presidential election, with a military government that closes critical newspapers and with a sanctified junta that jails the William Fulbrights of its national legislature.

It is a small comfort in this land of the free that Hanoi is worse.

If Mr. Nixon could keep his prior promise that the last American life would be withdrawn from the line by 1972, perhaps it would be possible to muster some patience. But this war remains essentially endless, and American boys by the thousands appear destined to remain in Vietnam long after 1972. Worse, everything from the national spirit to the stock market is sick at home. The solution will not be found in war without end.

The early withdrawal of American forces from that pitiful war has become today a matter of national survival—not theirs, but ours. How much more of this can America stand? Is the perpetuation of the Saigon military clique a higher U.S. priority than the preservation of a marvelous nation that the Saigon generals are not fit to live in?

Of all the plans and political strategies

that have been proposed to bring American forces home, the amendment to end the war in Vietnam is the most direct, the most logical and the most certain to succeed—if it passes.

Americans who are tired of this war and want it ended should let their congressmen know.

It remains our conviction that the domestic revolutionaries who preach that this system no longer works are victims of terminal cynicism. The people can end this war through a still-viable system of government. If enough people let their sentiments be known, there are few members of Congress not susceptible to the message.

The amendment to end the war in Vietnam will be before Congress shortly. Members of the Idaho, Washington and Oregon congressional delegations should hear now from their constituents. In letters and telegrams and petitions, those who have had enough should make their views known.

The hour grows late. It is not the face, but the body and soul of a great nation that need saving.

ORAL CONTRACEPTIVES

Mr. DOLE. Mr. President, in recent months there has been substantial public controversy over the merits, dangers, and questions surrounding oral contraceptives. Senate hearings did much to fan these controversies and also contributed to some of the popular misunderstanding of the subject. Many experts on all sides of the various issues surrounding the medical and practical aspects of these drugs have been heard. Some of the opinion expressed has been based on clinical experience, some on private practice, some on pure research and some on amateur observation and speculation.

The latest contribution to the popular literature on this subject is an article written by Dr. Edward T. Tyler, of Los Angeles, and published in *Look* magazine for June 30, 1970. In the article, Dr. Tyler discusses several of the issues raised in the Senate hearings and comments on other aspects of the use of oral contraceptive drugs.

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

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

ORAL CONTRACEPTIVES

Only one birth-control measure is safer or more effective than the pill—total sexual abstinence. And that has never been too popular a choice. Any other method—rhythm, diaphragm, condom, foam, intrauterine device (IUD)—is either less effective or not as safe as the ubiquitous tablet more than eight million women swallow daily.

Unfortunately, the pill's benefits have been blackened, and its evils—real and imagined—have been magnified at the recent Senate subcommittee hearings chaired by Sen. Gaylord Nelson (D., Wis.). Contrary to newspaper and television reports, the hearings did not uncover new dangers in the pill but merely repeated old stories that the public had heard before and that had already been carefully weighed by responsible medical authorities.

So sensational were the charges, however, that a public-opinion poll suggests that more than a million women have been too frightened to continue using the oral con-

traceptive, although 87 out of 100 women said they previously were satisfied with it. Planned or not, the anti-pill hysteria has panicked these women into making—on their own—a complicated medical decision that demands a physician's guidance.

Dire predictions of death from blood clots and cancer frightened the women away. While the bloodclot danger is statistically small but real, the cancer scare is neither statistical nor real; it is simply conjectural.

Two years ago, a British survey showed that death from blood clots occurred nearly seven times more often among pill-users than among similar-aged women not on the pill. A smaller United States survey found that the risk was about four times greater. Seven or four, even the smaller number is significant and must not be ignored. Any women taking the pill should be aware that there is the danger of blood clots.

Although the risk is real, it is equally important for every woman to know what the added danger actually means. The British study revealed that three women out of every 100,000 taking the pill died from blood clots. The toll involved was no greater than that among women who are killed while riding in cars or crossing the street. Certainly, such accidental deaths are deplorable, but no one suggests that the risk is so great women should stop riding in automobiles.

It is even more significant that pregnancy entails harsh risks of its own. Actually, the chance of death associated with pregnancy is 17 times greater than with pill-taking. Thus, the million or more women who reportedly abandoned the pill in fear because of the hearings may find their lives in greater jeopardy should they become pregnant as a consequence.

Although the blood-clot problem is relatively recent, hints of it appeared eight years ago. As an editorial consultant to the *Journal* of the American Medical Association, I recommended in 1962 that the *Journal* publish a report by a clinician linking the occurrence of blood clots with oral contraceptives. The *Journal* did so, and also asked me to write an editorial calling for definitive research on the how and why of the relationship.

To this date, no definitive research has been done. One reason may be the near-impossible task of evaluating the pill's role, when the basic mechanism of blood clotting is largely a mystery to scientists. Another is the unresolved argument over who should foot the bill for the research. Is it the drug companies' responsibility, because they stand to profit from the sales of oral contraceptives? Or should it be the Government's concern because, with eight million users, the pill has become a public-health problem?

During the Washington hearings, several witnesses advocated that women switch from the pill to one of the many intrauterine devices available. (One witness who was the pill's severest critic is the developer of an IUD that is now being manufactured and sold.) An IUD is a piece of plastic or metal (a coil, spiral, loop, etc.) that is inserted by a physician into a woman's uterus and left there. How it prevents pregnancy, no one knows.

With oral contraceptives, however, there are no doubts. The pill prevents conception by tricking the body into believing it is already pregnant. The pill accomplishes this with its two chemical ingredients that mimic the action of the female sex hormones—estrogen and progesterone.

One pill—the sequential type—consists of a synthetic estrogen tablet taken daily for two weeks, followed for one week by a daily tablet containing both synthetic hormones. The other—the combination type—contains both hormones in a single tablet that is taken daily for three weeks.

As each menstrual cycle rolls around, the pills' cumulative effects fool the woman's body into believing an egg cell has been released when actually it has been suppressed. As a consequence, the lining of the uterus undergoes changes that make it unsuitable to support a fresh fertilization. Thus a fake pregnancy helps prevent a real one from taking place. In addition, the combination pill provides an extra measure of protection. It thickens the woman's cervical secretions sufficiently to barricade the entrance of a sperm if an egg cell should unexpectedly be present.

To women who cannot take oral contraceptives for various medical reasons, the IUD may be one of many acceptable alternatives. At our Family Planning Centers in Los Angeles, we prescribe IUD's—as well as other contraceptives—according to a patient's individual needs and desires. The IUD's advantages are its relative simplicity and effectiveness, plus the fact a woman doesn't have to remember to take a pill a day.

What the advocates of IUD's failed to disclose in their testimony, however, is that the device, when compared to the pill, is substantially not as effective—and perhaps not even as safe. A considerable number of women fitted with IUD's complain of pain and bleeding. In some—about 15 percent—the discomfort is so severe that the IUD must be removed. Another ten percent of the women involuntarily expel the device. And more serious complications can occur in rare cases if it pierces the wall of the uterus, necessitating abdominal surgery.

The IUD's, which also affect women's health, are not, however, as rigidly regulated by the Food and Drug Administration (FDA) as oral contraceptives are. Any IUD manufacturer can sell his product on his own claims without submitting proof of its effectiveness or safety to the FDA. Strangely enough, no one at the Washington hearings explored this incongruity.

Instead, much time was spent in charging that women who take the pill are in greater danger of getting cancer. As proof, witnesses cited a survey of New York women that indicated more cancers of the cervix occurred in females using the pill than in those who relied on a diaphragm as a contraceptive.

What the witnesses did not emphasize was that the survey had been thoroughly studied and discussed by numerous scientific authorities—including the FDA's expert advisers—who agreed that because of its improper design, no useful conclusion was possible. Even the two physicians who conducted the survey admitted its meaning was not clear.

It is extremely difficult to prove that a substance causes cancer. Experts agree that to show even a statistical relationship between oral contraceptives and cancer, at least 100,000 women must be carefully followed for ten years. And such a study demands the most precise planning to take into account the many factors that crucially bear on the disease. For example, the hereditary influences in breast cancer: one woman out of 16 may develop breast cancer during her lifetime; and if her mother or sister had the disease, her chances soar. And in the development of cervical cancer, critical influences are the age at which a woman first has intercourse, how many times she's been pregnant, her age when she had her first child and even whether her sexual partner was circumcised.

A reliable answer to the pill's role in cancer isn't possible unless researchers weigh all these factors when picking women for study.

Recognizing the need for an answer despite the difficulties, the FDA recently asked a survey research team associated with Temple University in Philadelphia to undertake the task. The investigators presently face the

monumental job of designing a study that will permit a reliable evaluation in spite of the complications.

The pill-cancer phobia skyrocketed during the Washington sessions when a pharmaceutical company suddenly announced the withdrawal of a new mini-pill it has been selling in England and was about to market here. The reason, the firm said, was that a small number of beagle dogs that had been fed the drug experimentally had developed breast tumors that might be cancerous.

Mini-pills got their name because they contain a tiny dose of only one of the two synthetic hormones present in the usual oral contraceptives. Mini-pills eliminate the female sex hormone estrogen—suspected of causing the pill's side effects—and contain only a small amount of the other hormone, progesterone. Because the progesterone causes fewer physiological changes in a woman's body, most experts regarded the mini-pill as a distinct advance. Nor were they disappointed during its extensive and successful clinical trials in England and Canada.

Shortly after that company withdrew its low-dose pill another drug manufacturer fed its own mini-pill—as well as that of the first company's—to a group of beagle dogs, all of whom remained perfectly healthy. And in addition, one of the most widely prescribed oral contraceptives presently on sale in the United States contains nearly identical menstrual-cycle doses of the same chemical used in the banned mini-pill. And in numerous laboratory tests, not a single one of many beagles fed this pill has ever developed breast tumors.

The beagle incident alarmed the public, but it did not disturb scientists or physicians knowledgeable about oral contraceptives. They knew that what causes cancer in animals may not cause cancer in humans. Actually, what may cause cancer in one animal may have no effect on another. Laboratory tests have proved that certain chemical dyes that produce cancer in dogs are harmless to rats. And other dyes that invariably lead to cancer in rats are harmless to dogs. The answer is that each species is unique. The results of cancer experiments in animals are not conclusive; as a matter of fact, they may have little if anything to do with other animals, or with humans.

Not too long ago, when the American College of Obstetricians and Gynecologists polled its members, 99 percent of the specialists declared they saw no link between cancer and the pill. And among the millions of women on the pill, the FDA's medical advisory committee found no evidence that the use of oral contraceptives increased the risk of breast cancer. Indeed, recent independent research on cell structure and growth indicates that the progesterone component in the pill may have some cancer-preventive qualities.

No responsible physician has ever claimed that oral contraceptives are 100 percent safe; no medication is. Taking the pill entails some dangers, but there are also adequate safeguards for those dangers.

No woman should take oral contraceptives until she has had a thorough medical examination, including a history of previous and family illnesses, blood and urine tests, and a pelvic checkup with Pap smears. And that should be followed by a discussion with her physician about the relative merits of the various forms of conception controls. Once on the pill, she should have a reexamination at least once a year, or whenever untoward symptoms develop. With those precautions, no woman need fear the pill.

TRIBUTE TO NIX ANDERSON

Mr. McGEE. Mr. President, an area of increasingly important concern in Amer-

ica is the field of environmental health and sanitation. Today, I want to say a few words of praise to one of the outstanding professionals working in this field, Mr. William Nix Anderson of Casper, Wyo. Nix is sanitarian for Natrona County, but his concern and good work have gone beyond the borders of the county. He has gained statewide recognition, and now has been honored with the Star Crystal Award, instituted by Lyco Systems, Inc., to recognize outstanding performance in the field of environmental health and sanitation. It is an honor well earned.

SALUTE TO BABE RUTH BASEBALL

Mr. SCHWEIKER. Mr. President, I join my congressional colleagues in a salute to Babe Ruth Baseball. The Babe Ruth Baseball program is the world's largest baseball program and allows over 300,000 young boys to develop both physically and mentally through participation in the game of baseball.

I commend this organization for its efforts in promoting sportsmanship and team cooperation and for allowing these youngsters the opportunity to understand the meaning of competition and fairplay. At the same time, however, I feel that we must recognize the vast number of young boys who are not allowed this privilege due to environmental circumstances which make it impossible for them to have a place to play. The lack of recreational space in the highly urbanized States is appalling and I join with my fellow Congressmen in calling for prompt action at the Federal level for an in-depth study of the problem on a nationwide basis to investigate what can be done to take care of the recreational needs of the many youngsters who are presently deprived of these opportunities.

Speaking for my home State, Pennsylvania, I know that there are youngsters all over the State playing on Babe Ruth teams, and I also know that there are many who are not. I want to see as many boys as possible be afforded this opportunity and since Babe Ruth Baseball began in 1953 it has contributed greatly in the area of youth development. I therefore support the special order in hopes that it will allow many more young people the opportunity to develop mentally and physically with the help of additional recreational facilities.

NIXON WAGE-PRICE BOARD WELCOME

Mr. PROXMIRE. Mr. President, the President's proposal for publicizing the economic basis for big wage demands and substantial price hikes is excellent. We have needed this for a long time. It will certainly not solve the inflation problem but it will help significantly to bring pressure to bear on both unions and management to keep their decisions reasonable.

The heart of our inflation problem continues to be our huge military operations—not only in Southeast Asia but elsewhere in the world. Congress can greatly assist in the anti-inflation drive

by reducing the President's military budget sharply and cutting back our overseas commitments.

THE CHALLENGE THAT IS OURS— SALUTATORY ADDRESS BY WILLA FINLEY

Mr. TOWER. Mr. President, Miss Willa Finley, a member of the class of 1970 graduating from the Floydada (Tex.) High School, had some noteworthy comments in a salutatory address on the occasion of the class's commencement exercises this spring.

I ask unanimous consent that the text of her address be printed in the RECORD. I am informed that she is a young lady of strong convictions and quite capable of holding her own in discussion with her fellow students.

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

THE CHALLENGE THAT IS OURS

(By Willa Finley)

Fathers, mothers, teachers, and friends: It is a great honor for me to welcome you in behalf of the graduating class of 1970.

"Out of the abundance of the heart the mouth speaks." Tonight our hearts are full of love and gratitude, for without your help, we would not be here as graduating seniors. For the wisdom and patience of you, our parents and teachers, we thank you.

We, the youth of this country working together with the older generation, must take up the challenge of retrieving and upholding those principles—patriotism, reverence for God, and high moral standards—which have made America a great nation and a world power.

In times like these, America needs men—men who dare to stand up for her and defend her. Instead of trying to seek deferments, our young men should be willing to serve in uniform, remembering that in receiving freedom's benefits, they must be ready to give in return their services to keep those freedoms. Have we become too sophisticated to want to do what our brave boys have done in the seven wars of America's history?

There is at work within this country an ideological force known as communism. The puppets under the oversight of the Kremlin are too wise to engage America in pitched battle. Rather, they weaken the foundations by instilling fear into people's minds—arsons, bombings, and bomb threats by the score occur daily. To further impress us, they are carrying out massive worldwide naval maneuvers and make an open show of their military might. As I have been saying this, some of you immediately put up a mental block at the word *communism*. But if we will open our minds and spend some time finding facts about the Kremlin's plans for a world take-over, we will see that communism is a very real threat to our country's future as a free nation.

We must cherish the symbols of our country—the flag, the pledge of allegiance, and "The Star-Spangled Banner." Did you truly think about the words the last time you repeated the pledge of allegiance to the United States of America? Listen closely to the words of "The Star-Spangled Banner" when you next hear them, and try to revive that old spark of love that moved Francis Scott Key to write our national anthem.

Just before Moses' death, he gave to the people of Israel God's warning if they turned from Him: "I will hide my face from them, I will see what their end will be, for they are a perverse generation, children in whom is no faithfulness." These words could as

easily have been spoken to our country today. Theologians are proclaiming that there is no God or that he is dead, and that only parts of the Bible are true. Because of the work of one woman, prayer and Bible reading in public schools are unconstitutional. David wrote in the Psalms, "The fool has said in his heart, There is no God."

Not since the days of the Roman Empire have a nation's morals been so low as they are today. "Situation ethics" is the thing. Under this code of "nonconduct," one is absolutely uninhibited by any moral laws. Total physical and mental abandonment are his, as long as the occasion is right and he feels nothing is wrong with it. Movies, magazines, books, and pictures unfit for so noble a creation as a human being are published, shown, and read without any cry of protest. Pornography and its attendant vices would all but disappear if groups of enraged parents and citizens would launch a campaign against movie houses, theaters, and stores which exhibit the trash and against those who peddle it. As long ago as 1932, a ranking member of the Communist Party said that the surest and easiest way to destroy America is to weaken the morals of the young people. Times have changed, but God's principles haven't; and the "new morality" is but a euphemism for sin.

The words of Dr. W. H. Thompson sum it up well. In a speech to the West Omaha Rotary Club in 1968, he said:

"I ask you—what is wrong with an honest devotion to the things that have made this country great—its Constitution, its moral fiber, its productive work, its great freedoms, its mighty expressions of mercy and good will, its happy, cooperative living, its unprecedented opportunities?"

"I ask you—what is wrong with, 'In God We Trust'? Every true teacher knows that if these banners are held high—our youth will respond.

"I ask you—shall we shake ourselves out of the slough of despondency and stand again in the sunshine of our rightness, our strength, our manhood, and our proven values—or shall we go stuttering and stumbling, brawling and burning, reeling and bleeding, back over the hill of yesterday to barbarianism?"

STRONG PUBLIC SUPPORT FOR WITHDRAWAL OF U.S. FORCES FROM VIETNAM

Mr. McGOVERN. Mr. President, a recent Gallup poll, reported in the New York Times of June 14, 1970, indicates "the weight of opinion now is on the side of withdrawing all U.S. troops from Vietnam by July 1971, or earlier."

The poll demonstrated strong support for the proposal I and other Senators have sponsored calling for the withdrawal of all U.S. forces from Vietnam by July 1, 1971. Nearly as much support was registered for immediate withdrawal of forces.

I ask unanimous consent that the news report of the poll be printed at this point in the RECORD.

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

U.S. WITHDRAWAL BY 1971 IS BACKED—REMOVAL OF ALL TROOPS IS FAVORED IN A POLL

PRINCETON, N.J., June 13.—With United States forces scheduled to be out of Cambodia before the end of the month, the debate over the war will almost certainly center on the rate of withdrawal of troops from Vietnam.

The latest post-Cambodian appraisal of the public's mood by the Gallup Poll shows the weight of opinion now on the side of withdrawing all United States troops from Vietnam by July, 1971, or earlier. A pre-Cambodian survey showed the nation about equally divided between those who favored this timetable and those who supported a timetable more in line with President Nixon's.

Senator George S. McGovern of South Dakota, a possible Democratic Presidential candidate in 1972, has introduced an amendment to a bill that requires the withdrawal of all United States military manpower by July, 1971.

President Nixon promised in a speech on April 30 to return 150,000 troops in one year's time, which would leave about half of the total there after July 1, 1971.

Attitudes on the withdrawal of troops fall into four main categories. These were presented on a handout card to a sample of 1,509 adults in a survey conducted in 300 selected communities during the period May 22-25. This question was asked:

Here are four different plans the United States could follow in dealing with the war in Vietnam. Which one do you prefer?

Following are the latest results and those from two earlier, pre-Cambodian surveys:

	[In percent]		
	May 1970	February 1970	December 1969
Plan A: Withdraw all troops from Vietnam immediately.....	23	21	19
Plan B: Withdraw all by July 1971.....	25	25	22
Plan C: Withdraw troops but take as many years to do this as are needed to turn the war over to the South Vietnamese.....	31	38	40
Plan D: Send more troops to Vietnam and step up the fighting.....	13	7	11
Total.....	100	100	100

DIFFERENT WORDING

In the February survey, Plan B referred to the withdrawal of all troops by the end of 18 months. This roughly corresponds to the time span covered in Plan B in the most recent survey. In the December survey the wording of Plan B was as follows: Withdraw all troops by the end of 1970.

The proportion of Americans who think we should get out "immediately" has remained surprisingly constant during the last two or three years, although a slight gain has been registered over the last three surveys. Similarly, the proportion who hold opposite views and think we should "go all out" has remained relatively constant despite the vicissitudes of the war.

The political implications for the forthcoming Congressional elections are seen in the following table. This shows the weight of opinion among both Democrats and independents to be on the side of immediate withdrawal or withdrawal by July of next year:

Choices by Political Affiliation:

	[In percent]			
	Plan A	Plan B	Plan C	Plan D
Republicans.....	17	27	37	14
Democrats.....	27	23	29	12
Independents.....	23	28	26	13

Note: The percentages across do not add to 100 percent in the above table because the no opinion figures have been omitted.

A majority of women, 53 per cent, favor the withdrawal of troops by July, 1971, or sooner, compared to 43 per cent of men. Younger adults are somewhat more inclined to favor withdrawal plans A or B than are older adults. Easterners are the most inclined to favor early withdrawal.

THE EAST BERLIN WORKERS REVOLT

Mr. PROXMIRE. Mr. President, today marks the 17th anniversary of the East Berlin workers revolt.

The workers of East Berlin, 17 years ago today, reacted to the increased work quotas that were being forced upon them by forming strike committees and taking over factories.

In many places throughout East Germany the workers marched into the streets and captured key buildings such as town halls, prisons, banks, and police stations.

In big towns such as Magdeburg, Halle, and Bitterfelde the jails were thrown open and all political prisoners freed.

The Soviet Union reacted by sending in over 17 divisions to suppress the riots. The workers fought back against Russian tanks with rocks and bare fists.

Mass arrests and martial law were the orders of the day for the Soviet troops. Unspecified numbers of demonstrators were shot after being tried by military courts.

Yet the people of East Berlin did not let up. The Soviets were forced to keep the city of Berlin in a virtual state of siege through the ninth of July. Even through the month of September sit-down strikes and clashes between workers and people's police were being reported.

And I do not need to remind the Senate of the many subsequent valiant attempts of the East Berliners to acquire their fundamental rights as human beings—attempts that no wall the Soviets can build will be able to resist forever.

Mr. President, the valiant efforts of the East Berlin workers to win their human rights from the Soviets should serve to inspire us all in our struggle to insure that all persons be guaranteed those rights.

Why with our revulsion at Soviet repression of revolts in Berlin, Poland, and Czechoslovakia—why are we afraid to sign the United Nations conventions which put into international law those guarantees?

Why, Mr. President, will not this Senate ratify the United Nations conventions on human rights? Is it not about time we stood up in law for those things we hold so important in principle?

THE RESPONSIBILITY AND PROMISE OF AMERICAN YOUTH

Mr. HRUSKA. Mr. President, it is difficult to pick up a paper these days without finding some story about young people. For the most part, these stories point out how disenchanting the kids are with the older generation and the "establishment." Some writers—and some

supposedly respectable publications—go on at great length about the drug and sex culture of youth; they would have us believe that those of our children who are not trying to overthrow our Government and destroy our society, are intent on destroying themselves through indulgence in mind-destroying narcotics and hallucinogens.

The picture is false. Certainly there are revolutionaries among the young, and there are those who try to escape responsibility by retreating into drugs and dreams. But, these relative few are only the most spectacular and newsworthy—not the most numerous or the most representative. When a television program shows a couple of dozen kids acting out in a demonstration, the implication is that this represents what all young people are doing.

Mr. President, a few weeks ago I had the exceptional privilege of accompanying a small group of Nebraska students to the White House, where they engaged in a serious discussion of a current issue with senior members of the President's staff. They came with determination and purpose, and they had a hearing. They argued the need for equitable Federal treatment to their school and partly as a result of their effort equity was done.

The example was both impressive and heartening. At the time I wished that the Cassandras in the media could have observed just what determined, responsible young people can do. They did not try to burn down the White House while we were there. They did not carry any placards. They did not wear beards. But, they made their point and they succeeded.

One of that group was a young man named Steve Lawson. Besides taking an active part in fighting for his school, Steve managed to be valedictorian of his class, which graduated on June 2 of this year. As is customary, Steve gave a valedictory address. The address itself, however, is far from the usual. It presents a point of view and a maturity rarely reported by the press. It contains no argument for violence, no assertion of superior morality, no indication of an irrevocable cleavage between the young and the old. Rather, it presents a sober, reasoned and responsible discussion of some of our most perplexing domestic issues.

Mr. President, I believe it will be useful for Steve's valedictory to be widely read. I therefore ask unanimous consent that it be printed in the RECORD.

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

STEVE LAWSON'S VALEDICTORY ADDRESS

As most of you are aware, I have enjoyed myself immensely during my tenure at Bellevue High. Occasionally I would sink into the Slough of Despond, but then I'd go to a Student Council meeting, or read the Image, or try to check out a magazine, and pretty soon I'd be laughing and joking and cutting up again. I do have one regret, however, and that is that I could never find anything to rhyme with "seventy". Other classes have clever slogans because their numbers are easy to rhyme: '68, great; '69, fine, and so on. But try to rhyme "seventy". It's little things like that that take my mind off of weightier questions, such as why is it school policy to remove all doors from the boys' restrooms.

Every few months, a particular word enjoys a certain vogue. I'm certain you know what I mean. One hears them on the Tonight Show frequently; words like "charisma", and "pragmatic", remember those? Well now the word is "polarization". College campuses are becoming "polarized", Spiro Agnew is "polarizing" the nation. The Bellevue Guide has "polarized" the civilian and Air Force community. Meaning, of course, that the people involved are "taking a stand" one way or the other. Increasingly, people are urged to "take a stand". I would like to submit that the concept of "taking a stand" is inimical to the problem-solving process.

When President Nixon announced his drive into Cambodia, there went up a great hue and cry in favor of letting America vote on the decision. But to submit this issue to a national referendum would be the height of lunacy, inasmuch as the populace is simply not competent to decide military matters. Another instance: this year some of the advanced biology classes read a book on overpopulation. Now I don't take advanced biology, yet I know they read the book because for a while there it was well-nigh impossible to walk down the halls without some panic-stricken scholar grabbing your arm and telling you that if something weren't done about the earth's population, people would start spilling off the edge, or some such alarming statistic.

And when I suggested that perhaps human reproduction were a matter of personal choice, they acted as if I were crazy for not thinking that mass starvation is mankind's inexorable fate. So now, do you see what I mean? As soon as you have resolved your thinking on some matter, it effectively destroys all bases for further discussion. One might ask, Why is he telling us all this? (Pause) Well, the reason I'm telling you all this is because when you enter college you will be subjected to what amounts to indoctrination, not only from polarized students, but from professors. In case you doubt that, think back to the last student teacher you had. After a few weeks of the old "do your own thing" and "find yourself" song and dance, you can get pretty sick of ideology.

Now don't misunderstand me. I don't wish to convey the impression that one shouldn't have any opinions. I simply wish to caution you against making judgments without the time-tested benefits of evidence, logic, and objectivity. Today we often witness the results of the abandonment of intellectual detachment. I will stipulate that feelings are good things to have, but one simply has to acknowledge that there are certain aspects of existence that require dispassionate analysis. To have the courage of one's convictions is one of the most noble conditions to which man can aspire. But when those convictions have their foundation in sentiment or in the protean circumstances of one's surroundings, that "condition" is no more desirable than is ignorance.

A word now to the parents. Doubtless you have heard, and many of you believe, that youth are the hope of America. Don't you believe it, not for a minute, at least not in the literal sense. I will concede that those who are at present young, will, in time, become older, and then will assume positions of responsibility. But as far as young youth are concerned, the generation is just not all it is cracked up to be. The fact is, that youth is just exactly that, and has never been anything else. So don't be overly eager to accept all of the actions of your blessed issue while they are away. Beware of the old "boys will be boys" rationale, since he can be a boy just as easily on his own money. In other words, if you're not careful, you could end up subsidizing a revolution.

The fascination with youth has always amazed me, inasmuch as a few days spent at school, or a few minutes at a girls' slumber party, will uncover an astounding variety of

vices: smoking, drinking, drugs, sex, yes, even dancing, but I could go on. "Well, isn't that a small minority?" you ask (people are always asking that). I don't know. I used to think so. But someone is smoking in the girls' restrooms so as to make the air unbreathable, and I don't think all the maternity cases this year were brought in from elsewhere. But now that I stop to think about it, I guess there were only a hundred kids of assorted sexes at that party that was busted up by Gulf Mart. Excuse me. It would be vastly amusing to see the looks on some of you mothers' (or fathers') faces if you knew of your sons' (or daughters') pastime activities.

(Incidentally, that's why I can't get too worked up about the sincerity of the overpopulation panic.)

One last thing. During these past few years, I have noticed a tendency on the part of this class (and others) to take themselves entirely too seriously. There are numerous demonstrations of this phenomenon. The "Teen Pulse." "Ask Jean Adams." The Image. Valedictory addresses. Ah yes, and love. Not in the Biblical sense, but in the familiar. I'm sure you've all seen couples walking arm in arm or hand in hand down the hall, in utter silence, absorbed in thought concerning the cosmic implications of their union. What is amusing about this scene is that two days after Prom, she will probably drop him, or even worse, not say "hi" to him in the halls! The occurrence of early engagement, marriage, and pregnancy (not necessarily in that order) is the most convincing proof of the desperation that seems to pervade this generation. Far too many people feel obligated to question, and this questioning produces more agonizing than the answer could ever assuage. Learn to laugh; learn to say "no"; better still, learn to say "I don't know"; and maybe, just maybe, learn to say, "I don't care."

I suppose it is customary, in ending a speech such as this, to say "we are at the end of an era," or "we march forth into a new age." And even though graduation is a milestone of sorts, it is neither an ending or a beginning, a stopping or a starting. People are the thread that lend continuity to events. Why, then, do we cry? Why do we shell out fabulous sums to photographers, stationers, and cap and gown companies? We've been attending public schools now for thirteen years. Very simply, we have fulfilled our public obligation. Do we weep for the end of innocence? The answer is no. We weep for the end of its assumption.

KEYNOTE ADDRESS BY REPRESENTATIVE JOHN BRADEMAS

Mr. BAYH. Mr. President, it was my privilege yesterday to listen to a thoughtful, critical yet constructive keynote speech delivered at the Indiana Democratic State Convention by the Honorable JOHN BRADEMAS, who for more than a decade has ably represented the Third Congressional District of my State in the House of Representatives.

Reviewed in some detail were many of those major shortcomings and faults which have been attributed to both the National and the Indiana State administrations. Among the issues which Representative BRADEMAS discussed were the present state of the economy, problems facing our schools and universities, the crisis in medical care, crime control, consumer protection, human rights, foreign policy and various State problems.

Mr. President, in order that other Members of Congress will have ready access to these comments by Representa-

tive BRADEMAs, I ask unanimous consent that the full text of his address be printed in the RECORD.

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

TEXT OF KEYNOTE ADDRESS, INDIANA
DEMOCRATIC STATE CONVENTION

(By Congressman JOHN BRADEMAs)

We meet today in the capital city of our state from throughout the 92 counties of Indiana, at a time of unprecedented crisis for our country.

We meet as Democrats, proud of our Party, of its tradition as the oldest political party in the world, and of the contribution it has made to lifting the level of life of the people of our state and our country.

Yet we meet not only as Democrats, but as citizens of Indiana and as Americans, with a solemn responsibility so to act here and in the days to come, that our party will be a servant not of our own self-interest but of responsive and responsible government for all the people.

We meet as well, if anyone needs reminding, at a time when a Republican Governor presides in the State House and a Republican President in the White House. And as we look to the months that lie ahead between now and November 3rd, we, as spokesmen for the other great political party in the United States, must, if we are to serve our historic function, review the record of Republican stewardship in Indianapolis and Washington—and let the people know our judgment.

And that judgment must be that the Republican Party—the party of Edgar Whitcomb here and Richard Nixon there—has visited disaster after disaster upon the people of our State and Nation.

Let me speak first of the Nixon Administration and its policies, and second of the Whitcomb Administration and its.

I proceed in this order not to save the worst for the last . . . but only because, as a Representative in the National Congress, I can speak more specifically of the Republican Party's record at the national level.

Where to begin? The list, the catalogue, is long . . .

But I would ask your attention to these eloquent words—hear them well—and I quote:

"When the strongest nation in the world can be tied down for four years in a war in Viet Nam with no end in sight, when the richest nation in the world can't manage its own economy, when the nation with the greatest tradition of the rule of law is plagued by unprecedented lawlessness, when a nation which has been known for a century for equality of opportunity is torn by unprecedented racial violence, and when the President of the United States cannot travel abroad or to any major city at home without fear of a hostile demonstration—then it's time for new leadership for the United States of America."

Those words are not the rhetoric of Larry O'Brien in a partisan attack on the Nixon Administration. They are rather words spoken in an attack on the last Democratic Administration during the presidential campaign of 1968—and the man who uttered them was Richard Nixon.

It must be obvious—if ironic—that Candidate Nixon's language applies with far more telling force to the Administration of President Nixon.

THE NIXON ADMINISTRATION AND THE NATION'S
ECONOMY

What has happened to our nation during the first year and a half of the Republican Administration?

Let me speak first of the nation's economy.

In October 1968, Candidate Nixon promised during his four-year term to help create 15 million new jobs.

That was the promise. The performance? Disaster for millions of American working men and women!

Today over 4 million workers are jobless in our country, 1 1/4 million more than when Mr. Nixon took office last year—and the prospects are for a continuing rise in unemployment unless the Administration reverses its present economic policies.

When President Kennedy took office after a Republican Administration that had also brought us recession and widespread unemployment, the unemployment rate bequeathed him by the Republicans was 7 percent.

But after eight years of uninterrupted economic growth and prosperity under two Democratic Administrations, the rate of unemployment had dropped to just over 3 percent.

Today, after only 17 months of a Republican in the White House, the figure has soared to 5 percent—and has skyrocketed to fully 6 percent in my own home community.

We are in another Republican recession, and let there be no mistake about it.

RIISING UNEMPLOYMENT AND SOARING INFLATION

Nor has the Republican policy of fighting inflation by stimulating unemployment worked. In addition to rising unemployment, we face the specter of soaring inflation.

The cost of living has leaped nearly eight points in the one year of GOP rule, the largest annual rise in 20 years, and it's getting worse every week, as any housewife will tell you.

Wage and salary earners, retired persons, small farmers, the average businessman are all in a price squeeze as costs soar—but the Administration watches, twiddling its thumbs.

Or let me tell you about interest rates.

We are today suffering the highest interest rates since the Civil War . . . with prime bank rates at 8 1/2 percent, but with the real cost of money ranging up to 10 percent and even 18 percent for the man who has to buy his car or refrigerator on credit, or borrow money to pay doctor bills or to send his children to college.

And for home buyers, the Republican tight money policy has been catastrophic.

The increase in interest rates since President Nixon took office has added \$9,000 to the cost of a \$20,000 home over a 30-year FHA mortgage—so that this home now costs \$35,000 in interest alone, nearly twice the cost of the home itself!

REPUBLICAN HIGH INTEREST POLICY

The Republican high interest policy has brought crisis as well to city, state, hospital and school projects . . .

And even giant corporations are beginning to be squeezed until it hurts.

The tight money policy has been one major cause of the drop in housing starts from 1.9 million to 1.1 million, off over 40% since the Republicans took office.

Moreover, the longest and steepest drop in stock markets and prices since the crash of '29 has meant losses of over \$250 billion to over 26 million stockholders. Since the Republicans assumed office in Washington, the stock market has suffered a loss more than the amount equal to what the Federal government spends in an entire year!

American farmers, too, understand the damaging effect on farm income of the Nixon Administration's effort to drive grain prices back to world market levels . . . and Hoosier farmers who belong to REMC coops realize as well the meaning of the Administration's continuing opposition to adequate funds to meet the staggering backlog of rural electric loan applications.

And do you remember Mr. Nixon's forecast a year ago of a \$6.3 billion budget surplus for the fiscal year ending June 30?

Well, here's the story now . . . not a \$6

billion surplus, but a \$1.8 billion deficit—a slight error in the estimate of \$8 billion!

Why? Because profitless businessmen and unemployed workers don't pay taxes, and high interest rates mean \$1 billion more in interest on the Federal debt, not to speak of \$500 million more than projected for unemployment insurance.

THE GREAT VOCAL MAJORITY

We have heard a lot in recent months about the Great Silent Majority . . . salaried workers, small businessmen, retired persons, farmers . . .

But I submit to you that on grounds of its disastrous economic policies alone and their devastating impact on millions of Americans, it will not be long before the Great Silent Majority becomes the Great Vocal Majority . . . and their judgment on the political party that has brought such suffering to them and to our country will be harsh, indeed.

In a wide variety of other domestic areas crucial to the lives of people and to the nation as a whole, the Administration has been following a policy of what can most generously be described as one of "malign neglect."

EDUCATION

In education, the President has sharply cut back funds for a number of programs essential to our schools and universities. He even vetoed a measure, supported by majorities of both Democrats and Republicans in Congress, to add a modest amount of money to his already starved budget request for education.

The Administration of Richard Nixon is on record against legislation to provide for comprehensive pre-school and child day care programs, environmental education in our schools, and even opposes a drug abuse education bill passed unanimously by the House of Representatives!

The firing of the distinguished U.S. Commissioner of Education Dr. James Allen, a few days ago symbolizes the hostility of the Nixon Administration to supporting American education at any level.

HEALTH

Or turn to the field of health care—the single most inflationary sector of the American economy.

While proclaiming concern about the urgent national crisis in medical care, President Nixon has made almost savage cuts in funds for training desperately needed physicians, nurses and other health professionals.

The Administration has even slashed programs of modest but essential research into cancer, arthritis, heart disease and other crippling ailments.

The result of the Republican Administration's opposition to adequate health care programs has been the resignation in recent months of some of the nation's top administrators of Federal health programs . . . dramatic testimony to the total abdication of Republican leadership in the health field.

POLLUTION

Or speak of a problem of rising concern among Americans—The pollution of our air, land and water . . . the environmental crisis.

A perfect example of the Administration's attitude here is the opposition of the President to an effort, born in Congress, with bipartisan support, to vote the full \$1 billion in appropriations which Congress had authorized for grants this year to help fight water pollution.

CRIME

What about crime, a word of which we heard much in the 1968 campaign?

And what has the Nixon Administration, now in office 17 months, done to fight crime?

The answer is written in the stark facts, and they are these: that crimes of violence in the United States continue to increase, month after month.

We have laws on the statute books of every state in the union outlawing murder, robbery and rape.

Why isn't the Nixon Administration helping insure that these laws are enforced?

Democrats in Congress, led by House Judiciary Chairman Celler, have urged at least \$750 million in appropriations for Federal assistance to state and local law enforcement agencies next year . . . under the omnibus Crime Control and Safe Streets Act of 1968, which Democrats initiated. But the Nixon Administration wants less than 1/3 of this amount—only \$480 million for total Federal help to our criminal law system. Republicans offer rhetoric, Democrats offer action in the war against crime.

CONSUMERS

And a word about consumers.

Only a few days ago, the National Commission on Product Safety blew the whistle on the Nixon Administration for failing to enforce three laws—all passed under Democratic leadership—and aimed at protecting consumers . . . the National Traffic and Motor Vehicle Safety Act, the Flammable Fabrics Act, and the Federal Hazardous Substances Labeling Act.

Nor then should anyone be surprised that the Republican Administration continues to oppose a bipartisan bill to establish an independent agency within the Federal government to champion the cause of consumers.

HUMAN RIGHTS

And in the field of human rights, to cite but one example, the House of Representatives will tomorrow vote on legislation crucial to assuring the sacred right of the franchise to all Americans, regardless of race, in all parts of our country.

Congressmen Madden, Jacobs, Hamilton and Brademas will join Senators Hartke and Bayh in voting for a bill that will extend for five years the historic Voting Rights Act of 1965, which struck down many of the artificial barriers aimed at keeping Negroes from using the ballot.

The Nixon Administration, in line with its Southern strategy of trying to out-Wallace George Wallace, is strongly lobbying against this bill, which also contains a section providing for the 18 year old vote.

I could go on and on, cataloging the failures of the Republican Administration in Washington to exercise effective leadership to keep our economy moving ahead and to advance programs to help meet the serious problems that afflict our society.

FOREIGN POLICY

But time is too short, and I must say a word about the stewardship of the Administration in the life or death area of foreign policy.

First, with respect to Viet Nam and the bloody struggle which has taken the lives of so many young Americans, as well as of others, and which haunts the hearts and minds of us all, whether Democrats or Republicans.

Just recall those campaign speeches of candidate Nixon in 1968 when he said that, if elected, he would end the war in Vietnam and win the peace.

Yet the harsh fact is—that President Nixon's policies so far have served not to end the war and win the peace but rather to widen the war and perhaps prevent the peace which the American people and the world so deeply desire.

Last week's vote in which the United States Senate rejected the Byrd Amendment, which would have given the President a blank check for further expanding the war in Cambodia, is symbolic of a growing re-assertion in Washington on the part of both Democrats and Republicans—and especially in the Senate—of the Constitutional role and authority of Congress in decision-making about war and peace.

For let there be no mistake about this either—bringing the Viet Nam War to an early end, returning United States troops to this country, and applying the vast resources of our land to the enormous problems confronting us here at home remain the most urgent business on the American agenda.

Yet our preoccupation with Viet Nam should not blind us to the requirement for sound policies in other key areas of foreign policy.

And here I cite but two:

First, the crisis in the Middle East where the region's only genuine democracy—Israel—is increasingly in mortal danger from the growing presence of Soviet power in Egypt.

And second, the immense importance to the future survival of the world of successful SALT talks with the Soviet Union to limit strategic arms.

In all three of these key areas, Viet Nam, the Middle East, arms control, we must, as Americans, wish President Nixon well, but we must also, as responsible citizens, observe that the policies of this Administration are not ones that give hope and encouragement to the people of our country or the world.

GOVERNOR EDGAR D. WHITCOMB'S "SUPER DEAL"

Let me turn now to the Republican stewardship in Indiana—and say just a word about Governor Edgar D. Whitcomb.

You all know Governor Whitcomb—the only bull in Indiana who carries his own china closet!

We all learned last week of Governor Whitcomb's "Super Deal," the one that, with the blessing of the White House, got his great friend John Snyder out of the race for the United States Senate and probably into a \$38,000 Federal job.

The idea behind this "Super Deal" was to keep the Republican Convention this week from becoming a bloody referendum on the "popularity" of the Whitcomb Administration by the Governor's fellow Republicans.

Well, all this conniving may be a "Super Deal" for Governor Whitcomb, but it's just one more example of Republican double-dealing with the citizens of Indiana.

But of course, it's all in the Whitcomb tradition.

A RAW DEAL FOR HOOSIER TAXPAYERS AND SCHOOL CHILDREN

You remember Candidate Whitcomb's campaign promise to provide Hoosier citizens relief from soaring property taxes? . . . That promise may have been a Super Deal for Mr. Whitcomb but his failure to keep his promise has been a raw deal for Hoosier taxpayers and Hoosier schoolchildren.

Governor Whitcomb's vetoes of bills to raise aid to the blind and disabled and provide more help to retired schoolteachers may have been a Super Deal for the Indiana Republican Party, but they've meant a raw deal for these hard-pressed men and women.

And the Governor's veto of a second state medical school for Indiana may have been a Super Deal for the Republican politicians, but it's meant a raw deal for Hoosier citizens who want to see our state train more first-class doctors and keep them here.

I could recite similar failures of leadership in highway construction, prison reform, conservation, higher education, crime control—all low cards in the big deck of Super Deal Ed Whitcomb. . . .

And I haven't even mentioned that other man with a fast shuffle . . . whose hands are not always on top of the table . . . the state Superintendent of Public Instruction, Richard Wells.

Looking back then at the record of the Nixon Administration in Washington and the Whitcomb Administration in Indianapolis, I am reminded of the words of that song so popular today, "Spinning Wheel."

You all recall its theme: "What goes up, must come down."

For on the basis of the Republican record . . . the Republican Party, up today, will come crashing down in November.

Down to defeat at the hands of a united Democratic Party here in Indiana and across the land.

Down to defeat because of its failure to give effective leadership to meet the time of crisis in which we live.

We will, I am confident, re-elect Senator Vance Hartke to the United States Senate . . . we will re-elect Ray Madden, Andy Jacobs, Lee Hamilton and John Brademas to Congress . . . and more.

And we will elect every single one of our Democratic nominees for state office in Indiana.

THE AMERICAN CONSTITUTIONAL SYSTEM

As I close, let me remind you that just six years from now, in 1976, the American people will mark the 200th anniversary of our birth as a nation.

I do not, however, believe that we need wait until 1976 to celebrate that extraordinary birthday.

We must rather begin today to translate into reality the noble ideals of the great men of 1776.

We must begin now to say to the citizens of America and the world that our Constitutional system, the oldest form of self-government alive today, is, for all its imperfections, sturdy enough and resilient enough to meet the many challenges that history has thrust upon us.

We must begin now to work to make our country the land of freedom and justice and opportunity for all Americans that we know can be.

This is our high calling as Democrats. This is our high calling as Americans. Let us, then—in the words of John F. Kennedy—let us begin.

INDOCHINA

Mr. BELLMON. Mr. President, many questions have been raised over the past few weeks concerning the origin of U.S. intervention in Southeast Asia.

During the past weekend, I had the opportunity to read one of the most thorough and lucid analyses of the events preceding our present involvement that I have seen. This carefully researched article by one of Washington's most distinguished journalists, Allan Cromley, was published in the Sunday edition of the Daily Oklahoman, June 14, 1970.

This excellent summary of the actions of this country in connection with the war in Southeast Asia will be enlightening to Members of the Senate. I ask unanimous consent that this article be printed in the RECORD.

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

INDOCHINA ENTANGLEMENT BEGAN IN 1945:
LONG CONFLICT LEAVES 42,265 DEAD

(By Allan Cromley)

WASHINGTON.—Why and how did the United States get led into or pushed into war in Southeast Asia? What actions and under what presidential administration did events bring about a change from diplomatic moves to all-out military participation in the war?

The answers to both questions are long, involved and complicated but every reader of The Oklahoman is entitled to know exactly what happened, when it happened and who caused it.

All facts, figures and dates are set out as

fully and as concisely as possible in covering a 25 year period.

Those who follow events more closely remember the crucial year, 1954, when the United States took two significant actions:

One—It participated in a conference on Indochina in Geneva, Switzerland, from May to July, out of which came the formal partitioning of North and South Vietnam.

Two—It signed the Manila pact in September, officially known as the Southeast Asia Collective Defense Treaty, which established the Southeast Asia Treaty Organization (SEATO).

Comprised of Australia, France, New Zealand, Pakistan, the Philippines, Thailand, United Kingdom, and the U.S., SEATO guaranteed South Vietnam against attack and subversion.

(The treaty was ratified by the Senate the following year, 82 to 1, with the late Bill Langer (R-N. D.) the lone dissenter. Sen. J. William Fulbright (D-Ark.) now the leading Senate critic of U.S. involvement in South Vietnam, voted for ratification.)

However, the United States was involved in South Vietnam long before the Geneva accords and creation of SEATO.

Where did we really get in?

There probably could be no better authority than William P. Bundy, who served as Assistant Secretary of State for Asian and Pacific Affairs under President Johnson.

Bundy says, "Our first decisions affecting Vietnam were in 1945."

He lists this date as the first of 10 significant decisions which gradually evolved into half a million American men fighting a war denounced at home and abroad.

In a 1967 speech at the University of Maryland, Bundy said, "President Roosevelt (in 1945) deeply believed that French colonial control in Indochina should not be restored, and this attitude let us in the closing months of the war against militarist Japan to adopt what the French have always considered an obstructive attitude toward their return."

"Separately, we briefly gave modest assistance to Ho Chi Minh as an asset against the Japanese."

In its second significant decision, the United States stood aside during the next four or five years while France, recipient in Europe of huge Marshall Plan aid from the United States, made and broke agreements with the Vietnamese.

In fact, the story of modern conflict in Vietnam really goes back to 1858, when French troops occupied the country by force and began an era of colonialism that ended with the fall of the fortress, Dien Bien Phu, in 1954, when 272,000 Frenchmen were fighting in Vietnam.

If 1945 can be challenged as a landmark of U.S. involvement in Vietnam, surely the year 1950 has to be accepted as the beginning.

In August of that year, during the Truman administration, the U.S. established a military and advisory group (MAAG), and the first shipment of U.S. arms arrived on August 10.

Between this date and the French defeat at Dien Bien Phu in 1954, U.S. taxpayers were to foot 80 per cent of the cost of the war that France was gradually losing.

France had established a post-war government under Emperor Bao Dai (a former Japanese puppet) in 1946. So intense by now was the Vietnamese hatred for France that Nguyen Ai Quoc, who eventually became known as Ho Chi Minh, was able to crystallize these emotions into a willingness by many Vietnamese—whether Communist or not—to fight against French occupation.

When the United States recognized the French-imposed Bao Dai regime in 1950, it was argued that the decision by President Truman to assist the French in Indochina was a logical extension of the Truman

Doctrine which evolved in the Mediterranean in 1947.

Under that doctrine the United States had sent aid to Greece and Turkey when threatened with Communist aggression.

But there were some basic differences between the Greek-Turkish situation and that in Vietnam in 1950.

Greece was an independent nation with clearly established and defined borders, and an internationally recognized government. It was being attacked by Greek Communists who were based—and financed—from abroad.

The Greek government requested help. First Britain, then the United States, responded with money, arms and advisers.

It was a similar situation in Turkey, whose borders were threatened by the Soviet Union.

Vietnam was an altogether different situation. An analysis by the staff of the Senate Republican policy committee in 1967 summed it up thus:

"For the first time, we were officially committing American arms, money, and military advisers to a colonial war on the side of a colonial power."

From this point, all opponents of the Bao Dai government were labeled Communists by the French. The tragic, unintended result of this was, as President Eisenhower noted in his book, "Mandate for Change, the White House Years:—"

"... had elections been held as of the time of the fighting, possibly 80 per cent of the population would have voted for the Communist Ho Chi Minh as their leader, rather than Chief of State, Bao Dai..."

However, it should be recalled that China had recently fallen to the Communists. The Reds made an overt attack in Korea, and the Soviets had recognized the Ho Chi Minh government in North Vietnam.

Any resistance to Communism in South Vietnam even if placed on the side of a hated power of by-gone years, seemed justified.

Time, however, is a harsh judge, and whether the 1950 decision will stand up in the history books remains to be seen.

Thus, Dwight D. Eisenhower came into office in 1953 with basic decisions awaiting him. Most important was whether to continue assistance to the French, cut it back, or end it.

He decided to continue assistance, but to attempt to circumvent the French and make Bao Dai more independent and more acceptable to the Vietnamese.

He soon had to decide whether to intervene directly to prevent a French catastrophe at Dien Bien Phu, where Ho Chi Minh's forces were about to pull off one of the greatest victories in the history of that part of the world.

A sharp argument boiled up within the Eisenhower administration, and in the end the President refused to permit an armed intervention by American forces.

In one of the most tragically prophetic utterances of his administration, Eisenhower declared that he "could not conceive of a greater tragedy for America than to get heavily involved now in an all-out war in any of those regions (Indochina)."

Dien Bien Phu fell on May 7, 1954, the day before the opening of a conference at Geneva. Participating were the United States, France, Britain and the Soviet Union, and after prolonged haggling, Communist China. These powers finally agreed that representatives of Cambodia and Laos take part, along with representatives of Bao Dai and Ho Chi Minh.

The key was the European Defense Community. The United States and Britain were attempting to found EDC. They needed France's help and felt they could not overpressure France on the Indochina question.

The Soviet Union was equally interested in blocking EDC and pressured Ho Chi Minh to make concessions to France which Ho did not feel were justified.

Communist China was trying to present a more moderate image to the world and was willing to cooperate with the Soviet Union in forcing Ho to ease his demands.

The upshot of all this was an agreement by Ho to pull Vietminh forces out of South Vietnam, which they largely controlled, back above the 17th parallel. Guerrillas were another question, which the participants avoided.

The conference made it clear that the 17th parallel was not to be a permanent dividing line and called for nationwide elections within two years, which was assented to orally by everyone except the United States and Bao Dai.

In fact, the United States was not a final signatory to the conference, nor was South Vietnam.

It was during the conference that Catholic, ascetic Ngo Dinh Diem strode onto the world stage as Premier of the Bao Dai government, strongly nationalist, anti-French and anti-Communist, was to be a South Vietnamese force until his assassination in November, 1963, just before John F. Kennedy died in Dallas.

Hardly had the dust settled from the Geneva conference in 1954 than SEATO was organized at the Manila conference, in September of that year.

It was a treaty that had vast and long-lasting effect on events in Southeast Asia.

The principal provisions:

One—"Each party recognizes that aggression by means of armed attack in the treaty area against any of the parties or against any state or territory which the parties by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes..."

Two—"The United States of America, in executing the present treaty does so with the understanding that its recognition of the effect of aggression and armed attack and its agreement with reference thereto... apply only to Communist aggression but affirms that in the event of other aggression or armed attack it will consult under the provisions of article 4, paragraph 2."

The pact, plus promise of aid, had the immediate effect of giving the Diem government a combination of psychological, economic and military support necessary for it to survive.

Diem immediately moved against gangsters around Saigon and after dispersing them, disarmed and suppressed autonomous religious sects. By October, 1955, he felt strong enough to propose a referendum between the absent Bao Dai and himself.

Diem would have won it without manipulation of the election, but his brother felt it necessary to adulterate the outcome, which was about 98 per cent in favor of Diem. The result was lack of confidence in Diem's concept of a "viable" government.

Diem refused to allow an election in 1956, which would have been a popularity contest with Ho Chi Minh. Ho probably would have won it.

Communist guerrillas were on the upsurge, and Diem's regime went into decline, but President Eisenhower stuck by his basic position that if there was to be a solution in South Vietnam, it was political and non-military, insofar as the United States was concerned.

That was the situation when John F. Kennedy entered the White House in January, 1961.

The Kennedy legend has become distorted since his death. Liberals have repeatedly emphasized the dovish things he said and ignored or buried his hawk-like statements.

For one thing, he expressly supported the "domino theory," which holds that the inde-

pendence of South Vietnam crucially affects Southeast Asia—that if South Vietnam falls to the Communists, other nations will also fall, like dominoes.

In an NBC interview on September 9, 1963, Kennedy was asked this question:

"Have you had any reason to doubt this so-called 'domino theory' that if South Vietnam falls, the rest of Southeast Asia will go behind it?"

Kennedy replied, "No, I believe it. I believe it, I think that the struggle is close enough. China is so large, looms so high just beyond the frontier, that if South Vietnam went, it would not only give them an improved geographic position for a guerrilla assault on Malaya but would also give the impression that the wave of the future in Southeast Asia was China and the Communists. So, I believe it."

When Kennedy entered the White House, the United States had about 900 military advisers in South Vietnam and no combat personnel.

By the time Kennedy was assassinated, in November, 1963, the U.S. advisory forces had grown to about 16,000.

When Kennedy took over from Eisenhower, in January, 1961, U.S. involvement in South Vietnam began to take a qualitative shift. By the end of the year, it was apparent that the new administration had opted for military intervention.

Even Arthur Schlesinger, one of Kennedy's staunchest defenders, admits that Kennedy's decision "was to place the main emphasis on the military effort."

The first American soldier was killed in open combat in 1961.

The year, 1961, was a turning point in several respects.

It marked the beginning of the National Front for Liberation of South Vietnam (NLF), better known as the Viet Cong. The NLF platform was renewal of open, armed aggression against the Diem government in Saigon.

Concerned about the rising terrorism, Kennedy told a news conference on May 5, 1961, that use of American combat forces in South Vietnam was under consideration.

Reverting to a bit of old-fashioned gunboat diplomacy, Kennedy sent an aircraft carrier to demonstrate off Haiphong. Troops were sent into Thailand and then withdrawn to show our strength and readiness to move.

In 1961, too, began a parade of political, diplomatic and military figures from Washington to Saigon. Vice President Lyndon B. Johnson was dispatched to Southeastern Asia.

Warmed by a cordial, two-day session with President Diem, Johnson likened him to George Washington, Andrew Jackson, Woodrow Wilson, Franklin D. Roosevelt and Winston Churchill.

In fairness to LBJ, it should be noted that President Eisenhower had spoken of Diem's "inspiring leadership in the cause of the free world." The New York Times had described Diem as "a man of deep religious heart."

However, it was Diem who in 1959 instituted special military tribunals to try "infringements of national security." The tribunals were permitted to pass only sentences of death or hard labor for life.

Thousands were herded into concentration camps, and the New York World-Telegram reported that merely "the intention to shake one's fist in the direction of the Presidential Palace" made one liable to punishment by the military tribunal.

But if Diem were in some ways a despot, he was OUR despot. He was an anti-Communist despot, and that was better than Communism, reasoned U.S. leaders.

The increasing militancy of the United States government in 1961 is reflected in a memorandum that Johnson wrote Kennedy after the Vice President's trip to Vietnam.

"The fundamental decision required of the United States . . . is whether we are to attempt to meet the challenge of Communist expansion now in Southeast Asia by a major effort in support of the forces of freedom in the area or throw in the towel," Johnson said.

One insight into Kennedy's thinking is provided by Robert Manning, who served as Assistant Secretary of State for Public Affairs during the JFK administration.

Manning wrote in April, 1967, "One day in 1961, President Kennedy discussed with his counselors a decision to increase the American 'presence' in South Vietnam from a few hundred 'military advisers' to a military force of 15,000 men.

"Undersecretary of State George Ball argued that it would seriously alter the character of the war and might eventually suck more than 300,000 men into action there.

"Secretary of State Dean Rusk and Secretary of Defense Robert McNamara agreed that Ball's reservations were fair ones, but they were willing to risk the consequences. Kennedy decided that he was, too."

Manning notes that it was a "critical step" in escalation of the war, but in news reports it was characterized as a "modest" increase in American advisory help to Saigon.

Several writers have connected Kennedy's decision to step up American military activity in Vietnam with his disastrous confrontation with Soviet Premier Nikita Khrushchev in Vienna in June, 1961.

James Reston wrote in the New York Times that "a few minutes after this meeting President Kennedy told me that apparently Khrushchev had decided that 'anybody stupid enough to get involved in the Bay of Pigs was immature, and anybody who didn't see it through was timid and, therefore, could be bullied.'"

It was Reston's thesis, along with other writers who took a look at it later, that Kennedy put 12,000 American soldiers into Vietnam as an offset to Khrushchev's estimate of him.

Two principal historians of the Kennedy administration, Theodore Sorensen and Schlesinger, plead that Kennedy had virtually no alternative. They said he "inherited" a situation which he could do nothing to change, and that escalation was inevitable.

A Republican-sponsored study understandably takes a partisan view: "Carried to its ultimate absurdity, this thesis presents Lyndon Johnson as a captive of George Washington's policies, with no real justification for quadrennial presidential elections."

By 1963, some of Kennedy's top assistants were making what in retrospect were terribly inaccurate predictions.

Kennedy's roving ambassador, Averell Harriman said in 1962 that Kennedy's decision to step up U.S. military assistance "would not involve the deployment of U.S. combat forces and would not require the occupation of foreign territory by the United States or other Western forces."

In 1962 McNamara said, "Every qualitative measurement we have shows we're winning this war."

In 1963 McNamara said, "The war in Vietnam is going well." Later the same year he said, "The major part of the U.S. military task can be completed by the end of 1965."

In 1964 he said, "The U.S. still hopes to withdraw most of its troops from South Vietnam before the end of 1965."

General Paul Harkins, commander of the Military Assistance Command in Saigon, said in late 1963, "Victory in the sense it would apply to this kind of war is just months away and the reduction of American advisors can begin any time now."

Lyndon Johnson became President November 22, 1963, and once again a new American Chief of State had an opportunity to reassess the situation in Vietnam.

President Eisenhower had decided to

continue arms assistance to the French but not allow a build-up of U.S. forces.

President Kennedy had decided to greatly increase the force of U.S. military advisers.

President Johnson now faced his own decision.

United States forces in Vietnam had grown from 900 at the end of 1960 to 3,200 at the end of 1961, to 11,300 at the end of 1962, to 16,300 at the end of 1963.

Under Johnson they were to take these leaps: at the end of 1964, 23,300; 1965, 184,300; 1966, 385,000; 1967, 485,600; 1968, 563,100.

The momentum continued to the high point, April 30, 1969, when the U.S. total in Vietnam was 543,400.

Then President Nixon's withdrawal policies took hold, and U.S. force totals began to shrink. The total as of late May was 429,950.

President Johnson may not have had as many options as did Kennedy and Eisenhower when they entered office. Actions of the Kennedy administration had narrowed the field. There were more Americans in Vietnam, and some of them were involved in combat, although not yet as American units.

Withdrawal now would be a much greater blow at American prestige than it would have been in 1963 or 1961.

The regime of Ngo Dinh Diem, who had become Premier of the government in 1954, was crumbling when Johnson became President.

During the previous May, in the city of Hue, government troops fired into a crowd protesting Diem's strictures against flying the Buddhist flag during a religious festival.

Demonstrations spread to Saigon. A monk immolated himself, and others did likewise. In August, Diem's special forces attacked pagodas in Saigon, Hue and other cities, arresting a number of Buddhists.

Students joined the demonstrations. Diem closed universities and all secondary schools in Saigon.

In September elections were held for the National Assembly, with all candidates approved in advance by the Diem government.

On November 1, a military junta led by General Duong Van Minh overthrew the Diem government, and the next day Diem and his opium-smoking brother, Nhu, were assassinated.

In the next 18 months ten governments came and went in Saigon. Although each seemed worse than its predecessor, the Johnson administration expressed high hopes for each new regime.

General Khanh, for instance, who replaced General Minh in January, 1964, was described by McNamara as "an able and energetic leader" who has "demonstrated his grasp for the basic elements . . . required to defeat the Viet Cong."

Khanh bounced in and out of the premiership for a year and finally was sent off as roving ambassador to the world.

Despite the political chaos in Vietnam at this time, McNamara testified before Congress on February 18, 1964, that the "bulk" of U.S. troops would be pulled out by the end of 1965.

A "strategic hamlet" program turned out to be a farce. Thousands of supposedly secure enclaves were really controlled by the Viet Cong, although the United States contributed tens of millions of dollars worth of equipment and building materials.

By March of 1964, a month after his troop withdrawal prediction, McNamara was saying that "there can be no such thing as a purely 'military' solution to the war in South Vietnam."

The Johnson administration had just settled into office when the Gulf of Tonkin incident occurred.

Johnson went to Congress for war making powers and got them in a resolution which said that "the United States is prepared, as the President determines, to take all neces-

sary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty (SEATO) requesting assistance in defense for its freedom."

Sen. William Fulbright, (D-Ark.), now the leading critic of Nixon's venture into Cambodia, supported the Tonkin Gulf resolution. In Senate debate, Fulbright said, "this provision is intended to give clearance to the President to use his discretion . . . We know that he is accustomed to consulting with the Joint Chiefs of Staff and with Congressional leaders."

Then Fulbright added significantly, "but he does not have to do that."

A presidential campaign was underway, and Johnson dulled the foreign impact of the Tonkin resolution by repeatedly accusing his GOP opponent, Sen. Barry Goldwater, of wanting to enlarge the conflict in Vietnam.

Johnson blew hot and cold, alternately taking a bellicose stance and then telling the voters that "they (Goldwater supporters) call upon us to supply American boys to do the job that Asian boys should do . . . such action would offer no solution at all to the real problem in Vietnam."

Nevertheless, the war was escalated.

On the same August day that the U.S. destroyer, C. Turner Joy, was attacked by North Vietnamese PT boats in Tonkin Gulf, Johnson ordered U.S. "air action" against "gunboats and certain supporting facilities in North Vietnam."

There's some doubt as to whether this was the first bombing raid on North Vietnam, but there was no doubt about what happened on February 7, 1965: U.S. dependents were evacuated from South Vietnam, and U.S. planes struck targets in North Vietnam.

Three weeks later, officials announced that Johnson had decided to open continuous limited air strikes against North Vietnam.

The first indication of commitment of U.S. ground units to battle was on March 6, when two Marine battalions were sent to South Vietnam for "limited duty."

American troops participated in their first major attack of the war on June 28 of that year, 1965. And two weeks later the United States announced a large buildup of American forces there.

Meanwhile, there began a series of puzzling stops and starts in U.S. bombing of the North.

U Thant, U.N. Secretary General, had set up a drumfire of proposals that the United States halt the bombing.

From May 13, 1965, to October 31, 1968, there were at least nine bombing halts, varying in length from a day to several months.

They seemed to have no effect on the North Vietnamese, despite pleas of U Thant and others that the enemy was ready to negotiate, if only the United States would stop the bombing.

The most dramatic announcement came on March 31, 1968, when President Johnson couped a partial bombing halt with disclosure that he would not seek reelection.

He said at that time that there would be no air attacks on North Vietnam "except in the area north of the demilitarized zone where the continuing enemy buildup directly threatens forward allied positions."

Then, on October 31, just before the presidential election, Johnson announced that the United States "will cease all air, naval, and artillery bombardment of North Vietnam."

It is a situation that remains in effect to this day. There is no aerial or artillery bombardment of North Vietnam, although pilots are allowed to fire on enemy forces during rescue operations of downed personnel. And reconnaissance aircraft are allowed to fire back if fired upon.

The intermittent nature of U.S. bombing

during the Johnson administration chafed his military advisers, as well as the Senate Armed Services Committee.

In March, 1967 an armed services subcommittee issued a report charging that restrictions on U.S. pilots bombing in North Vietnam had resulted in increased American casualties.

During the following August, Adm. Ulysses S. Sharp, commander of the U.S. forces in the Pacific, told the Senate preparedness subcommittee that the United States should continue the bombing of North Vietnam and that more valuable military targets could be hit.

A few days later Gen. Harold K. Johnson, Army chief of staff, told the subcommittee that the United States should bomb Haiphong harbor.

The next day, the subcommittee issued a report charging that McNamara had "shackled" the campaign. The subcommittee called for the "closure, neutralization, or isolation" of Haiphong.

And in September Air Force Chief of Staff John P. McConnell publicly added his voice, urging that the United States destroy 94 key North Vietnamese targets.

Sitting in the enemy camp, it must have been difficult to determine U.S. intentions.

For instance, on March 5, 1966, Gen. Maxwell Taylor, a top Johnson adviser, proposed the mining of Haiphong harbor.

But less than two months later, Secretary of the Air Force Harold Brown was saying that the president had decided against including industrial and port installations and fuel storage facilities among U.S. targets.

Then, in June, American planes conducted the first of continuing attacks on oil installations in the areas of Hanoi and Haiphong.

This strange, on-again, off-again war was fought in spurts that delighted the enemy and enraged would-be world peace-makers.

In September, 1966, Ambassador to the U.N. Arthur Goldberg hinted that the United States would halt the bombing.

And about two weeks later U.S. Ambassador to the Soviet Union Foy D. Kohler warned that an American blockade of North Vietnam would raise the risk of a military confrontation with the U.S.S.R.

But within a month U.S. pilots flew a record (at that time) 175 missions in one day over North Vietnam.

Another example of seeming U.S. vacillation:

On January 13, 1967, Gen. Earle Wheeler, chairman of the Joint Chiefs of Staff, said the United States would not bomb MIG bases in North Vietnam.

But about 3½ months later, U.S. planes struck two North Vietnamese MIG bases, the first attack on such installations.

And although the United States consistently refused to mount a massive attack that would interdict shipping in Haiphong harbor, it managed to get itself into a ticklish diplomatic position by damaging the Russian merchant ship, Mikhail Frunze, in Haiphong with bombs meant for an anti-aircraft site in the port area.

Despite the stops and starts, the conflict gradually escalated.

Three of the SEATO pact nations—Australia, Thailand, and New Zealand—sent troops, but their participation was small compared with that of a nonsignatory, South Korea.

The most recent totals show this breakdown of third-nation strength in South Vietnam: South Korea, 49,300; Thailand, 11,500; Australia, 7,500; New Zealand, 600.

The escalation of the war can also be read in U.S. casualty figures.

Here are figures showing the rise in battle deaths and troop commitments under the Kennedy and Johnson administrations, and subsequent decrease during the Nixon administration, thus far:

Year	U.S. deaths in Vietnam	U.S. forces in Vietnam
1960	0	900
1961	42	3,200
1962	78	11,300
1963	147	16,300
1964	1,369	23,300
1965	5,008	184,300
1966	9,378	385,600
1967	14,592	485,600
1968	9,414	536,100
High point Apr. 30, 1969	2,232	543,400
May 21, 1970		475,000
If withdrawals continue at the present rate:		429,950
December 1970		330,000
April 1971		284,000
December 1971		184,000
Election Day 1972		60,000
March 1973		0

The 1970 total, if extrapolated through December, indicates that this year's death toll will be in the neighborhood of 5,500, or a little more than the 1956 level.

During the peak years of the Indochina war, the toll in American wounded has been: 1956—6,114; 1966—30,193; 1967—62,025; 1968—92,820; 1969—70,216. Total of wounded for those five years was 261,368, of which 132,048 were classified as "requiring hospital care" and 129,320 as not requiring hospital care.

The build-up of American troops was like a fast elevator from mid-1965 to the spring of 1967.

Johnson said in a July 1965 press conference, "We must not let this (unconventional nature of the fighting) mask the central fact that this is really war."

He stepped up the bombing of North Vietnam, no longer as retaliatory raids, but as an effort to break the Viet Cong supply route to the South.

American military strength in South Vietnam rose from 53,000 in July to more than 200,000 by the end of the year.

By July, 1967—one year after the big build-up began—U.S. forces in Vietnam totaled 375,000 by December 31, it had reached 389,000, and six months later, the total was pushing 500,000.

Late in the build-up period, the directors of the American effort got around to bombing key enemy centers for the first time.

It was March 10, 1967, before the U.S. hit the North Vietnamese Thanhuyen iron and steel works.

It was February 27, 1967, before mines were dropped on North Vietnamese rivers.

It was April 20, 1967, when the Americans bombed two power plants inside Haiphong for the first time.

It was August 11, 1967, when U.S. planes destroyed the center span of North Vietnam's most important railway bridge linking Hanoi with Haiphong.

Planes dumped bombs September 11, 1967 on four previously untouched targets in Haiphong.

And it was October 25, 1967, that we got around to bombing North Vietnam's largest airbase, Phucyen.

On November 16 that year our planes hit Haiphong's shipyard No. 2 for the first time, and the next day they bombed the Bacmai airfield near the center of Hanoi for the first time.

During this period, it should be remembered, the administration was being hounded by demands, at home and abroad, that it stop the bombing.

The United States frequently dangled the carrot with temporary bomb halts, but each time the North Vietnamese responded with scornful rejections of Johnson invitations to the peace table.

On the other hand, Johnson was accused of spurning peace overtures to and from Hanoi.

Harry Ashmore, executive-secretary of the

Center for the Study of Democratic Institutions, Santa Barbara, Calif., charged in September 1967 that Johnson had nullified a conciliatory letter to Hanoi drafted by Ashmore and state department officials.

Ashmore accused the President of proposing a specific halt to North Vietnamese infiltration in return for cessation of U.S. bombing. It was a quid pro quo, instead of "reciprocal restraint" advocated by Ashmore.

Thus, the Johnson administration was buffeted from both sides: the doves claimed that the president did not want to negotiate; the hawks criticized him for not stepping up the attack to a point where, they contended, the enemy would be forced to negotiate.

Richard M. Nixon was sworn in as leader of a divided country on January 20, 1969. The Vietnam war was still escalating. The United States had 535,000 men in Vietnam, and the total was increasing every day.

Nixon had three choices:

One—Accelerate the troop build-up and/or renew the bombing of North Vietnam.

Two—Continue the Johnson policies.

Three—Set the stage for withdrawal of U.S. troops and deescalation of the war.

He chose the third course, but it was not until June, 1969, that he announced the first troop withdrawals (25,000), following a meeting with South Vietnamese President Nguyen Van Thieu at Midway Island.

Despite this startling reversal, it was met with mixed congressional reaction. Sen. George McGovern (D-S.D.) said it represented "tokenism."

Any doubt of the President's intent should have been erased on September 16, when he announced that an additional 35,000 troops would be withdrawn by December 15.

However, this did not deter the planners of two huge peace demonstrations, October 15 and November 15, during which the war was denounced in radical terms and Nixon was excoriated for not immediately loading up the troop ships without any attempt to "Vietnamize" the conflict.

Nixon continued a course that in retrospect has been undeviating—possibly excepting the Cambodian invasion.

On November 3 last year he went before nationwide TV cameras and recalled that during the 1968 presidential election campaign he had pledged to end the war. He said, "I have initiated a plan of action which will enable me to keep that pledge."

He ruled out an immediate withdrawal, promised an "orderly timetable" of bringing the boys home, and put on record the "Nixon Doctrine" he had first enunciated in an off-the-record session with reporters during a trip to Guam the previous July.

Not recognized immediately as greatly significant, his plan was to avoid future Vietnams by helping Asian nations to arm themselves against aggressive neighbors.

Thus, in two ways Nixon was attempting to disengage: by "Vietnamizing" the present war and by "Asianizing" future wars in that part of the world.

Nixon made no secret of his skepticism toward the Paris Peace Talks. He said "no progress whatever has been made except agreement on the shape of the bargaining table."

His plan to bring the war to an end, he emphasized, was totally without any dependence on what might happen in the Paris negotiations.

His plan depended on our ability to enable the South Vietnamese Army to take over the war, or at least to hold its own against both the Viet Cong and the North Vietnamese army.

That was in early November. On December 15, Nixon made another troop withdrawal announcement. He promised a cutback of 50,000 U.S. forces on April 15, 1970, which lowered the troop ceiling 115,000 below the 549,500 limit in effect when he took office.

Then last April 20, Nixon capped three

previous troop withdrawal announcements with a pledge to cut our Vietnamese force by 150,000 additional men during the next 12 months.

That would be a total reduction of 265,000 since he took office. It would be a monthly average decrease of about 12,500 during his presidency, and would bring U.S. troop strength down to 284,000 in April 1971.

Then came Cambodia. Attempts to explain that Communist sanctuaries had to be cleared before withdrawal of all U.S. forces fell on many deaf ears.

It's hard to see how Nixon's critics could assume that he did not intend to withdraw U.S. forces from Cambodia by his promised July 1 deadline.

Failure to keep such a conspicuous pledge would certainly damage his credibility.

What was most surprising was that he could make such an iron-clad promise amidst the uncertainties of war.

Nixon's four-year term is one-third gone. During only 16 months he has reversed the U.S. troop build-up, announced a yet-to-be-tested self-defense doctrine for Asian countries, and begun substantial withdrawals of U.S. forces.

If his withdrawal schedule holds, there will be only 60,000 U.S. troops left in South Vietnam by the time of the 1972 presidential election—and few if any of them would be combat troops.

There's something for Nixon's Senate critics to think about, particularly if they are up for re-election in 1972.

A SUMMARY OF HISTORY: THE TRAIL THAT LED TO WAR

Here, in brief, are the fateful missteps by five presidents of the United States whose decisions dragged us into the Vietnam war.

1. According to Assistant Secretary of State William P. Bundy, President Roosevelt, in 1945, believed that French colonial control in Indochina should not be restored. Accordingly, he briefly gave modest assistance to Ho Chi Minh, which the French considered an obstructive attitude.

2. In August of 1950, President Truman established a military and advisory group (M.A.A.G.) and sent the first shipment of U.S. arms to Indochina.

Under the Marshall plan, the United States was awarding huge sums of money to France and U.S. taxpayers paid about 80 per cent of the cost of the war that France was fighting in Vietnam until her defeat in 1954.

3. Dwight D. Eisenhower became president in 1953 and was faced with a decision of whether to continue assistance to the French, cut it back or end it. He decided to continue assistance but to attempt to circumvent the French and make Bao Dai, the South Vietnamese leader, more independent and more acceptable to the Vietnamese people.

He soon had to decide whether to intervene directly to prevent a French catastrophe. After sharp argument within the Eisenhower administration, the President refused to permit armed intervention by America forces. Eisenhower declared that he "could not conceive of a greater tragedy for America than to get heavily involved now in an all-out war in any of those regions. (Indochina)."

The French army was defeated in Vietnam the day before the opening of a conference at Geneva, participated in by France, Britain, Soviet Union, Communist China and the United States. The upshot of the conference was an agreement by Ho Chi Minh to pull back North Vietnam forces to the 17th parallel but neither the United States nor South Vietnam signed the agreement.

Very shortly after the Geneva conference, the Southeast Asia Treaty Organization (SEATO) was organized at Manila and signed by Australia, France, New Zealand, Pakistan, the Philippines, Thailand, United Kingdom and the United States, guaranteeing Vietnam against armed attack and subversion.

The Manila treaty was ratified by the United States Senate, eighty-two to one, and Senator J. William Fulbright voted for it.

4. Communist Guerrillas were active against the South Vietnamese government when John F. Kennedy became president in January, 1961. When Kennedy entered the White House, the United States had about 900 military advisers in South Vietnam, but no combat personnel. Kennedy had boosted U.S. advisory forces to 16,000 before his assassination in November, 1963. Before the end of Kennedy's first year in office, it was apparent the new administration had decided for military intervention. Arthur Schlesinger, one of Kennedy's staunchest defenders admitted that Kennedy's decision "was to place the main emphasis on a military effort." The first American soldiers were killed in combat in 1961.

5. Several writers have connected Kennedy's decision for military intervention in Vietnam with a disparaging remark made by Khrushchev.

James Reston wrote in the New York Times that "a few minutes after this meeting, President Kennedy told me that apparently Khrushchev had decided that "anybody stupid enough to get involved in the Bay of Pigs was immature, and anybody who didn't see it through was timid and, therefore, could be bullied."

It was Reston's thesis, along with other writers who took a look at it later, that Kennedy put 12,000 American soldiers into Vietnam as an offset to Khrushchev's estimate of him.

Lyndon B. Johnson became president November 22, 1963. Once again an American Chief of State had an opportunity to reassess our involvement in Vietnam. His decision was to vastly expand our military forces. At the end of 1964, there were 23,300 in Vietnam. In 1965, 184,300; in 1966, 385,300; in 1967, 485,600 and in 1968 536,100. The high total was April, 1969, with 543,000. From then on, President Nixon's withdrawal policies took effect and by late May, the number was reduced to 429,950.

Since then, President Nixon has continued his withdrawal policy.

EXCERPTS FROM STATEMENT OF LEONARD WOODCOCK, PRESIDENT, UNITED AUTOMOBILE, AEROSPACE, AND AGRICULTURE WORKERS OF AMERICA—UAW—BEFORE THE SUBCOMMITTEE ON ECONOMY IN GOVERNMENT OF THE JOINT ECONOMIC COMMITTEE

Mr. HART. Mr. President, this Nation lost one of its great leaders with the tragic death of Walter Reuther. One clear mark of his extraordinary gifts is the excellence of those who surrounded him and who make up the leadership of the United Auto Workers. They are men and women who are prepared and will continue in his tradition of courage and compassionate public leadership.

Yesterday, Mr. Leonard Woodcock, now the president of the UAW, addressed himself to the question of national priorities before the Subcommittee on Economy in Government of the Joint Economic Committee. His statement—too long for printing in this Record—is an excellent example of enlightened trade union leadership. I commend his testimony to my colleagues.

Mr. President, I ask unanimous consent that the excerpts from his statement be printed at this point in the Record.

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

EXCERPTS FROM STATEMENT OF LEONARD WOODCOCK

It is a pleasure and a privilege to have the opportunity of speaking before this Committee on behalf of 1.8 million members of the UAW. In appearing here I am acutely aware that this was one of the commitments accepted—and, I may say, very willingly accepted—just a few months ago by my very close friend and the late President of our Union, Walter P. Reuther, whose loss we all deeply mourn.

The development of a system of national priorities and allocations of resources, which would assist us in attacking the many pressing needs of our country, was a project which he considered to be of major importance. So was the drive for peace. Members of this Committee will recall that he addressed himself to these subjects with vigor and with feeling in his appearance before you just about a year ago. While I cannot hope to speak with the same persuasiveness of passion which was one of Mr. Reuther's many unique gifts, I can assure you that the position of the UAW on these questions is unchanged as it is on other matters affecting the social and economic welfare of our country and its people.

My own personal views are essentially the same as those which Mr. Reuther expressed to you a year ago. If anything, they have been strengthened and deepened by the continuing tragedy of our involvement in the war in Southeast Asia, and the equal tragedies of our increasing neglect of needs at home and the growing divisions among our people.

What we must do

The fact is that our society today is a very sick society—and its basic illness can be traced in large part to the war in Vietnam and to our share in the nuclear arms race—with all the tragic implications inherent in that race. I am not one of those who believe that our society is incurably sick. But I believe that its cure will be difficult and painful. For to achieve that cure, we must take three drastic, difficult and courageous steps.

We must end the war in Southeast Asia—and if we cannot end it, we must end our involvement in it.

We must end the nuclear arms race and the worldwide arms race—and as the most powerful competitor in that race, we must be prepared to take the first steps.

And finally, we must set our own priorities in order, and build in our own country a society in which we all can live—in peace, in freedom, in justice and in equality of opportunity for all. And I mean *genuine* equality of opportunity for all, not merely token equality for a few.

The costs of Vietnam

First, there is the war in Vietnam—which threatens now to spread throughout Southeast Asia.

What have been the costs of that war?

It has cost the lives of some 50,000 of our young men—including those killed in direct fighting and in noncombat incidents.

It has cost over 270,000 Americans wounded—many of them blinded, maimed, crippled for life.

It has cost over 100,000 deaths of our South Vietnamese allies, and over a quarter of a million wounded. It has cost over 600,000 dead and an unknown number of wounded among the Viet Cong and North Vietnamese.

And these are only the military casualties. No one has measured, or can ever measure, the cost of the war to the Vietnamese civilians—the countless thousands, men, women and children, killed or burned or wound-

ed—many of them wantonly murdered—on both sides and by both sides. No one has told us the number of homes and villages destroyed. No one has told us the extent of the countryside laid waste by bombing, by napalm, by defoliants and other weapons—some of which not only attack the living, but can produce deformities and malformations in babies yet unborn.

Beside these human tragedies, it seems almost callous to mention the economic costs. But the fact remains that we have squandered at least \$150 billion in Vietnam, that this has been a major cause of the inflation which erodes the living standards of every American family, and that it has also been a major cause or excuse for the neglect of our most pressing domestic needs.

The growing arms race

Nor have we gone wrong in Vietnam alone. I have already mentioned the nuclear arms race, on which we have squandered countless billions more and gravely endangered not only our own lives, but those of our children and of all the future generations which at the pressing of a button could be wiped from the face of an uninhabitable earth. The latest figures I have seen indicate that the Soviet Union now has a nuclear capability to incinerate the 50 largest cities in the United States—and to do it 22 times over. We, in our turn, have a nuclear capability to wreak the same destruction 48 times over on the 50 largest cities in the Soviet Union. And still the generals and the admirals ask for more—more ABMs, a new deployment of MIRV's, Poseidon to replace Polaris, and who knows what other fantastic weapons yet to come.

Some "experts" may find comfort in arguing whether the "first strike" against this country will kill 135 million or only 95 million of our people. But the cold fact is—in the backs of our minds we all know it, and we should all bring it to the front of our minds and take a good, hard look at it—the cold fact is that if a nuclear war ever starts, the hundreds of millions killed in the "first strike" will soon be joined by hundreds of millions more victims of the "second strike" and the "third strike"—until, when the last missile has been exploded, a pitiful remnant may crawl forth from their shelters, only to die more slowly and more miserably from a radiation fallout that by that time will have blanketed the whole of Mother Earth.

We must face the fact that it takes only one fool, in the wrong position of power at the wrong time—and the human race will have committed suicide.

The problem before us is not merely whether our present priorities are out of joint, but what obstacles lie in the way of our setting them straight—whether even a complete disentanglement from Vietnam will release resources for gravely needed civilian programs, or whether those resources will simply be preempted by the Pentagon for new military purposes. To paraphrase Dr. Wald, as long as we keep that big a Pentagon, it will always find new ways to spend our money.

The military-industrial complex

The domination of our industry, our society and even of Congress itself by the military-industrial complex has been the subject of increasing and healthy debate in Congress and elsewhere, and I do not intend to add a great many words to it. I do not intend to discuss, for example, which is the senior party in the complex—the Pentagon or the defense industry. I really think enough has been said when you find that you have over 2,000 retired senior officers of the armed forces now employed by defense contractors. It seems safe to assume that a substantial number of senior officers still on active service—including those engaged in procurement activities—are also giving thought to their

possible future careers on retirement from the forces. And when you look at the record, it is clear that this is what the biologists call a true symbiotic relationship—one in which two organisms live in a state of mutual dependence and mutual assistance.

I am not suggesting that close cooperation between the Pentagon and the defense industries is not desirable and even essential. It is—if the primary object of the cooperation is to achieve maximum efficiency in providing for the defense of this country. But it is far from desirable when its object becomes the building of bureaucratic or industrial empires, the toleration of waste and inefficiency, or the production of weapons that were needless before they were begun or obsolete before they were completed—all at costs of billions of dollars which must be paid by the American taxpayer while severely needed civilian programs are starved for funds.

Much still to be done

But much remains to be done. In particular, we need to set all our national priorities in order. As I shall show later, this involves much more than a mere allocation of resources between military and civilian needs. We must face up to the whole question: What sort of America do we want to build—and in what sort of world?

But undoubtedly, the first decision to be made is that of the proper allocation of resources between military and civilian spending.

We recognize that our country does have real military needs. The Soviets and China are by no means paper tigers. But it is essential that our military needs be placed within their proper context in the whole life of our nation.

The question at issue was stated several years ago by a great American who had had more practical experience with it than I have ever had, and I believe more than any other person in this room. The late President Eisenhower, in an article in the *Saturday Evening Post* of May 18, 1963, wrote:

"For a moment let's think of national security and its costs. A key point to keep in mind is this: *No matter how much we spend for arms, there is no safety in arms alone. Our security is the total product of our economy, intellectual, moral and military strengths.* (emphasis is original)

"An easy way to bankruptcy"

"Let me elaborate on this great truth. It happens that defense is a field in which I have had varied experience over a lifetime, and if I have learned anything, it is that there is no way in which a country can satisfy the craving for absolute security—but it easily can bankrupt itself, morally and economically, in attempting to reach that illusory goal through arms alone. *The military establishment, not productive of itself, necessarily must feed on the energy, productivity and brainpower of the country, and if it takes too much, our total strength declines.* (emphasis added)

"So how does one judge the limits of defense needs? That is the task of the statesman: to apply the rule of reason in judging what is clearly adequate but not excessive."

But to do so, of course, the statesman must have the necessary facts.

We do not lay claim to anything resembling General Eisenhower's expertise on national military needs, but some present facts are obvious:

There is a tremendous amount of waste and fat both in the Pentagon and in the defense industries themselves.

In both areas, and at all levels, there are inefficiencies in administration, carelessness in planning and total disregard for the value of the taxpayer's dollar that would never be tolerated in business—and that would soon drive any business bankrupt that did tolerate them.

As President Eisenhower warned, they can even bankrupt this country if they are allowed to drain off more of our energy, productivity and brainpower than we can afford.

Essential problem is the arms race

While it is of the utmost importance to the American taxpayer and the American economy that the excessive costs of waste and inefficiency be eliminated from the military-industrial establishment, it is of even greater importance to the survival of America and the whole human race that means be found to stop the arms race, and particularly the nuclear competition between the United States and the Soviet Union, which threatens to end in world catastrophe.

In terms of money spent, by far the major competitor in the world arms race is the United States. And many of us have become increasingly concerned with the fact that even while we are entering upon the second round of arms limitations talks with the Soviet Union, the Nixon Administration is continually pressing us to accelerate still faster our share in the nuclear race. First there was the decision last year to install a "thin line" of ABMs. Then there was the introduction into the 1971 Budget of a request for funds to further extend ABM to an "area defense" system. On top of that there is the \$17 billion MIRV system of multiple-warhead missiles, capable of shooting as many as ten independently guided warheads from the same nose cone, which was announced for deployment this month.

Supporters of the Administration have suggested that this new surge forward in the arms race on our part is essential to achievement of an agreement on disarmament with the Russians. That is unadulterated nonsense. The only way in which we can reasonably expect the Russians to respond to an increase in our missile strength is by increasing their own missile strength, and by holding up any agreement on even a "freeze" on armaments until they have done so.

"The simplest way to stop is to stop"

U Thant, in the statement quoted above, made one more very wise comment. He said: "We can discuss all kinds of complicated formulae for a strategic arms agreement, but the simplest way to stop an arms race is to stop."

The need for positive, affirmative actions toward peace

It is no longer enough to engage in talks. If we are to stop the arms race, it is essential for one side to begin by taking positive, affirmative actions toward peace. And because our side is the stronger, the first move is up to us.

There are a number of positive, affirmative actions which we should take, and which we could take without in any way weakening our ultimate power to defend ourselves.

We should stop the war in Southeast Asia—and failing that, at least get out ourselves, financially as well as militarily.

We should stop the development and deployment of additional weapons—ABM, MIRV, ULMS and all the others.

We should close as many as possible of our overseas bases, and drop the whole concept of ringing the Soviet Union with such bases. At a time when we already have a stockpile of missiles that we can send from this country to any spot on earth, such a ring of bases is as obsolete as any of the conventional weapons of World War II.

We should cut our military expenditures, not merely by the extent of waste and fat that we can cut out of the establishment, but also by the amounts we can save through the above indicated measures. At a most conservative estimate, we should be able to save at least \$20 billion a year on our military budget—perhaps much more.

Finally, we should cut down as rapidly as possible on our role as the world's greatest merchant of death through sales of weapons to other countries. We must recognize the fact that we do have obligations to other countries, and those obligations should be fulfilled, but we must stop there. We must stop making profits by producing arms for sale to both sides of the various smaller conflicts around the world, or to keep dictators in power, as we are doing now in the Middle East, in Greece, in Latin America and probably elsewhere.

Not Unilateral Disarmament

None of the proposals suggested above mean that the United States should attempt unilateral disarmament. We will still have a sufficiency of nuclear weapons to destroy any possible enemy.

What it will mean is that we shall have taken the first steps to prove that we do genuinely want peace. From those first steps, since those who sit across the table from us in the SALT talks face the same problems we do in exaggerated form, we should be able to move forward then to multinational agreements, first to freeze all new development and deployment of nuclear weapons, and then to move gradually to a multinational reduction in all weapons, hopefully with a long-term view to ultimate disarmament except for a United Nations peace force.

At the same time, we must take steps to convince our own people, and especially our young people:

1. That America is not dominated by the military-industrial complex, but its basic policies, including the setting of priorities and allocation of natural resources, are still determined by the elected representatives of the people.

2. That our elected representatives are prepared to recognize that present priorities are out of order, and are prepared to set them right and put human needs first.

3. That the great technical capabilities of our defense industry can and will be converted to such vital projects as designing ways to end pollution, producing low-cost housing, building mass transit systems and meeting the many other areas of our needs.

4. That we are concerned with other countries than our own—that we do not want to continue selling them planes and tanks and guns and help them build armies—and along with the armies, military dictatorships—but that we want to help them build hospitals, schools, homes, irrigation dams, to sell them plows and tractors and road-building machinery. We want to help them build their own economic independence, not even requiring that they build it in the American way, but that in their own way they build for peace and freedom and bread for their people.

Only when we have determined to seek these goals, and proven our determination in the beginnings of action, can we truly unite our own country and hopefully, eventually, the rest of the world in continuing action to achieve those goals.

Meeting our civilian needs

While we have had our minds on the costly war in Vietnam, on sending men to the moon and on escalating the nuclear arms race, we have been averting our eyes and our conscience from the serious deterioration of the quality of life here in the United States. Consequently, we have fallen into a sea of domestic troubles, of confusion over our values and purposes as a nation, of widespread injustice, and of a growing crisis of democratic institutions. We can sum it up as a crisis of the two environments, human and natural, in which we live. Both of these environments, which are essentially one, are in disorder and in jeopardy because of neglect and abuse over the years. If we are to

salvage and restore them we must begin here and now to translate a new commitment to the essential democratic values into a new order of priorities for private and public action.

According to the conventional wisdom, we live in an affluent society. That is only a very partial and deceptive truth, created out of giving too much importance to the Gross National Product, which puts an aggregate money value on what we do in this country, whether what we do is improving or destroying the two environments. If we look away from the GNP and concentrate on what is actually happening in the country, it becomes clear that this is not just the affluent but it is also the neglected society. There is nothing on our national agenda which is more vital and urgent than to remedy that neglect.

While the Gross National Product has risen, the quality of life has declined. Everywhere we look we see evidence of neglect and deterioration. Those who need decent housing the most go begging for lack of the ability to pay the price. The system of delivering health care has become steadily more costly and less efficient. Schools, especially in the inner cities, fail to educate despite all the best intentions of teachers and administrators. Millions of Americans suffer from hunger and malnutrition, not because we lack the means to end their poverty, but because we do not care enough. Literally square mile after square mile of our cities is virtually unfit for human habitation. Natural as well as human resources have been recklessly exploited; we have done serious and in some cases perhaps irreversible damage to the delicate balance of nature which supports life on this planet. Clearly, the time has come when we must divert our energies and our resources from war to the urgent needs of peace at home.

I will not attempt to rank the many needs of America in any order of priority. Who is to say which is more important—building more classrooms, eliminating discrimination, providing more housing, keeping our people healthy, purifying the air, feeding the poor? We must get to work on all of these at once. This is not to say that we can pursue all of our goals to their ultimate extent simultaneously. We must establish time-tables and orders of precedence. These will be based partly on technical evaluations, but for the most part must depend on value judgments as to our national needs and aspirations. In the final analysis it is the President and the Congress who must order our priorities.

Government must, however, provide a forum so that all concerned groups in our society can assist on a continuing basis in the making of these decisions. Last year before this Committee the UAW proposed for this purpose the establishment of a "Standing Citizens' Committee on National Goals." I repeat that proposal now. The members of that Committee should represent the major occupational groups such as labor, business, farmers and professionals; it should also represent consumers, youth, minority groups and educators; and should provide representation for appropriate research, conservation and other nonprofit bodies.

Realistic goals must be established. Then we must plan our efforts so that our resources are effectively allocated so as to enable us to reach those goals. Among many Americans, "public planning" is a bad term. It conjures up a vision of government fiat, of rigid programs imposed from above in which the people have no options. We neither need nor want that kind of planning. The kind of planning we do need, however, has to do with the systematic gathering of all relevant information on needs and resources, with democratic weighing of various alternatives, with coordination of effort. This kind of planning

does not limit our choices but rather increases our ability to understand the alternatives and to make clear and sensible choices.

In considering our national priorities we must be guided by the basic understanding that this nation cannot be brought together and kept together as a democratic society by policies or strategies or attitudes that bar the poor, the deprived or racial minorities or the dissenters from equal opportunity and from full enjoyment of constitutional rights. The deepest obstacle to equality of opportunity is not economic, but is rather an insufficiency of democratic will to condemn the prejudice and eliminate the patterns of discrimination that stand in the way. We cannot claim to have established the good way of life in this country until all traces of discrimination have been eliminated in education, in housing, in employment and in all our social intercourse.

Neither can this nation be kept together by demagogic appeals to prejudice or fear which ignore the most basic needs of our people. Thus, for example, in the last Presidential campaign, a potent argument which undoubtedly swayed many millions of voters was the promise to restore "law and order." Of course, we all believe in law and order, and we want to see it preserved. But law and order take many forms. Ralph Nader, in a speech at Ann Arbor, Michigan, last March, for example, pointed out that fires resulting from hazardous slum housing last year killed 12,000 people, which was double the number killed in street homicides. Undoubtedly, many of those fires resulted from violations of fire safety laws by slum landlords which were ignored by the enforcement officers whose duty it is to preserve law and order with respect to rental housing. Yet it is the violence in the streets which gets the headlines, not the violence done to the helpless poor. And it is easier to get votes by demanding more and better-armed policemen than by demanding more and better housing.

Let us have law and order by all means, but let us seek it not through violence and oppression, but by passing and enforcing laws to protect the exploited, and by setting an order of priorities in our national life which will put first and foremost the human needs of men, women and children.

Health care

We must realize that meeting the essential needs of Americans is not just a matter of spending more money. More money is necessary, but in many areas of our society the infusion of funds must be accompanied by basic changes in the means by which we attempt to meet our needs. We need to improve the "delivery systems" through which the goods and services to meet our social needs are provided. There is no area in which some improvements are not needed, but there are two areas in which the need for basic changes is most glaring—health care and housing.

Over the years our Union has warned the nation time and again of the deepening crisis the U.S. faces in health affairs. In no industrialized nation in the world is the gap between the "have" and "have not" people, in their respective abilities to gain access to adequate health care, as wide as in the U.S. Simply pouring additional billions of dollars into the present archaic and disorganized method we now use to deliver health care will only compound our massive problems and continue to inflate health care costs. We must fashion a new system of health service that will overcome the present built-in waste, duplication and inefficiencies, while giving all Americans ready access to the highest possible level of health services which our medical and scientific resources are already capable of delivering.

Housing

We are becoming painfully aware that what we very loosely and inaccurately call

the housing industry is itself a major part of our housing problem, and our larger urban problem as well. Government assistance in the field of housing has largely left the industry's fundamental weaknesses untouched.

Of the 26 million housing units we need to build by 1978, 6 million ought to be publicly assisted units for low-income families. This means that we ought to build on the average 600,000 publicly assisted units per year. The language of the 1949 Housing Act promised a decent home to every American, and the 1968 Act repeated this promise. But actually very little has been done. In the 20-year period from 1949 to 1969 we built 655,000 low-rent housing units managed by public housing authorities. In short, we have built in the past 20 years approximately as many public units as we ought now to be building every year.

We must recognize that we cannot hope to meet the housing needs of America unless we drastically reform the housing industry. We must abandon old methods and practices and apply new concepts, new ideas and new social inventions to the provision of housing. We must end the scandalous speculation in land which is inflating land cost. We must develop longer-term mortgages to reduce mortgage payments.

We must modernize and make uniform the building codes which presently fragment the housing market and pyramid the cost of construction. We need a national building code based on performance standards which will enable us to take advantage of the most advanced construction methods to facilitate production on a massive scale, and which will at the same time ensure that our housing is of the highest quality.

We must develop new designs, new materials, new construction methods, new ways of utilizing the land, new ways of obtaining clean water and disposing of sewage. In other words, we must apply to the housing industry our most advanced technology capability and managerial and productive know-how, and our most creative product design capability. Only in this way will we reduce the cost of construction and increase the volume of housing to make high-quality attractive homes available at prices which the millions of low- and moderate-income families who desperately need housing can afford.

National transportation policy

We have in America, not a national transportation policy, but a national highway policy. Our policy is to build roads, ever more roads, whether or not we want them or need them, whether or not they are in our overall best interest, whether or not they violate our areas of natural beauty, whether or not they divert resources away from other more vital programs, whether or not they displace the inner city poor and contribute mightily to urban blight and urban sprawl.

What we need in America, as a substitute for the national highway program, is a national transportation program, a coordinated program that would encompass roads but would also encompass air travel and rail travel and, above all, travel by the mass transit systems which are so acutely needed to move large numbers of people quickly, cheaply and efficiently both within our great cities and between our large metropolitan areas.

Our present national highway policy works fine for getting the affluent suburbanite from his downtown office to his distant home. A national transportation policy would be just as concerned with the needs of inner city residents who are imprisoned within the ghetto by bonds of concrete, with the needs of the elderly who must live out the years of their retirement within the confines of the city, with the needs of workers traveling to and from jobs within the metropolitan area. It would be as concerned with the need to preserve our parks and our homes and the beauty and integrity of our cities as with

the need to move us from one place to another.

Education

We have made the mistake in America of believing that the future and the quality of our society depend upon capital growth and the accumulation of material wealth, when in fact they depend upon human growth and the accumulation of knowledge directed toward human ends. A quality education for our children is vital to us all. Yet, by failing to allocate adequate resources for our school systems, we have deprived millions of our children and youth of the educational opportunities essential to their maximum growth and development.

The most costly in human terms of all false economies is being practiced on educational programs. The progress toward expanding educational opportunity which was made during the early and mid-1960s should have been continued and enlarged. Instead, in the headlong drive to restrict domestic spending, the Nixon Administration has seriously retarded the small beginnings that were made to deal with the crisis.

The dimension of our failure on the education front is exemplified in the tragic fact that 27 percent of America's 17-year-olds are dropouts from school. We need to reach backwards to save the dropout, and restore his individual sense of worth and his ability to contribute to society, even while we continue to expand facilities for the education of oncoming generations. We must also make available continuing education for adults, a necessity not only for building the whole man but for enabling adults to advance with the advances made in society. We need to reform our education system from top to bottom to provide for change and growth, and to continually assess its effectiveness in reaching goals and relating realistically to the lives of students.

It is necessary too that progressive tax reforms be carried out and that the burden of taxes for education be taken off the small home owners and placed on the shoulders of those best able to carry the cost on the basis of the sound principle of ability to pay. It is the unjust tax structure that accounts for the fact that 43 percent of school bond issues in 1969 failed to win approval.

The federal government should assume a far greater share of the cost of education:

It should make special grants for school construction and educational enrichment to school districts which for social and economic reasons over which they have no control are unable to provide equal opportunity for their children.

The Head Start program should be extended to all school districts where significant numbers of working mothers reside; and we should recruit as staff for such programs, intelligent women and men who are now unemployed, underemployed, or simply on welfare. Urban head start and kindergarten programs should operate for not less than ten hours in each day, in order to provide adequate care for the children of working mothers.

We need federal support for experimental programs designed to measure and evaluate the new and old teaching methods and to explore forms of school organization and administration which give promise of leading us to more effective utilization of school plant and professional services.

We need federal support for experiments with learning related to work, school-work co-op programs, and other ventures outside the formal classroom—such as the city of Philadelphia's "School Without Walls" where children do much of their learning in local stores, factories, community organizations, laboratories, public agencies, museums, hospitals, etc. Such programs should be specially designed to serve children who have dropped out of school.

Compensatory education must be estab-

lished for culturally deprived pupils and their families.

Education for poor and working class people must be relevant to their lives and needs. Literature and symbols geared only to middle class life styles are not only unrealistic, but damaging.

Junior or community college education should be made as accessible to every young American as high schools are now—and, in line with the recommendations of the Carnegie Commission of Higher Education, we should begin planning now to make it possible in the next decade for every young American to enter and complete a four-year college course.

Title I of the Elementary and Secondary School Act is currently funded at only \$1.1 billion, less than half of the fund authorized. It reaches about 9 million children. Effective funding would provide \$4.5 billion and reach at least 15 million children.

In spite of the most obvious demands for technical training, the vocational education budget is less than 37 percent of the money authorized. Adult education is faring proportionately better, at five-eighths of the authorization. The total authorization, however, is ridiculously low at \$80 million.

The Higher Education Act of 1965 has become more a banker's boondoggle than a source of real aid to students. In view of the social and economic dividends to society, further investment in outright grants (which are sadly insufficient in the present Act), and direct loans repayable to an established fund at no or little interest should be provided.

Poverty

The persistence of poverty and hunger in the richest country of the world is an intolerable disgrace. Years have gone by since we committed ourselves as a nation to abolish poverty; yet, even by the inadequate official measure of poverty, 25 million people are still classified as poor. Poverty remains with us because the antipoverty measures applied thus far, although useful, have failed to come to grips directly with the fact that, by definition, poverty is lack of sufficient income or assets to finance a socially acceptable standard of living. The conquest of poverty, as the UAW has pointed out repeatedly, requires jobs for all who are able and willing to work, wages sufficiently high to provide decent living standards for all who are at work, and adequate insured incomes for all who are unable to work. In practical terms, these requirements involve an effective national full employment policy, comprehensive coverage under minimum wage legislation with the minimums fixed at adequate levels, and legislation—including increases in minimum benefits under the various social insurance programs—to assure a guaranteed minimum annual income above the poverty line for those unable to earn their own way because of age, disability, or family responsibilities.

Economic Bill of Rights

It is possible to assure the political and civil rights of our citizens largely because they are set forth explicitly and in detail in our Constitution, and because the courts, particularly in recent years, have been vigilant in compelling other arms of government to respect them. It is time now to give expression, equally clear and equally enforceable, to the economic rights implicit in the Declaration of Independence and in the Preamble to the Constitution.

We believe that an Economic Bill of Rights must be added to the Constitution which will enable any person or groups of persons denied those rights to assert them through the courts as they are able now, under the existing Bill of Rights to assert and to be protected in their political and civil rights.

Such a Bill of Rights should:

1. Establish the constitutional right of all Americans to:

A useful job, if they are able and willing to work, with the federal government acting as the employer of last resort;

A wage sufficient to support themselves and their families in decency and dignity in accordance with the standards prevailing at the time, if they are employed;

A guaranteed annual income sufficient to provide adequate living standards, if they are unable to work, either through the negative income tax program or some other appropriate means, instead of the obsolete and degrading welfare system currently in effect which destroys the integrity of the family unit and offends every concept of human dignity;

Access to high-quality, comprehensive medical care for all Americans by establishing a National Health Service;

A good house in a good neighborhood, in a wholesome community, providing a total living environment worthy of a free people;

An adequate educational opportunity for every American child and youth to facilitate his or her maximum growth and development, including free college education.

2. Require the President and the Congress to take all reasonable steps, including provision for training of personnel and creation of facilities, to effectuate the above rights as promptly as practicable.

3. Provide that, after the lapse of a reasonable time, to be determined by the courts separately with respect to each of the above rights, any persons or class of persons claiming to have been denied a right guaranteed by the Economic Bill of Rights shall be entitled to redress through the courts, which shall be empowered to direct the appropriate agencies of the government to take such remedial action as may be found necessary in the circumstances.

Pollution

For 25 years the world has been threatened by the specter of extinction through nuclear war. Now, within the past few years, we have become aware of a second threat, that of slow extinction in our own wastes and poisons. While pollution was once thought of only in terms of the despoiling of the natural beauty spots in which we like to spend our leisure time, now we realize that pollution endangers our very lives. It contaminates every breath of air we draw, the food we eat and the water we drink. Virtually the entirety of mankind carry within their bodies traces of the poisons and the atomic radiations with which we have permitted our entire earth to be polluted.

We propose that polluters be required to pay a tax sufficiently high to cause them to stop polluting. This is a very simple and a most effective approach. Furthermore, we propose that this tax be imposed on profits after provision for income taxes, so as to insure that the full weight of the tax is imposed on the corporate owners. To permit a tax on pollution to be regarded as a business expense deductible for federal income tax purposes would reduce the weight of the penalty by the amount of the income tax rate. The cost of pollution is not just another business expense, and should not be regarded as such.

We need a Federal Pollution Regulatory Agency to assess the extent of pollution and to penalize the polluters. For this purpose we support the Bill recently introduced by Senator Muskie, S. 3677, the Environmental Quality Administration Act of 1970. The Bill would set up an independent agency similar to the National Environment Commission which the UAW proposed before this Committee last year. It would develop, implement and enforce uniform federal environmental quality standards.

The broadest possible citizen participation in the war on pollution must be encouraged. We recommend that a Citizens' Advisory Committee on Pollution be brought into be-

ing, comprising those citizens' groups already concerned in this matter, and broadened as still other groups become aware of their stake in our resources. The Citizens' Advisory Committee would assist the Environmental Council in drawing up broad programs and policies, which would be implemented and enforced by the Federal Pollution Regulatory Agency.

The battle against pollution will necessarily take many forms and must be fought on many fronts. But behind every decision must stand the essential principle that public interest takes precedence over private profit.

Foreign aid

While we are considering our own needs and priorities, let us not forget that we are a comparative land of plenty in a world filled with have-not nations. As a matter of enlightened self-interest as well as humanity, we must give more economic support to the underdeveloped nations. The values we cherish as a free people cannot survive in a world half well-fed and half starving.

There is no more need for the United States to be the sole supplier of economic aid than for us to be the world's policeman. But we should assume our full share of the combined responsibility of all the developed industrial countries toward the developing nations. Neither we nor the others are now doing enough. We should shift some of our resources from the arms race to the peace race, and raise the level of economic assistance to amounts which will make possible meaningful progress for the have-nots.

If any society anywhere should collapse through decay of social institutions from poverty and disease, we can hardly expect that the rest of the world can survive intact. No quarantine can isolate the effects of economic collapse. Thus, apart from our moral responsibility to our fellow man, it is in our own selfish interest to help spread the benefits of our knowledge and skills throughout the world.

We have no total power which enables us to change the world to fit our preconceptions. Nor should we wish for that kind of power. But neither are we helpless to shape our destinies or the destinies of other peoples. Certainly one of our priorities can be to move toward peace, toward understanding, toward international action to prevent war, toward economic cooperation and assistance. In this way we can help all people everywhere make their own way to a better life.

Democratic planning for full production and full employment in peacetime

Meeting the needs of America now and in the future will require full employment and the full and intelligent use of our productive capacity within the framework of an expanding economy.

We must not let the bugaboo of inflation stand in the way of the attainment of our goals. There is no inconsistency between price stability and full employment. The Nixon Administration's gambit of fighting inflation by reducing overall demand, thereby raising unemployment, is based on the phony premise that either we must pay for price stability with unemployment or else pay for full employment with inflation.

Slowing down the economy with monetary and fiscal brakes is, at best, a questionable and self-defeating way to combat inflation. As the economy slows down, so does productivity. Maintenance and white-collar workers tend to be retained when production declines, with the result that unit labor costs increase, creating pressures not to lower prices but to raise them in order to maintain profit margins. Numerous overhead costs loom larger as volume falls, putting further upward pressure on prices. High interest rates resulting from restrictive monetary policies add directly to costs and prices. Increases in

consumer prices compel workers to insist upon larger wage increases than they would otherwise seek, in order to compensate for the erosion of their living standards. In industries where profit margins are thin, the extra wage increases obtained for that purpose also put pressure on prices.

The Nixon Administration's policies have caused increased unemployment and rapid inflation, both at the same time. We in the UAW insist that inflation can be controlled without paying a price in unemployment, social damage, economic losses and other costs that flow from operating the economy at less than its capacity. While this is not the place to spell out alternative policies in detail, briefly and partially they are as follows:

A sound policy would maintain total demand at full employment levels and assure adequate financing for national priorities while applying selective measures aimed with rifle-shot precision at the specific causes of inflation.

Excessive capital spending by corporations, for example, can be curbed by a negative investment credit—a tax on investments in excess of normal levels. Inventory speculation can be deterred by a tax on excessive inventories.

Excessive consumer spending, should that be a problem, could be reduced by a graduated tax on spending per family member which, if reasonable exemptions were provided, would leave spending on necessities and comforts untouched while penalizing indulgence in luxuries.

Credit can be rerouted away from speculation and other nonessential uses and toward housing—where urgent needs and a wide margin of unused productive capacity exist side by side—and the needs of state and local governments and of school boards whose credit-dependent activities are essential to improve the quality of life in America.

Merciless public exposure can restrain unjustifiable price increases by giant corporations not subject to effective price competition. The UAW for many years has urged the creation of a governmental Price-Wage Review Board for that purpose.

Nixon's blunderbuss approach

The Nixon Administration's blunderbuss approach to inflation is not only ineffective, but it assumes that all kinds of spending have an identical impact on demand pressures. This is simply not the case. An instructive analysis of the impact on inflation of domestic versus military spending has been made by Stephen H. Robock, Professor of International Business at the Columbia University Graduate School of Business. In an article in the May 13, 1970, *Wall Street Journal*, Professor Robock points out that:

"The composition of Government expenditures is more important than the overall level. Some types of expenditures are 'sterile' because they do not enlarge the capacity of the economy to supply the demanded goods and services. Other types can have a major anti-inflationary supply-creating effect. At the same level of Government expenditures, one mix of expenditures can be more inflationary than another.

"Take the supply effect of Government expenditures on armaments and on housing. From an economic point of view, expenditures on armaments are a waste and inflationary. They increase domestic demand through creating employment and through the purchase of goods. They do not increase the supply of goods and services demanded by the consumer. Ironically, we can benefit economically if we produce military goods and sell them out of the country. The payments received are a claim on world resources that can be spent for supplies of goods that offset or exceed the induced demand. But as a leading Soviet economist has pointed out, if we manufacture armaments and shoot them off ourselves, the economic effect is inflationary.

"Public expenditures on housing increase supply as well as demand. The same is true of public expenditures for expanding hospital facilities and the training of personnel. Even in the field of Government-financed research, military research may be inflationary whereas research on improving urban transportation systems may increase the supply of services and reduce prices.

"Thus, even if Government expenditures remain at the same overall level, a change in composition can be an effective means of fighting inflation. Some of the fields in which rapid price increases are occurring—home ownership, public transportation and medical care—are ones where Government expenditures can have a major anti-inflationary impact."

Dr. Robock's list of noninflationary and anti-inflationary government spending should be made required reading for all Administration economists. For we can no longer permit antiquated, destructive theories about the operation of the economy to dictate official government policy. It is time to get America on the move. It is time to begin to use our resources fully and wisely, and to put our unemployed and our underemployed to work at the jobs that have to be done if the promise of America is ever to become a reality.

Need for effective manpower policy

We need to fully utilize our manpower and for that we need a modern, effective and truly national manpower policy. It is time we started enforcing the Employment Act of 1946. That Act declares that it is the policy and responsibility of the federal government to create and maintain "... conditions under which there will be afforded useful employment opportunities, including self-employment, for those able, willing and seeking to work, and to promote maximum employment, production and purchasing power."

Effectively implementing the right to a job of every person willing and able to work, and making sure that the highest abilities of that person are fully used, require a single manpower agency to administer a national employment service. Our economy knows no state and local boundaries. The matching of needs and skills requires a nationwide, nationally oriented public employment service. This requires the transfer of the present state responsibility for public employment services to the federal government. It also requires the listing by employers of all job vacancies to be filled by new hires (as distinguished from promotions, transfers or recalls). At present, many employers do not list job openings. Some employers list openings only with the private fee-for-service agencies. These practices interfere with the orderly processes of the labor market and make it impossible for the public employment service to develop the information and knowledge which are essential for intelligently handling manpower activities.

We should do away with all existing requirements that claimants for benefits make an independent search for work. It is demoralizing, demeaning and financially wasteful to force a worker to travel haphazardly from plant to plant with no advance knowledge of whether or where a suitable job is to be had in order to qualify for unemployment compensation. Instead, we should employ the most modern techniques of data processing and rapid communications to match job opportunities with skills of available workers. Just as an air traveler can quickly find out what seats are available on what flights from one city to another on whatever day he wishes to travel, so should a worker be able to quickly find out what jobs are available, requiring what skills, offered by what employers at what rate of pay. The air traveler can reserve a seat for the best flight available, and the worker should be able to reserve the best job opening available for him.

Once we get our priorities in proper order and have set up the democratic planning machinery needed to best apply our abundant resources to our economic and social needs, then we can get to work at bringing to reality the basic promise of America. We can get to work at building a society in which each person has an equal opportunity to develop his skills and talents to the extent of his capabilities. We can create a society in which every human being can live in peace and dignity, free from want, and in full equality with his fellowman.

THE PRESIDENT'S ADDRESS ON THE ECONOMY

Mr. BELLMON. Mr. President, at noon today, President Nixon addressed the Nation on the subject of economic policy and productivity. I have studied the President's remarks carefully and rise to compliment him upon the clarity of his statement and upon the courage he has shown throughout his term in office in his efforts to halt the runaway inflation he inherited without producing unnecessary hardship for the people of this country.

Of the four choices which faced the President when he came into office, President Nixon has chosen the only route that offers hope for a stable and productive economy. The rupture which could have resulted, had the President taken the cowardly path of allowing inflation to continue unabated until the economy of this country crashed, is difficult to contemplate. Also, the chaos which would almost certainly come to our cities as a result of a deep depression brought on by overly restrictive economic policies would likely have shaken the very foundation of this Nation. The route of wage and price controls would only have the effect of weakening the Government's ability to cope with the critical problems we face in bringing social justice to our people. Therefore, while the policy chosen by the President has required the passage of time to produce results, and while there have been certain anticipated negative short-term effects on the economy, it is the only policy that could responsibly be chosen and followed.

The President's decisive steps to hasten the return of stability holds bright hope for the future. His proposal to bring together representatives from business, labor, public, and Government through a national commission on productivity could prove to be an extremely healthy element in our national life. I urge the President to include representation from agriculture in this group. Agriculture has been by far the most stabilizing force in our economy and its voice should be heard.

The President's emphasis on steps to increase the productivity of the American economy places emphasis where it belongs. Unless our economy can produce in competition with economies of other nations, we cannot long maintain our position of leadership in the world.

President Nixon's expressed desire to cooperate with the Congress on programs specifically aimed at lessening the negative impact which many of our citizens feel during this period of economic transition is also to be commended. The past practices of deficit Federal spend-

ing were shared or initiated by the Congress and certainly the Congress has a responsibility to take the necessary steps to ease the impact of the transition period on the lives of citizens.

Mr. President, President Nixon has faced the economic crises which he inherited with vision and courage. He has resisted the temptation to take the easy way out by endorsing actions which might have produced a temporary feeling of economic well-being, but which would, in the long run, have led to chaos. The proposals which he has outlined in his statement today amount to a blueprint for a sound, stable economic future for our country.

DOES THE NATIONAL BUREAU OF STANDARDS STUDY SUPPORT PREVENTIVE DETENTION?

Mr. ERVIN. Mr. President, the arguments on behalf of preventive detention have been characterized by an impressive number of bald assertions and unproved assumptions which initially had a great impact on the public. Combine a great fear of crime and demands for "law and order" with a proposal which appears to be a cheap, simple, and effortless anticrime device, and the result is natural: An initial wave of public support and a great demand for immediate enactment.

So it was with preventive detention. It has taken a long time for facts and reason and logic to catch up with the proposal for preventive detention. As more and more people have come to realize how great a repudiation of our constitutional principles preventive detention would be, they have come to the conclusion that it would be too high a price to pay for whatever law and order it promises.

As more and more people have recognized that preventive detention would actually impair law enforcement, by making additional demands on our criminal courts when they are increasingly incapable of dealing with current workloads, they have come to the conclusion that preventive detention would probably reduce rather than increase overall public safety.

Since the release of the Department of Justice statistical study conducted by the National Bureau of Standards, more and more people have come to realize that preventive detention is aimed at a facet of crime which has been greatly exaggerated. They have come to the conclusion that while crime on bail is a serious problem, and one which should be dealt with, it is by no means so serious that it should occupy most of the attention of the Department of Justice crime legislation team, tied up the Congress in debate for months, and frustrate for now almost a year, necessary and valuable court reorganization reform which has actual promise of being a legitimate contribution to increased public safety and justice.

One begins to wonder what curious devotion has moved the Department of Justice to waste so much time and energy and risk so much good legislation for so vain a goal as preventive detention.

By now the general conclusions of the Bureau of Standards study have become widely known. They demonstrate that the rate of pretrial crime which the Department's preventive detention bill is aimed at stopping is around 5 to 7 percent. Testimony before the Constitutional Rights Subcommittee has shown that if speedy trial were actually required and enforced, instead of being merely another "iridescent dream" in the Department's bill, overall pretrial arrests could be reduced from 11 to 4.2 percent. With application of the Department's preventive detention proposal plus speedy trial, overall rearrests could be further reduced from 4.2 to 3.7 percent.

Thus for 0.5 percent we are asked to discard the eighth amendment, due process, and fundamental fairness.

Because the National Bureau of Standards has shown to be true what we have long believed to be true, the other day I introduced a serious proposal for implementing the sixth amendment right to speedy trial. If speedy trial were made a reality, then we would have made a good start toward true law and order. I sincerely hope those who have supported preventive detention as a means of reducing crime will devote as much energy and time into developing my proposal and into making it work.

The other day I received a paper from Mr. Arthur L. Karp, a computer expert from Arlington, Va. Mr. Karp has examined the National Bureau of Standards study carefully, and has critically analyzed some of the Justice Department arguments which have been made based upon its results.

Mr. Karp examined the 106 cases in the study which would have been subjected to preventive detention under the District of Columbia crime bill and S. 2600. He found only eight cases involving a second arrest of the sort the bill is aimed at. He contends that not one of these cases clearly support the preventive detention concept. Only four arguably gave it support. As he concludes:

There is not a single, clear case which offers unequivocal support of the idea that the preventive detention feature of H.R. 16196 will reduce violent and dangerous crime. If one is willing to accept less assurance and more guesswork, the effect on the reductions of dangerous and violent crime can be estimated as 1 to 4 crimes prevented as the result of 106 instances of preventive detention. At the 4 out of 106 level, however, reliance on data has begun to shade into faith in on a *a priori* conclusion.

Mr. Karp also produces evidence which substantially weakens the claim that the figures in the National Bureau of Standards study understate the true picture by some 33 1/3 percent because other offenses are probably committed away from the offender's place of residence. He cites figures from the President's Commission on Law Enforcement and the Administration of Justice to show that crimes are committed outside the residence of the offender at a rate of only 8 to 17 percent, depending on the type of crime.

Finally, Mr. Karp deflates the inflation caused by the Department of Justice's allegation that the true rate of pretrial crime is 40 percent. This figure was created by arguing that only 50 percent

of crime is reported, and only 29 percent of reported crime is solved. The Department then multiplied this figure against the National Bureau of Standards data to get its 40 percent result.

As Mr. Karp points out, the fact that a person is arrested once means that he is more likely to be rearrested since he has become known to the police and now has a record. Also, these offenders who are arrested are likely to be the "least talented" of lawbreakers. The "professionals," who are not discovered, probably account for a good portion of the unsolved crimes. Thus, the National Bureau of Standards figures on recidivism are likely to be overestimated rather than underestimated.

There are, of course, other reasons for rejecting the inflationary figures of the Department. Not all crime is equally unreported or unsolved. Unreported frauds reach 90 percent; unreported auto theft is only 11 percent; unreported burglary, robbery, and larceny is 35 to 42 percent. There are similar ranges for "solving" crimes, depending on the nature of the offense. Homicide, rape, and aggravated assault are "solved" 93, 72, and 77 percent of the reported cases, with robbery 40 percent and burglary 28 percent. Undoubtedly, the reporting and clearing rates for crimes such as prostitution and gambling are miniscule and distort the average figures given by the Department. To be more accurate in its assertion, the Department should carefully distinguish the report rates and the solution rates by offenses, and not lump them all together.

Of course, statistical arguments such as these are of no assistance when the judge must decide whether the individual before him is to be detained. Crimes the police do not know about and crimes they have not solved cannot justify deprivation of liberty no matter how elegant the procedures used. This country cannot imprison a citizen for a crime the police have not yet solved, or one they do not even know has been committed.

Mr. President, Mr. Karp's paper is an instructive study of these aspects of the Justice Department's case, and I ask unanimous consent that it be printed in full at this point in the RECORD.

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

DOES THE NATIONAL BUREAU OF STANDARDS STUDY SUPPORT PREVENTIVE DETENTION?

(By Arthur L. Karp)

SUMMARY

The NBS study contains data on 106 individuals who were arrested, charged with a "dangerous" or "violent" crime, and subsequently released pending trial. These persons might have been held if the preventive detention feature of H.R. 16196 had been in effect.

A review of this data reveals not a single case in which the preventive detention of provision of H.R. 16196 clearly would have prevented a "dangerous" or "violent" crime. In 4 of the 106 cases, arguments of varying merit might be made for the usefulness of the provision.

It has been argued that each recidivist crime in the sample represents a greater number of crimes committed. This problem is examined, and it is shown that a combination of extreme assumptions is re-

quired in order to conclude that full use of preventive detention against the 106 persons in the sample would have had any significant effect in preventing "dangerous" or "violent" crimes.

DOES THE NBC STUDY SUPPORT PREVENTIVE DETENTION?

This paper examines the degree to which the National Bureau of Standards study entitled "Compilation and Use of Criminal Court Data in Relation to Pre-Trial Release of Defendants"¹ supports (or does not support) the concept of preventive detention as set forth in H.R. 16196. Whether preventive detention is good, bad, wise, or foolish is not addressed. The only question is whether the data set forth in the study provides reasonable evidence that preventive detention, as set forth in the bill, will significantly reduce the types of crime that the bill is intended to reduce, and that this reduction will (by and large) not occur in the absence of the bill.

The first step in the evaluation is to discard data that is extraneous and irrelevant to the issue at hand. The study contains much such data. The NBS has performed a service by gathering it all, and it is certainly useful to the study of crime in the District of Columbia, but this does not necessarily mean that all of it casts light on the subject under study.

First, the only cases of importance are those for which the initial charge was a dangerous or violent crime. If it were not, preventive detention would not be allowed by H.R. 16196 and thus the preventive detention feature of the bill could not affect the subsequent actions of the arrestee. The study sample includes 106 cases of persons accused of dangerous or violent crimes who were released on bond or personal recognizance prior to their trials.²

Just as cases in which the initial charge is not a dangerous or violent crime are not pertinent, neither are those cases in which the subsequent charges are not for dangerous or violent crime and particularly so when the subsequent charge is a misdemeanor. It seems to be agreed that preventive detention is a sanction of such severity that it can be justified only to prevent serious crimes and, in particular, those H.R. 16196 defines as being "dangerous" or "violent." Certainly no one is advocating preventive detention in order to preclude the possibility of such misdemeanors as "Taking Property, No Right," or "Unpaid Board Bill" or "False Pretenses" or "Gambling Pools" or "Unlawful Assembly."

The NBS study contains only 8 instances in which the initial charge is for a dangerous or violent crime and the rearrest is known to be for a felony. Of these, 2 were for other than a violent crime (both were for unauthorized use of a motor vehicle) and are therefore of no interest here. The remaining six cases are shown in Table 1. These are the five cases referred to on page 113 of the NBS report plus a sixth case in which the rearrest charge was obstructing justice.

It is worth examining these cases more closely.

In case 157, the initial charge (rape) is a capital offense. Thus, if it were felt that the accused was a danger to the community, he could be held even under the current laws. Therefore, the preventive detention feature of H.R. 16196 would have had no effect in this instance. In addition, it might be noted that it is not known whether the second charge (obstructing justice) involved threats or intimidations. However, the fact that the initial charge is for a capital crime makes the case of no interest.

The second case (number 376) can hardly be taken as support for the preventive de-

tention concept since the accused was not found guilty on either charge. In addition, since the second crime was allegedly to have occurred 5 months after the first, the 60 day detention feature of H.R. 16196 seems irrelevant, even if guilt is assumed.

Case 479 cannot be considered to give much support to the preventive detention concept because not only was the accused found not guilty of the rearrest charge, but the second crime took place 3 months after the presentation or indictment for the first. On either basis, support for preventive detention is weak; taken together, it is weaker still.

Cases 874 and 283 are cases of some but less than full support for the preventive detention concept. This is because 3 to 5 months elapsed before the crime for which rearrest occurred was committed.

Thus, only one of the 106 cases of release after a violent crime seems to offer any clear evidence that preventive detention, if applied, would have prevented a second dangerous or violent crime. But even this case (906) is slightly suspect because it may be an example of the frequently publicized addict committing a robbery for money for narcotics. If this is true, release could be made conditional on daily reporting to one of the city's methadone clinics, making it doubtful that the second crime would be committed.

Table 2 attempts to seek more data by examining the 4 cases in which there is some uncertainty with respect to the rearrest.

In case 883, the second charge was "not papered" and was not even specified. Moreover, the elapsed time from presentment/indictment to the second crime (whatever it was?) was over 10 months. Thus, case 883 provides no support.

Nor does case 889. Here the second charge is known, but it also was "not papered." In addition, the delay was over 4 months. Since case 148 was a capital crime, H.R. 16196 would add nothing to the court's ability to detain. In addition, the elapsed time was over 3 months and the second crime may have been a misdemeanor.

Finally, there is case 160. Here the second charge is not specified; more important, the lapsed time is over 6 months.

In summary, then, out of 106 cases, there are only 4 which seem to offer any support to the idea that preventive detention would prevent dangerous or violent crime. Of these, 3 are suspect because the day from presentment/indictment to the commission of the second crime was 3 months (and, in addition, the accused was not found guilty in 1 of the 3 cases.) In the fourth case, there is some reason to believe that a conditional release would have sufficed to prevent the second crime.

(1) to collect or compromise any loan or other obligation held by the Bank;

(2) to acquire by purchase, lease, or donations real property or any interest therein, and to sell, lease, or otherwise dispose of real property; and

(3) to use the United States mails in the same manner and upon the same conditions as the executive departments of the United States Government.

The foregoing enumeration of powers shall not be deemed to exclude other lawful powers necessary to carry out the purpose and functions of the Bank.

TAXATION; PAYMENT IN LIEU OF TAXES

SEC. 109. The Bank, including its assets, capital, reserves, surplus, security holdings, and income shall be exempt from all taxation, Federal, State or local. The Bank shall pay annually into the Treasury of the United States as miscellaneous receipts an amount equivalent to the amount of Federal income taxes for which it would be subject except for the exemption hereinabove stated. The

Bank is authorized to make payments to State and local governments in lieu of the payment of taxes on its real property.

ANNUAL REPORT

SEC. 110. The Bank shall make an annual report of its operations under this title to the President and the Congress.

AMENDMENT TO GOVERNMENT CORPORATION CONTROL ACT

SEC. 111. Section 101 of the Government Corporation Control Act (31 U.S.C. 846) is amended by striking out "and Tennessee Valley Associated Cooperatives, Incorporated" and inserting in lieu thereof "Tennessee Valley Associated Cooperatives, Incorporated; and American Indian Development Bank".

For a number of reasons, it is unlikely that the NBS study contains any significant bias due to this factor. First, those not released were held even though the Bail Reform Act was in effect. By and large, persons in similar circumstances will continue to be held in the future, whether or not the preventive detention feature of H.R. 16196 is enacted. Second, the only relevant data concerns those persons who could be held under the preventive detention act (i.e., who are charged with dangerous or violent crimes) and who could not be held otherwise (i.e., who are not charged with capital crimes.) There is no evidence that persons charged with such offenses but not released are "the most dangerous defendants" compared with persons who were also charged with non-capital dangerous/violent offenses but who were released. To the degree that the judges were following the law, those detained were persons who lacked the community ties or the ability to otherwise ensure that they would not take flight. To the extent that the judges were not following the law, and were in fact detaining defendants because of a perceived danger to the community, there is no evidence in the NBS study that the likelihood of recidivism can be confidently predicted among those accused of dangerous or violent crimes.³ In fact, the NBS study appears to demonstrate exactly the opposite.

None of the above reasons need give any particular concern that the NBS study underestimates the amount of recidivism. Each of the points has some validity, of course, but the discussions above indicate that the expected degree of underestimation is not sufficiently large to affect any conclusions.

A more difficult problem is that of clearance rates and unreported crime. Two of the most extreme cases (excepting narcotics offenses) among the violent and dangerous crimes are robbery and housebreaking. The clearance rates for these crimes in 1968 were only 17 and 14 percent, respectively.⁴ Moreover, only about 65 percent of these crimes are reported to the police.⁵ Thus, for crimes such as these, each charge in the court records implies that 10 times this number of crimes actually occurred. The problem, however, is to estimate what 1 recidivist arrest implies as to the actual number of crimes committed. This is, by no means, as straightforward a task as it first appears. There are two reasons to believe that a recidivist arrest does not imply that the sample population (106 cases) has committed 10 crimes. One reason was noted in the NBS study. Since the arrestee has recently come to the attention of the police, he will be more likely to be arrested than the average member of the population, criminal or innocent. Thus, per crime committed, it would be expected that he would be arrested more often than a person outside the sample.

An even stronger reason for not using the 10 to 1 ratio is the necessary assumption that all criminals are equally "talented." If so, crime would be the only field of human endeavor in which this were true. It is more likely that there are relatively successful

Footnotes at end of article.

criminals and others who are prone to failure. In other words, one would expect that those arrestees who are guilty include a disproportionate number of bumbler and "foul-ups." If they commit another crime, it is comparatively likely that they will be arrested again. For this reason, it is difficult to take the uniform distribution assumption seriously.

Table 4 attempts to put the entire problem into focus by combining alternative

viewpoints as to which recidivist arrests should be considered as evidence and what factor should be used to account for low clearance rates and unreported crime.

Suppose, for example, that the prevention of 10 dangerous or violent crimes is considered sufficient justification to keep 106 persons in preventive detention for a full 60 days each. What assumptions are necessary to conclude that the NBS study supports preventive detention. First, Table 4 shows

that it is necessary to assume that evidence of a crime committed 3 months after release implies that, if the person had been held in jail for 2 months and then released, the crime would not have occurred. This is necessary, but not sufficient. To draw the conclusion of 10 dangerous or violent crimes prevented, one must also assume that each recidivist crime in the sample should be assumed to represent 10 actual crimes, i.e., the "all criminals are equal" assumption.

TABLE 1.—THE 6 BASIC CASES

Name No.	1st charge	2d charge	Elapsed time ¹	Found guilty on 1st or 2d charges
157	Rape	Obstructing justice	2 months, 9 days	Yes, both.
376	Assault with a deadly weapon (gun), 2 counts	Assault with a deadly weapon (gun)	5 months (less 4 days)	No, all counts.
479	Robbery	Robbery	3 months	Yes, first; no, second.
874	Robbery	Burglary I	3 months	Yes, both.
283	1st Pres/Ind: Robbery Second Pres/Ind: ² Robbery (2 counts). Murder II. Assault with deadly weapon. Manslaughter.	Robbery (2 counts), att. robbery, poss. prohib. weapon after conv. felony, assault of police officer.	5 months (less 6 days) from first P/I. 3 months (less 8 days) from second P/I.	Yes, 4 counts of first charge. Yes, 2 counts of second.
906	Harrison Narcotic Act violation	Robbery	1 month, 6 days	Yes, both.

Source: Appendix E to NBS report 10181.

¹ From presentment/indictment to the date of the second offense.

² The offenses stated in the 2d presentment or indictment occurred on the same day as those set forth in the first presentment/indictment.

TABLE 2.—THE 4 "UNKNOWN" CASES

Name No.	1st charge	2d charge	Elapsed time ¹	Found guilty on 1st or 2d charges
883	Indecent Act (Miller Act)	No paper, no charge specified	10 months, 18 days	No, 1st (but convicted on a misdemeanor: simple assault), "no paper," 2d.
889	Assault with a deadly weapon (knife)	Assault with a deadly weapon (gun)	4 months, 5 days	Yes, 1st; "no paper," 2d.
148	Rape	Not specified	3 months, 15 days	Yes, both.
160	Robbery	do	6 months, 13 days	No, 1st; Yes, 2d.

¹ From presentment/indictment to the date of the 2d offense.

Source: Appendix E to NBS report 10181.

TABLE 3.—COMPARISON OF PLACE OF OFFENSE AND RESIDENCE OF OFFENDER FOR PART I CRIMES, SEATTLE, 1965

Offense charged on arrest	Residence of arrested offender (percent)				Offense charged on arrest	Residence of arrested offender (percent)			
	Same tract	Elsewhere Seattle	Outside Seattle	Unknown		Same tract	Elsewhere Seattle	Outside Seattle	Unknown
Forcible rape	15	69	16	0	Other assaults	42	45	10	3
Assault on rape, attempts	54	38	8	0	Burglary, breaking and entering	26	59	12	2
Robbery	29	53	12	5	Larceny, theft	13	68	14	6
Aggravated assault	35	47	14	4	Auto theft	13	68	17	2

Source: The President's Commission on Law Enforcement and the Administration of Justice; task force report, "Crime and Its Impact—An Assessment." GPO, 1967.

TABLE 4.—CONCLUSION MATRIX: NUMBER OF CRIMES PREVENTED FOR EACH 106 DEFENDANTS DETAINED FOR 60 DAYS

Conventions for determining the relevant number of recidivist arrests: Which of the 4 possible cases should be excluded as irrelevant?	Assumptions as to the implications of a recidivist arrest	
	Each recidivist arrest implies 2 recidivist crimes	Each recidivist arrest implies 10 recidivist crimes
No exclusions	8 crimes prevented	40 crimes prevented.
Only exclude for 3-month delay if also not guilty	6 crimes prevented	30 crimes prevented.
Only exclude for 3-month delay	2 crimes prevented	10 crimes prevented.
Exclude for 3-month delay or likelihood of effective methadone treatment	No crimes prevented	No crimes prevented.

A Note on NBS Report 10181 of March 1970 entitled "Compilation and Use of Criminal Court Data in Relation to Pre-Trial Release of Defendants."

All in all, the report is thorough and professional, but it does not try to compute how well H.R. 16196 would accomplish its goal of protecting the public from dangerous and violent crimes.

To do this, we examine the 128 cases in the recidivism sample. Of these, there were only 44 cases of violent crimes, of which 42 were also dangerous. (The definitions of "violent" and "dangerous" are the same as in the report.)

The attached table shows that in 28 of the cases, the succeeding charge was for a misdemeanor or a crime neither violent nor

dangerous. These are cases in which preventive detention might have prevented a crime, but not the sort of crime for which any attempt has been made to justify it. In another 2 cases, the accused was not found guilty on either charge, and may be presumed innocent.

This leaves 14 cases on which the accused was found guilty on either the first or the second charge, or both. To be "generous," we assume that being found guilty on either charge means the accused was guilty on both, and especially on the second.

However, the duration of preventive detention is only 60 days. In only 3 of the 14 cases, however, were the 2 crimes committed within 60 days of presentment for the first. If the case of "no data" is included, the total rises to 4.

Thus, this brief analysis indicates that of 44 cases where recidivism did occur (including charges prior to the sample period), in only 4 or 9% of the cases would a dangerous or violent crime have been prevented.

Actually, this overstates the case, since the total sample, including non-recidivists, is 106 defendants accused of violent or dangerous crimes.

Thus, even allowing the overestimate due to the use of charges prior to the sample in less than 4% of the cases in which H.R. 16196 would allow preventive detention is there any reason to believe that preventive detention would protect the public from a "violent" or "dangerous" crime.

ARTHUR L. KARP,
Arlington, Va.

BREAKDOWN OF THE 44 RECIDIVISM CASES FOR WHICH PREVENTIVE DETENTION COULD BE AUTHORIZED UNDER H.R. 16196 (1ST CHARGE A DANGEROUS OR VIOLENT CRIME)

Number of cases	Description	Found guilty	Times from presentment to 2d crime (days)	Notes
24	2d charge a misdemeanor	13 guilty; 10 not; 1 no data	Not computed	Includes 1 case in which the verdict on the 1st charge is pending.
4	2d charge a felony, but neither a dangerous nor a violent crime.	3 guilty of both	15, 69, 97	
2	2d charge is a dangerous or violent crime	1 guilty of 1st only	47	Includes 1 case in which there is no data on the disposition of the 1st charge, 1 case of no paper on the 2d, and 1 case in which the charge upon conviction was reduced to a crime neither violent nor dangerous.
2	do	Not guilty on both charges	27, 147	
2	do	Guilty on 2d charge only	No data, 341	
5	do	Guilty on 1st charge only	90, 125, 145, 153, 370	Includes 1 case in which there is no data on the 1st charge, 2 cases in which the 2d charge is not specified, but is assumed to be a dangerous or violent crime.
7	do	Guilty on both charges	25, 36, 36, 83, 90, 105, 193	

FOOTNOTES

¹ NBS report 10181 dated March 1970.
² This paper follows the NBS study in its definitions. In particular, it should be noted that all "dangerous" crimes are also "violent" crimes. H.R. 16196 also allows preventive detention for the obstruction of justice, but only if a witness has been threatened or intimidated. As far as is known, however, the sample contains no case for which the initial charge is the obstruction of justice.
³ Nor, as far as the author of this paper is aware, there is no such evidence anywhere else.
⁴ The clearance rate is the ratio of clearances to reported offenses. Source: Selected Crime Statistics for Washington, D.C. 1965 to 1968. District of Columbia Government, Office of Crime Analysis, April 23, 1969.
⁵ Source: The President's Commission on Law Enforcement and the Administration of Justice; Task Force Report: Crime and its Impact—An Assessment. GPO, 1967.

CLARK MOLLENHOFF SPEAKS ON OMBUDSMAN ROLE

Mr. GRIFFIN. Mr. President, in an address before the Houston Rotary Club on June 11, 1970, Clark R. Mollenhoff had some interesting observations and suggestions on the role of a White House ombudsman, which he has filled for several months. I ask unanimous consent that the text of Mr. Mollenhoff's remarks be printed in the RECORD.

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

REMARKS BY CLARK R. MOLLENHOFF, SPECIAL COUNSEL TO THE PRESIDENT

This nation has gone through a period of disillusionment that is one of the most difficult in our history. Young and old alike have been questioning whether our system of government can deal with the problems that face our society.

Scandals ranging from carelessness to outright fraud have been exposed in connection with the war on poverty and other welfare programs. Evidence indicates that in certain areas, the Mafia has had the tight control over city, county, and state officials. There is even some evidence that the Mafia has had an unhealthy influence on decisions of the IRS and the federal courts.

Congressional investigations of Defense Department contracts demonstrate billions of dollars in cost overruns and indicate a negligence or conspiracy to pad our military spending with excessive profits. There are examples of favoritism in the awarding of contracts at city, county, state, and federal levels of government.

The brutal slaying of Joseph A. (Jock) Yablonski, his wife, Margaret, and their daughter, Charlotte Joanne of Washington, Pennsylvania has reemphasized the brutality that has been a part of the history of the

United Mine Workers and many of our large labor organizations.

James R. Hoffa's arrogant domination of the International Teamsters Union was characterized by abuse of power, misuse of union funds, and corruption in the handling of the multi-million dollar pension and welfare programs. Some say he still runs the Teamsters from prison.

Robert G. (Bobby) Baker is still free three years after his conviction of fraud and larceny charges. He has been the symbol of corruption in the highest offices in government. His continued freedom is regarded by many as proof that those with the big money and the big connections need never pay the price of incarceration.

It is easy to see why those who take a brief look at some of these incidents in our society are disillusioned. They question whether it is possible to operate our American democracy as it was intended to operate—in a fair and honest manner.

In the face of problems that have seemed overwhelming, our citizens have reacted in many ways. Some have questioned whether we should expose our scandals. Some go as far as to suggest that we cover them up, so we can give the world a more flattering picture of the United States. Some withdraw into a shell of bitterness and futility and leave the field clear for the active corruptivists.

There are even a few who decide to join the thieves after erroneously concluding that you can't beat them so you might as well join them.

With no answers of their own, many people have rushed to join groups or societies that contend they have the answers. These groups aggressively supply what the confused may regard as easy answers.

The unknowing find it easy to join without thinking and frequently end up as supporters of the Students for Democratic Society or the John Birch Society, the extreme White Citizens groups, or the equally extreme Black Muslims or the Ku Klux Klan.

No amount of warning and reasoning will stop all of the rush of thoughtless citizens who will donate their finances and give their names to extremist groups. A certain amount of this frantic joining can be expected in any free society. However, it is disturbing when large numbers of basically bright college students join the John Birch Society with no real look at what that group stands for.

It is equally disturbing when large numbers of college students rally around the actions of thugs and outlaws who disrupt the educational processes of our universities or take over and destroy college buildings and offices.

I believe there is a special responsibility placed upon the young people in our colleges and universities to analyze what is wrong with our society but to be restrained in their activities until such time as they are absolutely certain that those activities will be helpful in finding solutions to the problems they have found.

And I would be hopeful that the critics of

our society and our system of government would not seek to tear it down until such time as they are certain in their own minds that the replacement would represent a better opportunity for fair and honest administration of government.

For more than 25 years I have been involved in investigations of the mismanagement and corruption of government at all levels. With full knowledge of the corruption in our society, I am still certain that it is relatively clean. I say "relatively clean" for in judging we must not judge it alone against some imaginary ideal. We must judge it by comparing it with other societies that exist in the world today. With all of its weaknesses, it is certainly a better society than that of the Communist world where there is no thought of fair play or justice for the individual.

If there is anything wrong with our society, it is not because of our system of government. What is wrong is wrong despite our system of government which gives the people of the country the right to insist upon high standards, and the mechanism for defeating those who do not strive for honest and efficient government.

If there are things that you don't like, don't be among those who rip at our system and blame our American democracy for everything. It is time for each citizen to look at himself and to ask himself if he is contributing to the delinquency. He should also ask himself if there isn't something more he can do to eliminate the evils that will inevitably creep into any system.

I believe I have viewed almost every evil that can creep into our system but I have not lost faith in that system of government. I know that I will never lose faith in it.

In nearly every case, our American democracy has forced a reform as soon as the facts had been clearly relayed to the public through the press. I have seen incompetent and corrupt city officials defeated and corrupt and incompetent county officials indicted, convicted and removed from office.

OMBUDSMAN

Many indictments and convictions followed the exposure of corruption in the Truman Administration. Revelations of conflict of interest in several high offices in the Eisenhower Administration resulted in a rash of resignations and a few indictments. There were indictments and conflicts arising out of scandals in the Kennedy Administration.

I have no doubt that the Nixon Administration will be plagued from time to time with similar problems. We had one major first test in connection with Major General Carl Turner. It was possible to demonstrate the advantage of swift non-partisan action in connection with the Turner matter. We were able to learn of serious problems involving Major General Carl Turner, who had been appointed last March as the Chief United States Marshal. His resignation was obtained within a matter of a few hours after the Administration became aware that he was not worthy of his position. The hearings before the Senate Permanent Investigating

Subcommittee demonstrated dramatically that it was important that we came to grips with that issue and removed the man who failed to meet the standards required by this Administration.

The public was understanding because the Administration took action against an appointee of the Administration at the first point at which it was clear that General Turner did not meet the Administration's standard. When Turner was appointed in March, there was no reason to believe he was other than an experienced career military investigator. There was no record of arrests or convictions to mar his record.

The mistake of appointing Carl Turner was the mistake any Administration could make and there was public understanding of this and no editorial criticism. I hope that the swift corrective action in the Turner case will set the tone for this Administration.

I hope that the Nixon Administration will always be able to find the true facts at an early stage and brush away the excuses and rationalizations that are so frequently brought forward to cloud the issue.

I was named presidential ombudsman because President Nixon wanted someone in the White House who would be mainly concerned with the problems of inefficiency, mismanagement, and corruption in the federal government. The jurisdiction was to be roughly that of a government operations committee of the Senate or House.

It is not a role that has carried any direct responsibilities in the political area or in the program policy areas. It stresses government operations.

It has been an effort to establish a mechanism outside the normal chain of command for the administration of government programs for independent fact finding on problem areas that will take advantage of the whole range of government sources, plus a wide range of sources outside of the federal government.

The President and others in his administration have been familiar with "Despoilers of Democracy" and "The Pentagon" which were nonideological and nonpartisan case studies on the problems of dealing with inefficiency, mismanagement and corruption in a wide range of government agencies. The President wanted that approach.

Many of our Presidents have been embarrassed by commenting upon government problems before they were apprised of the full facts on cases involving inefficiency, mismanagement, and corruption in their administrations. President Truman made errors in his comments and explanations on problems involving the Reconstruction Finance Corporation, the Internal Revenue Service, and some other agencies. This made it appear that he was condoning questionable activity.

President Eisenhower made similar mistakes in press conference comments on the Dixon Yates case, and in connection with the Adams-Goldfine matter.

President Kennedy made similar mistakes in commenting at press conferences on the Billie Sol Estes case, on the TFX case, and on other matters.

All suffered some major embarrassment because they relied upon the normal administrative chain of command. At a late date they found that men with a stake in the case, from a standpoint of official responsibility or as a result of involvement in questionable activity, had given them inaccurate information.

President Nixon, who had extended experience in dealing with congressional investigations, has realized the hazard of dealing with information that comes through the bureaucratic chain of command. He has wanted to keep the possibility of error down to a minimum.

Serious errors in dealing with the problems of mismanagement or corruption can

do irreparable harm to an administration from a standpoint of its credibility on international or domestic matters, and in its dealings with members of the Senate and House.

The many grave problems—domestic and foreign, that must be dealt with today create conditions that make it particularly important that there be a mechanism to protect the President from the errors that can arise from over reliance upon the bureaucratic chain of command.

It is important to establish an effective government-wide follow-through on past problem areas, and to set the tone for what the President expects of his own administration.

PERFORMANCE IS WHAT COUNTS

The Nixon Administration is dedicated to the vision of a clean environment, but more important, it is dedicated to the practical programs that will make the goals possible. The President knows that great goals are not enough. He recognizes that there must be a realistic means to reach those goals. We must control the despoilers of America—the polluters of our land, our water, and our air—while keeping "the despoilers of democracy" from turning new government controls into tax-wasting rackets.

The goals of a better America are easy to support. Clean air, clean water, and clean food are goals we can all agree are desirable. Achieving them is difficult. It is fine to dream visions of a beautiful and a clean land, but there is need for producing the realistic nuts and bolts vehicle to take us there with a minimum of waste or mismanagement or corruption.

There is need to recognize that every new law and every new function of government that carries the promise of a better life also carries the possibility of more repressive regulation and more corruption. As any student of local government knows, the laws to license restaurants are essential to protect food served to the public. But they are often the opening wedge for new pay-off rackets.

Realistic laws and fair and honest administration of those laws are of benefit to man. Poorly drawn laws and lax or dishonest management can be simply one more drain on the tax dollar that sets the stage for corruption and disillusionment.

Most businessmen—indeed, most citizens—will cooperate if they believe the laws are being administered and enforced in a fair manner. Most businessmen—indeed, most citizens—will balk at the prospect of more laws that simply infringe upon liberty and hold only faint prospects for a better world.

Cynicism flows from the shattered promises of unrealistic laws poorly enforced or corruptly administered. Hope for a better America can only come from realistic laws and from consistent, fair enforcement of those laws. That hope must be based upon the credibility of good government—not perfect government, but reasonably fair and honest government. That is the only true goal of our American democracy. That is the only road to a realization of our hope for programs to control our environment.

EXCERPT—RESIGNATION LETTER

In my brief time in public service, it was not possible to spotlight or to solve all of the problems of government operations, but I believe that much has been accomplished in avoiding the factual errors and the delays in problem solving that have plagued so many of our past administrations. I hope that a good government tone has been set. I hope we have made some headway in proving that aggressive good government can be good politics. I also hope that we have been able to right a few wrongs, and to help a few average citizens fight their way through the bureaucratic jungle that our big government has become.

I have become more appreciative of the problems of making big government operate

effectively, and sympathetic with the problems our Presidents face in making the federal government move. The experience has dramatized how important it is that the President have the "right to know" what is taking place at all levels of government, and the right to expect that his will is carried out.

WHITE HOUSE OMBUDSMAN

Arrogant bureaucracy is the greatest obstacle today to proper functioning of the government and has created a sense of frustration from the lowest student up to the presidency. The sense of frustration, dramatized by some of the student protests, is also present among businessmen, city, county, and state political leaders, Senators and Congressmen and federal government officials.

A properly organized and staffed ombudsman office can make the federal government more responsive to the thoughtful complaints of the public and more responsive to the will of the President.

My experience as your presidential ombudsman coupled with more than 25 years of experience investigating government mismanagement and corruption at all levels has convinced me that a properly structured and staffed ombudsman office can be the answer to many of our most serious problems. It would provide:

1. A place for citizens to lodge their complaints against arbitrary bureaucratic actions with the hope of having the grievances examined carefully.
2. It would provide the mechanism for thoughtful depth examination of complaints and would force the production of records dealing with government operations and decisions.
3. It would provide a means of separating legitimate complaints from frivolous complaints and would provide periodic publication of the findings of fact and conclusion. Reports published on a semi-annual or annual basis would force government agencies to give greater attention to the necessity of justifying decisions to an independent body and for correcting decisions that are erroneous.

The ombudsman office could be created by the President within the White House or it could be established by law independent of the White House. Essential to the proper functioning of this office are the following:

1. Cabinet rank so there can be no question about the ombudsman authority to obtain records and reports.
2. A man of great experience, stature, and impeccable integrity.
3. Job tenure so that there can be no doubt about the ombudsman's total independence (a law would be required for job tenure).
4. Direct access to the President at all times.
5. An initial staff of 12 to 20 lawyers and accountants with years of experience on investigations of government operations either with congressional committees or with government agencies, or both.
6. Public reports made to the President and to the Senate and the House on an annual or semi-annual basis with provisions for special reports.

7. This job should be devoid of any partisan political authority or responsibility.

The key to the successful operation of the federal ombudsman office is the selection of an ombudsman to head this new structure. This must be a man of great experience in the investigation of government who is recognized by the public for his great stature and his impeccable integrity. Senator John J. Williams, Republican of Delaware, is the only man who comes to mind immediately as having the full credentials necessary to do this job. He will be retiring from the United States Senate at the end of 1970. His conduct as a member of the United States Senate over a period of twenty-four years is recognized by Democrats and Republicans, liberals

and conservatives as having been in the highest tradition of public service.

I believe that the establishment of an ombudsman office, headed by Senator John Williams, would do more than any other single act to restore faith in the federal government.

Expensive reorganizations and realignments of government activities have been usually only a slight reshuffle of the same old bureaucratic cliques. John Williams and a small effective staff could break up the old bureaucratic patterns and restore integrity and fair play in many areas where it has been missing for years.

CLOSING

The ombudsman program I suggest could bring some much needed idealism to the American Democracy. It could bring some of the idealism that I found in a few of my early teachers, an idealism that I tried to catch in poetry a few years ago.

I think it is equally applicable to men in government, men in the communications business, and to others today as we contemplate the job of teaching and inspiring the young of this nation.

TEACHER

You are the moulders of their dreams—

The Gods who build or crush their young beliefs in right or wrong.

You are the spark that sets aflame a poet's hand,

Or lights the flame in some great singer's song.

You are the Gods of young—the very young.

You are their idols, by profession set apart. You are the guardians of a million dreams.

Your every smile or frown can heal or pierce a heart.

Yours are one hundred lives—one thousand lives.

Yours is the pride of loving them, the sorrows too.

Your patient work, your touch, make you the God of hope

That fills their souls with dreams, and make those dreams come true.

—Clark R. Mollenhoff.

In meeting the great problems that face our nation today—practical idealism can be our salvation. Either cynicism or thoughtless ranting can only bring destruction.

COMMITTEE MEETINGS DURING SENATE SESSION

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

The PRESIDING OFFICER (Mr. EASTLAND). Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10:30 tomorrow morning.

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

ORDER FOR RECOGNITION OF SENATOR FANNIN TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, following disposition of the Journal on tomorrow, the distinguished Senator from Arizona (Mr.

FANNIN) be recognized for not to exceed 30 minutes.

The PRESIDING OFFICER (Mr. EASTLAND). Without objection, it is so ordered.

AMENDMENT OF THE FOREIGN MILITARY SALES ACT

The PRESIDING OFFICER (Mr. EASTLAND). The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which the clerk will state.

The ASSISTANT LEGISLATIVE CLERK. H.R. 15628, to amend the Foreign Military Sales Act.

The Senate resumed the consideration of the bill.

The PRESIDING OFFICER. The question is on adoption of the amendment of the Senator from South Carolina (Mr. THURMOND).

Time from now until 3 o'clock is equally divided.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, with the time to be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Who yields time?

Mr. THURMOND. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. THURMOND. Mr. President, my amendment to H.R. 15628, the Military Sales Act, merely would permit the United States to provide the International Fighter aircraft to Thailand as well as South Vietnam.

That is all it would do. Thailand and South Vietnam are the only two nations involved in Indochina which have the capability to employ and maintain an air superiority aircraft such as the International Fighter.

My colleagues might ask why extend direct aid of the International Fighter to Thailand. Under the present laws that is the only way they can get it.

Further, only Thailand—not South Korea, not Nationalist China, not the Philippines—is contiguous to the conflict in Indochina. Cambodia is involved also, of course, but that country does not have the technical capability to handle the International Fighter.

Thailand currently possesses a very limited ability to maintain air superiority over its contiguous airspace. If this country is to provide for its own defense and not depend on the United States we must give Thailand the means through equipment, supplies and aircraft.

Mr. President, there is not a Member of this Senate who does not wish to see our boys in Southeast Asia return to their families in this country. We must realize that this process will be speeded if we demonstrate to our allies in that area

that we mean business when we talk about aiding them in a way that they can provide for their own defense.

In the Senate debate on the International Fighter program last November, the chairman of the Senate Armed Services Committee assured the chairman of the Senate Foreign Relations Committee that the defense funds authorized for the International Fighter were limited to aircraft for use in South Vietnam, Korea, Taiwan, and Thailand. He stressed that funds for military assistance to any other country would come under the jurisdiction of the Committee on Foreign Relations, and that was agreed upon.

Secretary of Defense Melvin Laird took a position in a letter dated October 21, 1969, to the chairman of the Senate Armed Services Committee, in support of the International Fighter aircraft program. He stated:

In particular, we now believe it is desirable to consider an appropriate aircraft the South Vietnamese might use, as part of the Vietnamization process, in defending against the potential North Vietnamese MIG threat. In addition, we believe that making an appropriate aircraft available to the Republic of Korea, Taiwan, and Thailand could provide a means for these nations to shoulder more of their own defense in the future.

The exchange between the chairman of the Senate Armed Services Committee and the chairman of the Senate Foreign Relations Committee included the following:

Mr. STENNIS. This is limited to Southeast Asia.

Mr. FULBRIGHT. No, it is not limited. I beg the Senator's pardon. The letter from the Department says that some of these planes will be given to Greece and Turkey.

Mr. STENNIS. Our amendment is limited to Southeast Asia. Permit me to finish that thought. I spelled it out, because we considered that the extent of the jurisdiction of the Committee on Armed Services. I know that if a plane is researched and built, it will go beyond Southeast Asia—that is common sense. But the Committee on Foreign Relations, of which the Senator from Arkansas is Chairman, would have to authorize the funds for the purchase by military assistance, at least for any country outside Southeast Asia.

Mr. FULBRIGHT. I am very pleased to hear the Senator say that. I was not clear on that point. Then, the planes that the Defense Department says they anticipate giving to other countries will have to be authorized in foreign aid.

Mr. STENNIS. That is very clear to me, and that was discussed in the conference at great length, and it was agreed to. We even spelled it out in the amendment.

Mr. FULBRIGHT. I appreciate the Senator calling that to my attention. I did not understand that.

So it is clear that the purpose of the International Fighter program is to aid our allies in Southeast Asia, specifically to the countries named, and to no others. My amendment would simply insure that Thailand is not excluded from this program.

The concept underlying this idea was adopted in the Eisenhower administration and has been continued ever since. It has been confirmed each year in the authorization bills approved by Congress.

The concept underlying the program has been that it is in the interest of the United States to provide equipment suited to allied countries—suited to their skill levels and their resources—rather than to give them more complex and provocative U.S. equipment. It is a concept designed to save money for our country and to make it possible for others to handle their own defense effectively.

This concept was first enunciated more than 10 years ago when Senator Styles Bridges, of New Hampshire, chairman of the Committee on Appropriations and the ranking member of the Armed Services Committee, raised the question of whether there was not a more economical and effective way of providing equipment to other countries under the mutual security program, a better way than giving these countries our own expensive and complex equipment. Acting Secretary of State Douglas Dillon replied with a very cogent statement of the conceptual basis for it.

Mr. President, I ask unanimous consent to have printed at this point in my remarks a letter dated April 17, 1959, to Hon. Christian A. Herter, Acting Secretary of State, from Styles Bridges, a Senator from New Hampshire, and a letter dated May 20, 1959, to Senator Bridges from Douglas Dillon, Under Secretary of State.

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

APRIL 17, 1959.

HON. CHRISTIAN A. HERTER,
Acting Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: Many of the members of the Senate Appropriations Committee are gravely concerned about mounting Federal expenditures and the indications that there will be no decrease in the national debt in the next fiscal year. In view of this environment, and the close scrutiny which will be made of Foreign Aid, I am disturbed about one situation in particular which might increase commitments of U.S. funds. I have reference to the problem of supplying weapons systems to our allies.

The large increases in the complexity and cost of new weapons produce almost explosive forces driving the level of our defense expenditures constantly upward, yet we must maintain a sound national economy protected against the erosive effects of inflation. Accordingly, it seems to me that we and our allies must select the weapons which yield the best defense in relation to their total cost, which includes development, procurement and maintenance.

A case in point would be the providing of large, expensive Century-type aircraft with high maintenance cost in areas where a lower cost, but suitable, weapons system would be highly effective. I feel it is highly probable that in addition to the high initial cost, the U.S. might be called upon to increase the need for defense support through economic aid to provide for increased cost of maintenance.

In this connection, I have noted recent newspaper reports that the Republic of Germany has indicated a preference for advanced Century-type aircraft to be initially purchased in this country and subsequently to be produced in relatively small quantities in Germany. It would seem entirely possible that the next logical step would be a bid from Germany for U.S. assistance in the form of an off-shore procurement for supplying this same aircraft to other allied nations in Europe. In this connection, I un-

derstand that the Netherlands and Belgium and probably other countries have indicated that they prefer a lighter type of aircraft, realizing that they cannot maintain and operate this aircraft within their limited finances, personnel and skill levels.

My staff informs me that U.S. funds have already been provided to advance the development of a versatile, high performance, light aircraft to satisfy the Air Defense mission of most of our allies. I also understand that the Deputy Secretary of Defense, Mr. Quarles, as well as Secretary Douglas of the Air Force, are cognizant of these developments and you may want to discuss the matter with them.

I am certain you will agree with me that it is vital to our national interest, within the framework of both NATO and SEATO, that we use U.S. dollars as effectively as possible in meeting the Soviet threat.

It seems to me that we could better serve our Allies by providing single and less costly weapons systems, assuming of course that such systems satisfy the military requirements as opposed to providing more costly and complex weapons; except where we are positive the recipient nation has the necessary resources in money, manpower and facilities to support the latter.

Sincerely yours,

STYLES BRIDGES.

DEPARTMENT OF STATE,
Washington, May 20, 1959.

HON. STYLES BRIDGES,
U.S. Senate.

DEAR STYLES: I share the concern expressed in your letter of April 17 to the Secretary over the need to assure ourselves that the weapons which are provided to our allies yield the best defense in relation to their total cost. The entire question of the kind of weapons systems which best meet the needs of our allies, considering our allies' differing economic and technological capabilities and the particular military tasks envisioned for their forces, is a matter which is receiving increasing attention in both the military assistance program planning and the program implementation activities of the Departments of Defense and State.

We of course receive from the Department of Defense a determination as to the military suitability of any given weapons system for carrying out the military mission assigned by U.S. planning to the foreign forces involved. Nevertheless, it is quite correct, as you point out, that there is an extensive area for judgment and choice as between alternative systems, each of which may be determined by the Department of Defense to be militarily effective but which may have varying effects not only upon the immediate cost to the U.S. but on our ability to accomplish foreign political and economic objectives. It therefore becomes necessary for the Departments of State and Defense to consider jointly the competing military, political, economic and financial factors involved. As evidence of the increasing attention accorded this problem area, provision has recently been made, as you are aware, to develop an advanced performance aircraft, the Northrop N-156, to help provide the air defense capability which it is in the U.S. interest to provide to our allies. This specific program proposal is one which I personally subjected to careful review before according it my approval as MSP Coordinator. On the basis of information provided by the Department of Defense we have every hope for a successful result from this program, though as you know the process of developing, testing, tooling and final production is a lengthy one and we are not likely to have the definitive results until some three years from now. If this program is successful, however, we would hope that aircraft would be available with performance characteristics which would meet the requirements of many

of our allies and have the important supplementary advantage of a reduced initial procurement cost and a subsequent reduced maintenance cost as compared to more complicated aircraft in U.S. inventories (specifically as compared to the Century series aircraft to which you refer).

However, this is not to say that all the requirements of all our allies can best be met with this aircraft, which in any event is not yet tested and available. We have therefore provided some Century series aircraft to certain of our allies and anticipate the need to provide additional such aircraft in the future. I assure you, however, that wherever we may decide to undertake such action we shall do so only after the Department of Defense scrutinizes most carefully the military validity of the action and the Departments of State and Defense jointly study our allies' capabilities adequately to absorb and utilize these aircraft. I should hasten to add, that, if we are to meet U.S. security objectives, we cannot necessarily limit the provision of such aircraft only to recipient nations which have the necessary indigenous financial resources to provide in full the subsequent maintenance and operational support for them. In this respect, the position would be similar to that under our present policies where, if necessary to meet U.S. objectives, we provide jet fighter aircraft and also assist in the maintenance and support of such aircraft when this is essential to their effective readiness and utilization. I agree, however, that in any instance where it is manifestly apparent that the provision of costly and complicated weapons such as Century series aircraft cannot be effectively absorbed and employed by our allies, or where their provision will entail a continuing financial drain on their or our resources which is incommensurate with the security objectives sought, it would not be in our interest to make such aircraft available.

Finally, I should like to refer to the question which you raised in connection with the German production of Century series aircraft. You are of course aware that procurement of Century series aircraft by Germany for use by its own forces will be at no cost to the U.S. While it is possible that the German Government may approach us with a proposal for offshore procurement of these aircraft to be supplied to other nations in Europe, no such proposal has as yet been forthcoming, nor are there any plans currently within the U.S. Government to provide such assistance. In the event such a proposal is advanced, I assure you that it will be tested against the above criteria as well as subjected to the usual reviews accorded to any offshore procurement proposal.

I hope that this is responsive to the questions which you had in mind. In the event you have further questions regarding the military considerations underlying the basic policy determinations explained above, you may wish to communicate with Secretary McElroy on the subject. I am taking the liberty of sending him a copy of your letter and this reply.

Sincerely yours,

DOUGLAS DILLON,
Acting Secretary.

Mr. THURMOND. Mr. President, since then, the funds for the distribution of F-5's under MAP and for sale of F-5's through FMS have been authorized by the Foreign Relations Committee of both Houses and appropriated by the Appropriations Committee so that there is no basis for saying that this is unprecedented. The F-5 program under the MAP is currently going on under authorization previously approved by the Foreign Relations Committee. I do not think anyone can dispute the statement that the

F-5 is a very successful program for the countries which are using it, and is serving the interest of our mutual security program.

Opposition to the idea of an International Fighter comes today, as it always has, from those who do not really understand the objective. That objective is to enable our allies to take care of their own defense with equipment that is less costly than our own, less complicated than our own, and which does not require us to maintain a military presence in those countries in order to support those aircraft.

Adoption of my amendment to section 8 of the Foreign Military Sales Act will help accomplish that objective by enabling speedy distribution of the International Fighter to the two countries whose territory is threatened by the events in Southeast Asia—South Vietnam and Thailand.

Mr. President, in a letter to a Member of the Senate, the Secretary of Defense offered the position of the Defense Department on the expression of the Foreign Relations Committee in their report in 1969 in reference to Laos and Thailand being returned to the regular military assistance program in fiscal year 1971 rather than remaining in the DOD budget.

The PRESIDING OFFICER. The 10 minutes yielded by the Senator from South Carolina to himself have expired.

Mr. THURMOND. Mr. President, I yield myself an additional 10 minutes.

Mr. President, in part Secretary of Defense Laird stated:

These programs were transferred from the Military Assistance Program to the Department of Defense budget by the previous Administration in 1967.

With regard to Thailand, as the Thais are contributing men to our efforts in South Vietnam it was considered more efficient to meet both the requirements for the Thai forces in South Vietnam and for the regular Thai military grant program from the same financial and logistics system. Also, many facilities and activities in Thailand are jointly used and operated by U.S. and Thai forces. Single source spending was believed to be necessary for the sake of good management and economy.

It was also recognized that there was greater efficiency and more effective management to support military assistance to Thailand and Laos, as well as the Thai forces in South Vietnam, from a financial and logistic base common with the U.S. forces deployed to the area. It is also my understanding that at the time that the previous Administration justified to Congress the transfer of these programs to the regular DoD budget, it was stated that they would be returned to the regular MAP following the cessation of hostilities in Southeast Asia. Also, the Congress was assured that, irrespective of which budget funds these programs, the Department of State would continue its supervisory role to ensure consistency with foreign policy.

Though I believe the rationale for supporting these two country programs in the regular DoD budget is as valid today as it was in 1967, the whole funding question will be reviewed. However, since the Congress passed a two-year authorization for foreign aid and authorized \$350 million for military assistance for fiscal years 1970 and 1971, it is not possible to fund the programs for Laos and Thailand during FY 1971 from this amount

while at the same time satisfying our other high priority MAP requirements for that fiscal year. Also, as the Foreign Assistance authorization was not passed until December 19, 1969, it was too late in the budget planning cycle to shift the requirements for these programs out of the Defense budget.

More importantly, the whole U.S. effort in the field of foreign aid, both economic and military, is under intensive review. Any decisions with regard to the restructuring of our foreign aid efforts will be dependent upon the recommendations made to the President by his Task Force on Economic Development, which is to deliver its report to him by March 31, 1970, and on other reviews currently being conducted by the National Security Council. Until these reviews are completed, and their recommendations acted upon by the President, it would not seem to be prudent to incorporate such programs in military assistance at this time. But please be reassured that the source of funding for these two programs will be given the closest attention by the President, the Secretary of State, and by me when the President's Budget for FY 1972 is being formulated.

The Secretary of Defense also took a position supporting this international fighter in a letter dated October 21, 1969, to the chairman of the Senate Armed Services Committee (Mr. STENNIS). Secretary Laird said:

DEAR MR. CHAIRMAN: For some time the Department of Defense has been studying the issues incident to the development of an improved International Fighter Aircraft. Such an aircraft should (a) have adequate capabilities to handle the existing threat, (b) be an inexpensive as feasible, and (c) be simple to maintain and operate. When the military budget was presented to Congress earlier this year, the Department of Defense consideration of the issues involved had not proceeded sufficiently to justify making a request for resources to meet the objectives cited.

Our continuing review over the past few months, however, has validated the objectives, and a draft concept for an International Fighter Aircraft has been completed. The concept highlights, inter alia, the utility our allies, particularly in the Asian theater, might find for a new fighter aircraft and alternative programs which might be undertaken to make such an aircraft available.

In particular, we now believe it is desirable to consider an appropriate aircraft the South Vietnamese might use, as part of the Vietnamization process, in defending against the potential North Vietnamese MIG threat. In addition, we believe that making an appropriate aircraft available to the Republic of Korea, Taiwan, and Thailand could provide a means for these nations to shoulder more of their own defense in the future.

I recognize the legislative interest of various committees in the matter of a new International Fighter Aircraft, especially since part of the market might be of the Republic of Vietnam and part of the market might be other nations being served by our military assistance and military sales programs. I would hope the interested committees would evolve the preferred methods for considering our proposal.

In any event, I believe Congress would serve the national interest by authorizing and appropriating funds which would enable us to retain an option to go forward with such a proposal at an early date.

Sincerely,

MEL LAIRD.

Mr. President, the Deputy Secretary of Defense, Mr. David Packard, also supports the international fighter. I should like at this time to read into the RECORD

a letter from him to Hon. L. MENDEL RIVERS, the chairman of the House Armed Services Committee, dated September 24, 1969. He says:

DEAR MR. CHAIRMAN: Following our discussion this morning, this will confirm our request that your committee consider making the necessary adjustments in its action on the military procurement authorization bill in order to permit the Department of Defense to proceed expeditiously with the development of a new free world fighter aircraft by the Air Force.

Over the past few months we have been studying the question of how we can provide an appropriate fighter for our free world allies, and in particular, South Vietnam. We believe we will need about 325 for Korea, Taiwan, South Vietnam, and other countries over the next 5 or 6 years. In order to do this we should begin development of a relatively simple and inexpensive fighter in Fiscal Year 1970. We have rechecked the figures and we believe we would need between \$40 million and \$60 million R.D.T. & E., depending on when appropriations are available to us, and \$4 million for long-leading items for Fiscal Year 1970. We believe this is an important program and we hope your committee will approve this program in connection with its action on the bill.

Sincerely,

DAVID PACKARD.

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

Mr. THURMOND. I yield myself 5 additional minutes.

Mr. President, possibly the conference report of the House and Senate Armed Services Committees of last November 4, 1969, will answer some of the questions being raised on the subject of the International Fighter.

On page 12 of that report the explanation concerning the International Fighter aircraft reads as follows:

The conferees agreed that of the total amount authorized for aircraft procurement for the Air Force, an amount not to exceed \$28 million shall be available to initiate "the procurement of a fighter aircraft to meet the needs of the free world forces in Southeast Asia and to accelerate the withdrawal of U.S. forces from South Vietnam and Thailand."

The conference report further requires that the Air Force, prior to the obligation of any funds for this program, shall "conduct a competition for the aircraft which shall be selected on the basis of the threat as evaluated and determined by the Secretary of Defense." In addition, such funds may also be used as may be required for research, development, test and evaluation.

The conference report conforms with the recommendation of the Deputy Secretary of Defense who asked the Committee on Armed Services of the House to "make the necessary adjustments in its action on the military procurement authorization bill in order to permit the Department of Defense to proceed expeditiously with the development of a new free world fighter aircraft by the Air Force."

Thereafter, the Secretary of Defense advised the conferees that—

"For some time the Department of Defense has been studying the issues incident to the development of an improved International Fighter Aircraft. Such an aircraft should (a) have adequate capabilities to handle the existing threat, (b) be as inexpensive as feasible, and (c) be simple to maintain and operate. When the military budget was presented to Congress earlier this year, the Department of Defense consideration of the issues involved had not

proceeded sufficiently to justify making a request for resources to meet the objectives cited.

"Our continuing review over the past few months, however, has validated the objectives, and a draft concept for an International Fighter Aircraft has been completed. The concept highlights, inter alia, the utility our allies, particularly in the Asian theater, might find for a new fighter aircraft and alternative programs which might be undertaken to make such an aircraft available.

"In particular, we now believe it is desirable to consider an appropriate aircraft the South Vietnamese might use, as part of the Vietnamization process, in defending against the potential North Vietnamese MIG threat."

It is significant to note that this will constitute the first effort on the part of the United States to Vietnamize the air defense of South Vietnam with a jet fighter which the South Vietnamese can operate and maintain with their own personnel. It is clear from the studies that have been conducted on this program that our present day fighter aircraft, in Air Force and Navy inventories, are much too sophisticated to be maintained and operated by the South Vietnamese. Thus, a much less sophisticated air weapons system must be made available at the earliest practicable date if we are to safely withdraw United States forces now operating and maintaining fighter aircraft in that area. The authorization would permit modification and/or improvement of existing aircraft now in U.S. inventories or in inventories of aircraft furnished under the military assistance program.

Mr. President, I have some other material which I will present a little later. At this time, I yield to the distinguished Senator from Nebraska.

Mr. HRUSKA. I thank the Senator from South Carolina.

Mr. President, I support the amendment to section 8 offered by the distinguished Senator from South Carolina. The international fighter is intended to be a vital link in President Nixon's Guam doctrine, which rests on the concept that if we want the countries of Southeast Asia to shoulder their own defense responsibilities so that we may withdraw our forces, the best and surest way to make this possible is to provide them with the equipment they need to do the job.

The international fighter is designed to give these countries an airplane that will be equal, if not superior, to the Soviet-built Mig-21. It is intended to be a fighter that is not provocative—that is, it is not likely to provoke a fight, but able to take care of itself if the other side starts one. It is designed to be relatively inexpensive, simple enough to operate, and easy enough to maintain in the hands of the forces of these countries. I believe that this is a very useful and timely program, coming as it does precisely when this country is making a great effort to reduce its involvement in the world's difficulties without totally abandoning our friends.

The top officials of the Defense Department have stated unequivocally that our first line U.S. equipment is too sophisticated, too complex and too costly for these countries to operate and maintain. They see the International Fighter as a means of doing the same job with less of a drain on U.S. resources and less burden on our declining defense budget.

Last fall, this subject was fully discussed on the floor of the Senate, and I

was under the impression that general agreement had been reached that the International Fighter was to be provided to Vietnam, Thailand, Korea, and Taiwan, and that, if it were to go to any other countries, it would have to come through either the military assistance program or the foreign military sales program. On that basis, it would be logical to argue that our action ought to include all four of those countries. But in view of the amendment that has been offered by the distinguished Senator from South Carolina, I would support his view. Certainly, if we are going to help Vietnam in this way, we ought to extend the same help to Thailand. It makes good sense.

I think this International Fighter will prove to be a step forward in the direction of more economical use of our military dollars. First of all, as Secretary Laird has pointed out, it is sound economy for us to help other nations defend themselves with weapons suited to their capabilities, rather than to insist on doing the job at our own expense with our far more costly weapons. It is a step, a practical step, toward bringing down the cost of defense. It is a step toward reducing U.S. equipment around the world. It is a step toward limiting our involvement in the conflicts of other nations. It is a step that will make it possible for us to reduce our presence in other parts of the world. These are all highly desirable and in the Nation's interest, and I am in favor of supporting measures that will make this International Fighter program a reality, in the frame of reference that is now considered.

It is my hope that this amendment will be approved by the Senate.

Mr. THURMOND. I thank the able and distinguished Senator from Nebraska.

The PRESIDING OFFICER. Who yields time?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, with the time to be taken out of this side.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. CRANSTON). Without objection, it is so ordered.

Who yields time?

Mr. THURMOND. Mr. President, I yield 10 minutes to the Senator from Wyoming (Mr. HANSEN).

The PRESIDING OFFICER. The Senator from Wyoming is recognized for 10 minutes.

Mr. HANSEN. Mr. President, if the Senator from South Carolina will indulge me, I should like to ask a few questions which I think are relevant to the amendment proposed by the Senator from South Carolina.

Mr. THURMOND. I shall be very happy to try to reply to the Senator's questions.

Mr. HANSEN. Mr. President, why cannot Thailand get the International Fighter under the usual military assistance or military aid programs?

Mr. THURMOND. Mr. President, in

1967, Congress removed Thailand from these programs and placed that country's military aid from the United States under what is called the military assistance service funded program. This was done so that Thailand could receive direct support, like South Vietnam, in recognition of the fact that Thailand was directly involved in the hostilities in Indochina.

Mr. HANSEN. Mr. President, does the Defense Department support the Thurmond amendment?

Mr. THURMOND. In a letter to Senator JOHN STENNIS, chairman of the Senate Armed Services Committee, on October 21, 1969, Secretary of Defense Melvin Laird said in part:

In particular, we now believe it is desirable to consider an appropriate aircraft the South Vietnamese might use, as part of the Vietnamization process, in defending against the potential North Vietnamese MIG threat. In addition, we believe that making an appropriate aircraft available to the Republic of Korea, Taiwan, and Thailand could provide a means for these nations to shoulder more of their own defense in the future.

There is no question that they want the International Fighter to be made available to Thailand, one of our strongest allies on the Asian mainland.

Mr. HANSEN. Mr. President, how would Nationalist China and South Korea get the international fighter?

Mr. THURMOND. In response to that question, I would say through the regular Military Assistance Act, or through the military aid program, as they are not under the exclusive provisions of the military assistance service funded arrangement.

Mr. HANSEN. How many international fighters does the United States want to give to Thailand?

Mr. THURMOND. In response to that question, I would say that despite the allocation of some fighter aircraft to Thailand such as older U.S. planes, the Thai's do not have a capability to stand up to the Mig threat posed by North Vietnam. While the exact number of planes planned for Thailand is undetermined at this time, it is estimated that only a little over 300 would be needed for our four main allies in Southeast Asia—South Vietnam, Thailand, South Korea and Nationalist China. So, we can see, this is not a large program. Last November 6, 1969, in floor debate, the chairman of the Senate Foreign Relations Committee said the Defense Department had informed him they planned about 18 international fighters for Thailand. I might say that this could run larger than that.

Mr. HANSEN. We have heard about several kinds of aircraft that might be used to express our determination in a material way, but just what is the international fighter? What do we mean by that term? What kind of airplane are we talking about?

Mr. THURMOND. It would not be a complicated fighter. It would not be expensive. It would be one that would be a deterrent and they could defend themselves with it. I might say that the development of the international fighter was authorized last year by Congress. The Air Force will announce later this month the selection of the contractor.

The plane will be a modification of an aircraft already on hand. Thus, its development should take only a year or so. We need this airplane quickly so that our allies in Southeast Asia can take over their own defense.

As I said, it is to be a low cost, easily maintained but worthy air superiority fighter aircraft that our Southeast allies can operate and service without U.S. help. At present the F-4 is our best fighter plane but it would be too expensive and too difficult to maintain for transfer to our allies in Southeast Asia.

Mr. HANSEN. Why does Thailand need the International Fighter aircraft?

Mr. THURMOND. Thailand currently possesses a limited capability to protect its own territory from air attack. North Vietnam and Red China have the Mig fighter aircraft which the Thai's could not defend against. This would reduce their defenses greatly and imperil U.S. goals of transferring the major air defense effort in Southeast Asia to indigenous forces. If we are to encourage the Asians to provide for their own defense, we must supply them with the appropriate hardware.

Mr. HANSEN. Thailand is not really involved in the war in South Vietnam so why place them in the same category as South Vietnam?

Mr. THURMOND. Thailand does have forces in South Vietnam. Recently they have been faced with increased attacks on their borders and within their territory by Communist forces. Also, they have offered help to Cambodia and are showing a willingness to assume a larger role in the defense of Indochina against North Vietnam and the Vietcong.

Mr. HANSEN. How do we know these countries will not use the International fighter to invade the land of their neighbors?

Mr. THURMOND. I do not think there is any danger of that. Unfortunately, all of their neighbors, North Vietnam and China, have or will have fighter planes equal to or better than the International Fighter. The United States is merely trying to give these countries the means for defense of their land. For Thailand to attack Hanoi with the International Fighter they would have to be refueled in the air and Thailand has no capability for such inflight refueling. Thus, I would say, there is no danger of these fighters being used to invade the neighbors of Thailand or South Vietnam.

Mr. HANSEN. Has the Air Force submitted a formal reprogramming action for the \$28 million authorized but not specifically appropriated for the international fighter in fiscal year 1971?

Mr. THURMOND. The Air Force has not yet submitted a formal reprogramming action for the application of the authorized \$28 million for the international fighter. This reprogramming would be accomplished following the announcement of the results of Air Force analysis of the contractor's proposals and the results of the competition are expected to be announced later this month.

Mr. HANSEN. How does the international fighter differ from the freedom fighter?

Mr. THURMOND. Generally the free-

dom fighter was to be a modified F-5 aircraft, but last year the Congress required a number of planes and contractors to be considered for the international fighter contract. Therefore, until the contract is awarded later this month, it is unknown at this time as to just which type aircraft will be modified to become the international fighter.

Mr. HANSEN. I thank my distinguished colleague from South Carolina.

Mr. THURMOND. Mr. President, I wish to commend the Senator from Wyoming for the questions he has asked on this important matter. I hope that I have been able to clear up some of the questions that might be in the minds of some Senators.

Mr. HANSEN. I think that, out of the entire colloquy, one of the most important points the Senator from South Carolina has made is to underscore the position of the administration with respect to the Thurmond amendment.

As I understand the distinguished Senator from South Carolina, he did say that the administration does urge the adoption of this amendment. Am I correct in that statement?

Mr. THURMOND. Mr. President, I would say that the administration does favor the international fighter. And this amendment is offered for the purpose of providing that fighter to Thailand.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER (Mr. CRANSTON). The Senator from South Carolina has 10 minutes remaining. Who yields time?

Mr. THURMOND. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time not be charged to either side.

The PRESIDING OFFICER (Mr. CRANSTON). The vote comes at 3 o'clock. The time must be taken from someone's time.

Mr. THURMOND. Mr. President, I ask unanimous consent that the time for the quorum be charged equally to each side.

The PRESIDING OFFICER (Mr. CRANSTON). Is there objection? The Chair hears none, and it is so ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Who yields time?
Mr. GRIFFIN. Mr. President, will the distinguished Senator from South Carolina yield me some time?

Mr. THURMOND. Mr. President, I yield 10 minutes to the distinguished Senator from Michigan.

The PRESIDING OFFICER (Mr. CRANSTON). The Senator from South Carolina now has only 7 minutes remaining.

Mr. THURMOND. Mr. President, I yield that 7 minutes to the Senator from Michigan. I wonder if the distinguished Senator from Idaho would yield the Senator from Michigan 3 minutes.

Mr. CHURCH. Mr. President, I yield 3 minutes to the Senator from Michigan.

The PRESIDING OFFICER (Mr. CRANSTON). The Senator from Michigan is recognized for 10 minutes.

Mr. GRIFFIN. Mr. President, I rise to indicate my strong support for the amendment offered by the distinguished Senator from South Carolina.

In his remarks on the Senate floor yesterday, and again this afternoon, the Senator from South Carolina has explained very persuasively why the amendment deserves adoption by the Senate.

I should like to comment briefly on one or two aspects of the matter which concern me and which I believe should concern all Senators.

It appears to me that as section 8 of the committee amendment is now written, it would be in direct conflict with President Nixon's Asian policies. And it would conflict with the doctrine which he announced last year at Guam. It would conflict also with, and could impede, his announced plan to withdraw American fighting forces from Southeast Asia in an orderly fashion and as soon as practicable.

In a statement at Bangkok, Thailand, on July 28, 1969, the President said:

What we seek for Asia is a community of free nations able to go their own way and seek their own destiny with whatever cooperation we can provide—a community of independent Asian countries, each maintaining its own traditions and yet each developing through mutual cooperation. In such an arrangement, we stand ready to play a responsible role in accordance with our commitments and basic interests.

What the amendment offered by the Senator from South Carolina would seek to do would be merely to add Thailand as one other country which would be eligible, along with South Vietnam, to receive the international fighter plane being developed under existing arrangements.

Surely this would be in accordance with our commitments and basic interests as expressed by President Nixon at Bangkok in 1969.

Thailand is one of our strongest allies on the Asian mainland. As recent events have demonstrated, Thailand is taking a more active and affirmative role in maintaining her own independence and the freedom of neighboring countries.

It seems to me that this is a development, a trend which we should encourage—not discourage.

One way to encourage Thailand is to provide her with the tools with which to protect her own independence and assist her neighbors in doing likewise.

This would be in keeping with the tradition of helping other nations to help themselves—a course, as we all know, which met with spectacular success in Europe and elsewhere when our friends and allies were faced with threats of Communist aggression.

To put this matter in some perspective, let me point out that of the more than \$33 billion appropriated by the United States for military assistance between 1950 and 1968, over 50 percent went to Europe and Japan, excluding Greece and Turkey; another 20 percent went to the Near East and south Asia, including

Greece and Turkey; and about 30 percent went to countries in east and South-east Asia.

If we look at the countries that have received U.S. military assistance since 1950, France has received the most, with \$4.1 billion; Turkey is next with \$2.6 billion; Korea received \$2.5 billion; Taiwan, \$2.4 billion; Greece, \$1.4 billion; Belgium, \$1.2 billion; Italy, \$1.2 billion; and Great Britain, \$1 billion. From these figures it is clear that, out of a total of at least 80 countries who have received this type of assistance, eight countries have received over 50 percent of it.

The areas represented by these countries have, on the whole, been characterized by political and military stability. So, I believe it is reasonable to conclude that the military assistance program and the foreign military sales program of the United States have substantially contributed to the peace of the world.

Even in the Middle East the bulk of the weapons provided to nations in that area has come from the Soviet Union and from European nations. Those Arab nations which have received U.S. equipment, either through sales or grants, have not contributed significantly to the conflicts in the Middle East. The sales of our aircraft to Israel have had the effect of maintaining some sort of military parity between Israel on the one hand and the United Arab Republic on the other.

Prior to 1960, the total of our foreign military sales were generally at a low level. Then, as many nations became stronger economically and became better able to pay for such equipment, there was increasing pressure in this country that such equipment be sold, rather than given as the gift of the American taxpayers. Military assistance through grants declined and foreign military sales increased by approximately the same amount. These sales since 1964 have averaged about \$1.2 billion a year.

On the whole, these sales have been made to the advanced industrial nations of the world such as Germany, Italy, France, Australia, Japan, and United Kingdom. On the whole, it seems clear that this country's military assistance program, including both grants and sales, has been a very useful tool of international policy. It has been in the interests of the United States and it has been a good influence in the free world. It is costing the American taxpayer less as more of it is being bought and paid for by the recipient countries and less is being received by them as a gift.

In view of this background, it would be difficult to understand opposition to the international fighter program, even if the international fighter were intended for the broad military assistance program. But that is not the main purpose of the international fighter. It is primarily intended to help us solve the most difficult problem of all, the problem we currently face in Southeast Asia.

It is already clear that if we try to get out of our present involvement through negotiation, this can be done only on terms completely favorable to Hanoi. If we try to get out solely

by military withdrawal, this must inevitably involve great risks to our own troops. It seems clear that the only mechanism which will make a military withdrawal more feasible is to shift the military burden to native forces and to provide them with the equipment that will enable them to do the job. That is the direction and the policy which is now being followed.

It is a specific means of moving toward the objectives of the Nixon program of deescalation. Section 8 as now written would hamper the program and would reduce its effectiveness. Those who support deescalation and withdrawal, and a reduction of our presence in Southeast Asia, should join in support of the pending amendment sponsored by the distinguished Senator from South Carolina.

Therefore, Mr. President, I wish to urge Senators to lend their support so that this amendment may be agreed to.

The PRESIDING OFFICER. Who yields time?

Mr. CHURCH. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CHURCH. Mr. President, the amendment offered by the senior Senator from South Carolina involves a very simple matter. The issue before the Senate is not—in any way—whether the United States will or will not give or sell aircraft to Thailand.

The question is whether any future grants to Thailand of an aircraft yet to be developed, will be funded out of military aid—in the traditional manner—or directly out of the Department of Defense budget.

In order to help Senators in understanding what is involved, a little history is necessary. Section 8 of the bill before us, which the Senator from South Carolina seeks to amend, states merely that gifts or sales of a yet-to-be-developed fighter aircraft being created solely for the use of foreign countries, must be financed either through commercial channels or through the regular military aid and sales programs. The single exception is South Vietnam since the \$28 million development subsidy being used to finance the project was approved by the Senate last year on the basis that the plane was needed to aid in the Vietnamization program.

This project originated in the House Armed Services Committee early last year. At that time it was not endorsed by the administration. The House committee proposed to provide \$14 million as the first increment in the development of an improved version of the F-5 aircraft. The new model was to be given away or sold to foreign countries since the United States had no military requirement for it. That proposal passed the House but was not acted on by the Armed Services Committee of the Senate.

The House committee included a similar provision in the regular military authorization bill; this time, however, it approved \$52 million for the project. By then the Department of Defense had decided to formally endorse the project. The Senate committee did not approve

any funds for the project. But the conference committee agreed to authorize \$28 million for a far more limited project. The senior Senator from Mississippi (Mr. STENNIS) in presenting the conference report to the Senate on November 6 justified the development of the aircraft as a means of implementing the Vietnamization policy.

He said:

In this way, Mr. President, we should be able to assist in accelerating the withdrawal of American support troops from South Vietnam . . . The plain fact is that aircraft in the active United States inventory are too complicated for the South Vietnamese personnel to maintain.

He inserted in the RECORD a letter he had received from Secretary Laird, which said in support of the project:

In particular, we now believe it is desirable to consider an appropriate aircraft the South Vietnamese might use, as part of the Vietnamization process, in defending against the potential North Vietnamese MIG threat.

Although the clear intent was that the justification for the aircraft would be to further the Vietnamization program and hasten the withdrawal of U.S. forces from Southeast Asia, the wording of the authorizing language was sufficiently broad to supply the plane, out of Department of Defense funds, to both Thailand and South Korea since both had troops in South Vietnam. Section 8 limits to South Vietnam the giveaway of this aircraft out of the defense budget—assuming a fighter is ultimately developed.

Mr. President, justification for this project was set out authoritatively and conclusively in the conference report on the defense authorization bill, which was filed on November 4, 1969. In reading the pertinent paragraph from that report, I want to show that the project was based on a need confined to South Vietnam only. The following is the language of the report:

It is significant to note that this will constitute the first effort on the part of the United States to Vietnamize the air defense of South Vietnam with a jet fighter which the South Vietnamese can operate and maintain with their own personnel. It is clear from the studies that have been conducted on this program that our present day fighter aircraft, in Air Force and Navy inventories, are much too sophisticated to be maintained and operated by the South Vietnamese. Thus, a much less sophisticated air weapons system must be made available at the earliest practicable date if we are to safely withdraw United States forces now operating and maintaining fighter aircraft in that area. The authorization would permit modification and/or improvement of existing aircraft now in U.S. inventories or in inventories of aircraft furnished under the military assisting program.

There is no justification for adding Thailand to this exception. The committee's amendment in no way says that this aircraft cannot be given or sold to Thailand—or any other country. All it says is that if it is given to countries other than South Vietnam that the funds come out of the military aid program, in accordance with standard practice.

Last year the Committee on Foreign Relations put the executive branch on notice that it intended to reclaim complete jurisdiction over military aid to

Thailand and Laos, now funded out of the defense budget. In its report on the foreign aid bill last year, the committee stated:

The Committee expects that when the executive branch prepares the military assistance program for fiscal 1971, aid to Thailand and Laos will be included. The Committee does not find fault with the funding of Thai forces in Vietnam out of the Defense budget, but it considers internal military aid to Thailand and Laos in a quite different category in that assistance of that nature relates to the foreign policy of the United States. The danger of deeper involvement in both countries is great and the military aid programs there should receive careful scrutiny of the Committee with jurisdiction over foreign policy matters.

Since a 2-year foreign aid authorization bill was ultimately passed by Congress last year, it was not possible for the funding transfer to be made effective for the 1971 fiscal year. But the committee fully expects that the transfer will be reflected in the budget for fiscal 1972, to be submitted to Congress next January.

The committee's action will not affect, in any way, the Thai forces in South Vietnam, Thai forces there—which have cost the United States over \$200 million to hire—do not operate any aircraft of their own. If Thailand ever gets any of the aircraft in question, they will be used for her own internal purposes. I might add that there is now much speculation that Thailand may even withdraw her troops from Vietnam, perhaps sending them to Cambodia—if they can get the United States to pay the bill.

Mr. President, in summary, the Senator from South Carolina's amendment would put Thailand on a par with South Vietnam in giving it access to the Defense Department's vast budget resources for purposes of obtaining a fighter aircraft which is not yet on the drawing boards.

The Foreign Relations Committee has said that Thailand should not be singled out for such special treatment, since these planes will not be used by Thai forces in Vietnam, and that her requests for aircraft must be considered in connection with other priorities in the military aid program. It is not a question of whether she gets the planes or not; it is but a question of where the money is to come from—the Defense budget, or foreign aid, or, of course, the military sales bill, which is now pending before the Senate. In recent years there have been too many end runs around the military aid restrictions Congress has sought to impose. The Senator's amendment would only create another loophole. The Committee on Foreign Relations believes that Thailand's requests for military aid should be considered along with the requests from many other countries.

I hope that the amendment will be rejected.

Mr. MANSFIELD. Mr. President, will the Senator from Idaho yield?

Mr. CHURCH. I am happy to yield.

Mr. MANSFIELD. As I recall, there are not scores but hundreds of planes in South Vietnam and Cambodia which have been delivered to those two governments by this country. Does the Senator have any approximate figures as to the

total air strength in Thailand and South Vietnam?

Mr. CHURCH. I do not have the figures, but I shall check to see whether the figures are available. However, from my own recollection, I am certain that the Senator from Montana is correct in saying that hundreds of aircraft have been furnished.

Mr. MANSFIELD. Does the Senator have any idea as to how many Migs North Vietnam has? I raise the question because the amendment is supposed to act as a counterforce to Migs which evidently North Vietnam has.

Mr. CHURCH. As the Senator knows well, the size of the North Vietnamese air force has always been very limited.

Mr. MANSFIELD. Yes.

Mr. CHURCH. For years, the United States, along with its South Vietnamese and Thai allies, have maintained complete air superiority over Southeast Asia. The security of the airways is not in question here, for the picture is not likely to change in the future.

Mr. MANSFIELD. I would agree; but I think the RECORD ought to show that, to be very conservative and very modest, the number of Migs that Hanoi has at its disposal is considerably less than 50, whereas the number of planes of various types which the Thais and the South Vietnamese have is well over 100, and very likely in the hundreds. What the proposed additional planes would do, I am unable to ascertain.

I thank the Senator for yielding.

Mr. CHURCH. The Senator's observation is well taken. As I have said before, nothing in the committee version of the bill prevents this particular aircraft from being sold to Thailand under the Military Sales Act or given away under the military aid portion of the Foreign Assistance Act. What is required is that the disposal of planes to Thailand follow the same procedures as are normally invoked when transferring military aircraft to foreign governments.

The single exception is South Vietnam. This country should be an exception because that is an area of fighting in which we ourselves are engaged and where we are undertaking the Vietnamization and withdrawal program. The committee bill would leave the South Vietnamese exception in the law; the Committee on Foreign Relations hopes that the Senate would not extend the exception to cover Thailand, as well.

The PRESIDING OFFICER. Who yields time?

Mr. CHURCH. Mr. President, so far as I am aware, no other Senator has indicated a desire to speak on the Thurmond amendment. I say to the Senator from South Carolina that I am prepared to relinquish the remainder of my time.

Mr. THURMOND. Mr. President, will the Senator from Idaho yield me about 3 minutes of his time?

Mr. CHURCH. Yes; I am happy to yield to the Senator from South Carolina.

Mr. THURMOND. Mr. President, since Thailand has now come into the combat zone by sending troops to Cambodia and Vietnam to assist in the military operation there, she would not be eligible to

receive international fighters under the military assistance program. Therefore, the only way in which Thailand can now get the international fighter is through military assistance service funded channels. I thought I had better make that point clear.

I put in the RECORD earlier today a letter signed by Mr. Laird, and also one signed by Mr. Packard, favoring the international fighter.

I do not say that the Defense Department themselves favor my amendment. I have not asked them to take any position on it. They might feel that they would become involved in a dispute between two Senate committees as to jurisdiction, if they were asked to take part in a matter of this kind; and for that reason I have not even asked them to. But they do favor the international fighter, and this amendment provides that Thailand will be able to get the international fighters as well as South Vietnam.

I believe that someone stated that Thailand could come under the MAP program later. They may later, but the point is that as soon as these planes are ready, they should be supplied to Thailand, as well as to South Vietnam. Korea and those countries not in that war zone are in a different category; they can obtain the planes under the MAP program, but Thailand cannot as long as she is involved in combat activities in the area.

So it is important, in my judgment, for us to back the Nixon doctrine of Vietnamization and the Nixon doctrine of helping other countries to help themselves.

I repeat that this fighter is an inexpensive fighter. It is an uncomplicated fighter, and it is the kind of fighter those countries can use. If we provided them with complicated F-4 fighters or some of the other complicated planes, they probably would not be able to use them.

This is a very important matter, in my judgment, to help other countries to help themselves. We have an opportunity here today to go on record in saying that we are going to help these allies in that way, so that we will not have to shoulder the whole responsibility ourselves.

The PRESIDING OFFICER. Who yields time?

Mr. COOPER. Mr. President, will the Senator from Idaho yield me a few minutes?

Mr. CHURCH. I yield the Senator from Kentucky 3 minutes.

Mr. COOPER. Mr. President, when this matter was considered in the Committee on Foreign Relations, I thought that there was some merit to the proposition. Whatever our views are upon the war or upon other amendments, particularly those in which I am interested in this bill, including, of course, the Church-Cooper amendment, nevertheless I felt that if, under the proposed doctrine of President Nixon, we could assist in a proper way those countries, I found no fault with that.

I told the Senator from South Carolina that I intended to vote for his amendment. Since that time—and I want to be

very clear—I have talked with members of the Armed Services Committee and asked them if this plane was approved by the Department of Defense. I have not been able to get any clear answer.

I would ask the distinguished Senator from South Carolina this question: Is this a matter dealing with a specific weapon, which is within the jurisdiction of the Armed Services Committee? I think the Committee on Foreign Relations can deal with matters of general policy, certainly where our foreign policy is affected, but I do not believe, with the exception of one or two members, we are very well prepared to deal with the merits of a particular weapon. I make one specific distinction: I think we can deal with ABM, because there we are talking about launching into a new field dealing with arms control and relations between countries, which I think is very important.

But this is a specific weapon. I do not know anything about it except what I have read in a magazine 2 or 3 months ago, that was of interest to me. I read the Senator's speech. But I ask him the specific question: Has this matter been considered by the Armed Services Committee?

Mr. THURMOND. Mr. President, in reply, I will state that a letter to the chairman of the Senate Armed Services Committee from Secretary Laird, which I read into the Record earlier, speaks, I think, for itself.

Mr. COOPER. Can the Committee on Armed Services consider this matter and pass on it and provide its recommendation to the Senate, based on testimony given them by the Defense Department and witnesses who are qualified in the field? Has the Armed Services Committee considered this weapon? I do not intend to embarrass the Senator; I just want to get the facts.

Mr. THURMOND. Mr. President, I call the Senator's attention to the conference report of the House and Senate Armed Services Committees of last November 4. For the Senator's information, I quote from page 12 of that report:

The conferees agreed that of the total amount authorized for aircraft procurement for the Air Force, an amount not to exceed \$28 million shall be available to initiate "the procurement of a fighter aircraft to meet the needs of the free world forces in Southeast Asia and to accelerate the withdrawal of U.S. forces from South Vietnam and Thailand."

Mr. COOPER. Was that authorized?

Mr. THURMOND. This was the conference report of the House and Senate Armed Services Committees.

Mr. COOPER. After that, it was approved by the House and the Senate?

Mr. THURMOND. "The conference report further requires that the Air Force," and so forth. But that is the essence of it.

Now, what happened was that in this bill, the Committee on Foreign Relations added an amendment providing for the fighter planes to go to South Vietnam, and limited it to South Vietnam. What I am trying to do is put Thailand back in there, as this conference committee report recommended.

Mr. COOPER. Let me ask the Senator this specific question: Did the Armed

Services Committees of the House and the Senate approve this plane? Was the conference report agreed to? Is it now a part of the law that this plane has been authorized by Congress?

Mr. THURMOND. The conference committee did that, but the Committee on Foreign Relations has an amendment now—

The PRESIDING OFFICER. The Senator's 3 minutes have expired.

Mr. COOPER. Will the Senator yield me 3 minutes more?

Mr. MANSFIELD. The Senator may have the remaining time.

Mr. COOPER. Was the conference report approved?

Mr. THURMOND. The answer is yes.

Mr. COOPER. All right.

Mr. THURMOND. But when the Committee on Foreign Relations adds an amendment that limits the fighters to South Vietnam alone, it takes them away from Thailand.

Mr. COOPER. All right. Does the Department of Defense recommend—

Mr. THURMOND. The international fighter?

Mr. COOPER. Does it support this plane?

Mr. THURMOND. Yes, the Department of Defense does; and here is a copy of a letter written to the Senator from Mississippi (Mr. STENNIS) from Secretary Laird, dated October 21, 1969, which I shall read for the Record:

For some time the Department of Defense has been studying the issues incident to the development of an improved International Fighter Aircraft. Such an aircraft should (a) have adequate capabilities to handle the existing threat, (b) be as inexpensive as feasible, and (c) be simple to maintain and operate. When the military budget was presented to Congress earlier this year, the Department of Defense consideration of the issues involved had not proceeded sufficiently to justify making a request for resources to meet the objectives cited.

Our continuing review over the past few months, however, has validated the objectives, and a draft concept for an International Fighter Aircraft has been completed. The concept highlights, inter alia, the utility our allies, particularly in the Asian theater, might find for a new fighter aircraft and alternative programs which might be undertaken to make such an aircraft available.

In particular, we now believe it is desirable to consider an appropriate aircraft the South Vietnamese might use, as part of the Vietnamization process, in defending against the potential North Vietnamese MIG threat. In addition, we believe that making an appropriate aircraft available to the Republic of Korea, Taiwan, and Thailand could provide a means for these nations to shoulder more of their own defense in the future.

I can read on, if the Senator wishes.

Mr. COOPER. I have read it. I understand.

Then the Department of Defense did not make any request in its budget for funds for this aircraft?

Mr. THURMOND. Yes, they have \$28 million there. They are developing it now.

Mr. COOPER. That was provided by the conference report last year?

Mr. THURMOND. \$28 million.

Mr. COOPER. Does the Senator's proposal call for any funds?

Mr. THURMOND. No.

Mr. COOPER. Other than the \$28 million?

Mr. THURMOND. No, it does not. It only provides that these planes can be supplied to Thailand as well as South Vietnam.

Mr. COOPER. Will the Committee on Armed Services—

Mr. THURMOND. If the Senator will notice, in this letter from the Secretary of Defense, he refers to the Republic of Korea, Taiwan, and Thailand. The Republic of Korea and Taiwan are able to get the planes, since they are not in the combat zone over there, through the MAP program, which would go through the Committee on Foreign Relations. But since Thailand now is sending troops into Cambodia and South Vietnam, it would not be eligible to receive planes that way. The only way Thailand now can get these planes is through the Military Assistance Service funded channels of Public Law 91-171. Therefore, we are trying to add Thailand to South Vietnam, to put them in that category, because they are in the combat zone now.

Mr. COOPER. Thailand—

Mr. THURMOND. It is in a different category now from Korea and Taiwan.

Mr. COOPER. Did Thailand ask for this specific aircraft?

Mr. THURMOND. Thailand wants the International Fighter, and the Air Force is developing one.

Mr. COOPER. Is there any difference between the International Fighter and the T-28?

Mr. THURMOND. It was considered, but it was considered too complicated. So the Air Force is developing one, as they say here; and the Secretary outlined the requisites of it, the characteristics—that it should have adequate capability to handle the threat, it should be as inexpensive as feasible, and it should be simple to maintain and operate.

Our allies in Southeast Asia are not prepared to cope with a technical, complicated airplane, so the Air Force is developing this simple airplane which will be of help to the so-called underdeveloped countries.

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

Mr. COOPER. I yield.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CHURCH. Mr. President, may I inquire how much time is left to the opposition to the amendment?

The PRESIDING OFFICER. The Senator has 9 minutes remaining.

Mr. COOPER. I should like 2 minutes.

Mr. CHURCH. I yield 2 minutes to the Senator from Kentucky.

Mr. COOPER. I have not been able to get an answer from the chairman of the committee. Has the Armed Services Committee held hearings on this issue, and is it favoring the approval of the funds for this specific aircraft? I hope somebody will answer my question.

Mr. THURMOND. Mr. President, I think the question asked by the distinguished Senator from Kentucky was answered when I said that the conferees agreed on this matter, and I believe \$28 million was authorized for the development of this plane. That is the

report of both the House and the Senate Armed Services Committees.

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

Mr. CHURCH. I yield.

Mr. MANSFIELD. Mr. President, for the record, and to refresh my memory, I seem to recall that an amendment was added to a bill in the House, last year, or the year before, which called for the authorization and the appropriation for something on the order of 55 planes of this type, which were to be built by Fairchild—or perhaps it was Northrup—the cost to be entirely financed by the Government. These planes were to be sent to foreign countries for their exclusive use. Does anyone recall that particular incident?

Mr. HRUSKA. It is my recollection that that was deleted in the conference. There was such a provision, and it included the authorization to have those planes for delivery to Korea, Taiwan, Vietnam, and Thailand, I believe. But while it was approved in the Senate, it was removed in the conference.

Mr. MANSFIELD. But it was to be entirely financed by this Government.

Mr. HRUSKA. That is correct.

Mr. MANSFIELD. And then the planes were to be given to a foreign government or foreign governments.

Mr. HRUSKA. That is correct.

Mr. THURMOND. I might say this, to clear up one point, especially for the distinguished Senator from Kentucky: Section 8 was placed in this bill by the Committee on Foreign Relations. If they will strike out the entire section 8, I will withdraw my amendment. But section 8 limits planes to South Vietnam only.

I repeat: Korea and Taiwan can get the planes through the MAP program. Thailand is left out in the cold, because they are in the combat zone and cannot get these planes.

Mr. CHURCH. Mr. President, before time expires, I would like to have 1 or 2 minutes to conclude the argument.

Mr. THURMOND. I thank the Senator.

Mr. CHURCH. Very little time has been taken in opposition to this amendment.

It should be explained to the Senate, before we proceed to a vote, that nothing in this bill in any way interferes with the Government's right to transfer, to sell, or to give away the planes in question to any foreign government, including Thailand. However, if the planes are given to a foreign government, including Thailand, they should be given through the normal channels—the Foreign Aid Act or the Military Sales Act.

We made a single exception for South Vietnam. The reason for that was that that was the justification for the aircraft; that was the basis upon which the money was asked; that was the justification in the conference report last year. This single exception was made for these reasons, as well as South Vietnam is the battlefield in which we are actively engaged. We want to assist the Vietnamization program. However, if we extend the exception to Thailand, Thailand becomes incorporated into the battlefield, and it will be treated the same as South Vietnam by the Communists.

There is no reason for this aircraft. So far as I know, the administration has

not asked for it. The Armed Forces Committee has not recommended it. In the interest of orderly procedure, exceptions should not be enlarged. We should deal through the normal channels, and thus retain effective congressional control over both the military grant program and the military sales program for foreign governments.

Thailand can get its planes through normal channels. There is no justification, it seems to me, to make an exception of Thailand and treat it as we have found it necessary and desirable to treat South Vietnam.

For this reason, I hope that the committee's position will be upheld and that the Senate will reject the amendment.

I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back. The question is on agreeing to the amendment of the Senator from South Carolina. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. RIBICOFF (after having voted in the negative). On this vote I have a pair with the distinguished Senator from Florida (Mr. GURNEY). If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Connecticut (Mr. DODD), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Tennessee (Mr. GORE), the Senator from Alaska (Mr. GRAVEL), the Senator from Indiana (Mr. HARTKE), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Georgia (Mr. RUSSELL), and the Senator from Texas (Mr. YARBOROUGH) are necessarily absent.

On this vote, the Senator from Connecticut (Mr. DODD) is paired with the Senator from Alaska (Mr. GRAVEL). If present and voting, the Senator from Connecticut would vote "yea" and the Senator from Alaska would vote "nay."

I further announce that, if present and voting, the Senator from Arkansas (Mr. FULBRIGHT) would vote "nay."

Mr. GRIFFIN. I announce that the Senator from Kentucky (Mr. COOK), the Senator from New Hampshire (Mr. COTTON), the Senator from Illinois (Mr. SMITH), and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from Florida (Mr. GURNEY), the Senator from California (Mr. MURPHY), and the Senator from Pennsylvania (Mr. SCOTT) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Maryland (Mr. MATHIAS), and the Senator from Ohio (Mr. SAXBE) are detained on official business.

If present and voting, the Senator from South Dakota (Mr. MUNDT), the Senator from California (Mr. MURPHY), the Senator from Ohio (Mr. SAXBE), and the Senator from Illinois (Mr. SMITH) would each vote "yea."

The pair of the Senator from Florida (Mr. GURNEY) has been previously announced.

The result was announced—yeas 36, nays 45, as follows:

[No. 158 Leg.]

YEAS—36

Allen	Eastland	Long
Allott	Ervin	Miller
Baker	Fannin	Pearson
Bellmon	Fong	Percy
Bennett	Goldwater	Prouty
Bible	Griffin	Sparkman
Byrd, Va.	Hansen	Spong
Cannon	Holland	Stennis
Cooper	Hollings	Talmadge
Curtis	Hruska	Thurmond
Dole	Jackson	Tower
Dominick	Jordan, N.C.	Young, N. Dak.

NAYS—45

Aiken	Hatfield	Moss
Anderson	Hughes	Muskie
Bayh	Inouye	Nelson
Boggs	Javits	Packwood
Brooke	Jordan, Idaho	Pastore
Burdick	Magnuson	Pell
Byrd, W. Va.	Mansfield	Proxmire
Case	McCarthy	Randolph
Church	McClellan	Schweiker
Cranston	McGee	Smith, Maine
Eagleton	McGovern	Symington
Ellender	McIntyre	Tydings
Goodell	Metcalf	Williams, N.J.
Harris	Mondale	Williams, Del.
Hart	Montoya	Young, Ohio

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Ribicoff, against.

NOT VOTING—18

Cook	Gurney	Russell
Cotton	Hartke	Saxbe
Dodd	Kennedy	Scott
Fulbright	Mathias	Smith, Ill.
Gore	Mundt	Stevens
Gravel	Murphy	Yarborough

So Mr. THURMOND's amendment was rejected.

Mr. CHURCH. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. SCHWEIKER). The Senator from Colorado is recognized.

Mr. CHURCH. Mr. President, I ask the indulgence of the Senator from Colorado for a moment. I had promised to yield to the Senator from Michigan.

The PRESIDING OFFICER (Mr. SCHWEIKER). The Senator from Michigan is recognized.

THE "MANSFIELD LAW" AND PASSAGE BY THE HOUSE OF THE VOTING RIGHTS EXTENSION ACT OF 1965

Mr. HART. Mr. President, this interruption will take no more than 2 minutes. Word has just come from the House that by an overwhelming vote it has accepted the Senate-passed Voting Rights Extension Act which contains the provision for the 18-year-old vote.

I rise not so much to make that announcement, which will be news for no more than a minute, but to suggest that it is proof positive of the wisdom of the majority leader of the U.S. Senate and the lack of wisdom of the senior Senator from Michigan.

I make that confession now as one who was deeply involved in and very anxious to see the 1965 voting rights

features of the bill extended. However, I was very reluctant when the suggestion was made first, I think, by the senior Senator from Massachusetts (Mr. KENNEDY) that the 18-year-old vote provision be attached to that bill. I could see all sorts of hazards and began to speak and voice caution and reservation about it.

I had not finished three paragraphs before the majority leader announced without any adjectives and in about two sentences that he thought it was a great idea and that it was going to go on the bill. That locked it up in a sense.

The overwhelming acceptance by the House, I think, confirms the instinctive legislative good sense of the majority leader and the very clear indication that a goal of his for many years has been achieved.

I know that history will note many things that the majority leader has achieved. My hunch is that the opening of the polls to the 18-, 19-, and 20-year-old Americans will be very close to the top, if not at the top of that list.

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

Mr. HART. I yield.

Mr. PROXMIRE. Mr. President, I join the distinguished senior Senator from Michigan in saying that I, too, want to pay my respects to the majority leader who once again has shown his outstanding leadership.

He has taken a position that many Senators disagreed with from the standpoint of strategy. We agreed from the standpoint of substance, but disagreed from the standpoint of strategy.

The distinguished majority leader was almost alone in his view that this was the way to accomplish the end. He was opposed by the President of the United States and by many Senators who agreed with his views from the standpoint of substance.

I think this is another example of how very effective our majority leader is.

Mr. JAVITS. Mr. President, will the Senator from Colorado yield?

Mr. DOMINICK. Mr. President, I yield to the distinguished senior Senator from New York without losing my right to the floor.

The PRESIDING OFFICER (Mr. SCHWEIKER). The Senator from New York is recognized.

Mr. JAVITS. Mr. President, I appreciate the role of the majority leader. We love him and all join in congratulating him.

The Senate acted in a very statesman-like way at a very dangerous moment in history, especially as to the fate of 18-, 19-, and 20-year-olds in our form of government—let alone our Government.

I hope very much the President sees it our way and that this reform may come about as expeditiously as the law enables it to come about, rather than by constitutional amendment.

I hope, and all Senators who supported the measure hope very much, that the President will sign it and make it law so that we will have this tremendous help in dealing with the youth of our country and the deep feelings they have with respect to our Government and how it operates.

Mr. MUSKIE. Mr. President, I share in the sentiments expressed about the extension of the franchise of the ballot to those 18, 19, and 20. The action of the House today in adopting the proposal will live, in my judgment, as one of the truly outstanding achievements of the century. The vote on this matter both here in the Senate some months ago and in the House today says clearly and with no equivocation that young people not only have earned the right to vote but that they are capable and qualified in every respect to exercise that responsibility. In short, it was a vote of faith in young people. I hope it is received as such.

I would only add that the full measure of credit for this singular achievement goes to the distinguished Senator from Montana (Mr. MANSFIELD), the majority leader. I might say that he ably and singlehandedly steered the matter through the Senate in the face even of some questions raised by the proponents of the voting rights measure. Indeed, it would appear that the jeopardy that was thought to be created by the addition of this amendment to the voting rights extension was totally unfounded. It would appear that it was the 18-year-old proposition that carried the underlying bill through to its ultimate success. The majority leader may take full credit for proceeding in this fashion.

If ever it is proper to append for posterity the name of any one man to a particular law, I would think this law meets the test. Henceforth, as far as I am concerned, this measure granting the right to vote to those 18, 19, and 20 will be referred to as the Mansfield law. It is an appellation that is richly deserved.

Mr. RANDOLPH. Mr. President, will the Senator yield to me?

Mr. DOMINICK. Mr. President, if we are going to get into a colloquy on voting rights, I might as well sit down and yield the floor.

The PRESIDING OFFICER. What is the will of the Senate? The Senator from Colorado has the floor.

Mr. GOLDWATER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GOLDWATER. Mr. President, does the Pastore rule apply until 3:30 p.m.?

The PRESIDING OFFICER. The Pastore rule expired at 2:15 p.m. because bills on the calendar were passed at 11:15 this morning.

Mr. GOLDWATER. I thank the Chair.

The PRESIDING OFFICER. The Senator from Colorado has the floor.

Mr. DOMINICK. Mr. President, I have yielded the floor.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

SENATOR RANDOLPH COMMENDS SENATOR MANSFIELD—ASSOCIATES HIMSELF WITH HOPE THAT VOTE CAN BE GIVEN SOON TO 18-YEAR-OLDS

Mr. RANDOLPH. Mr. President, I too, am gratified by the action of the House of Representatives.

In 1942, I first offered a constitutional

amendment for 18-, 19-, and 20-year-olds to become a part of the voting citizens of the United States.

A similar amendment, at the time we acted in the Senate by the statute approach, had the cosponsorship of 73 Senators. We also have a sufficient number of Senators within the subcommittee of the Committee on the Judiciary to report that constitutional amendment; and we also have a majority within the Committee on the Judiciary itself to report such an amendment.

I join in the commendation and compliments to our majority leader (Mr. MANSFIELD) and others who have worked over a period of years in crusading for this vital result—the hoped for use of the ballot by 18-, 19-, and 20-year-old youth in our elective voting process.

We rejoice that the House of Representatives has accepted the Senate amendment to the Voting Rights Act lowering the voting age in all elections to 18. This is a victory for all of us. It brings us one step closer to the ultimate goal of enfranchising 18-, 19-, and 20-year-old Americans. Such an addition to our electorate is long overdue. The youth of our Nation are too much in the mainstream of our country to be denied the right of full citizenship—the ballot.

Mr. President, I began my efforts, as I have said, in support of the 18-year-old voting 28 years ago in the House of Representatives. Today, June 17, 1970, the Congress has given official approval to 18-year-old voting. After so many years it is exciting to witness the adoption of this proposal.

The final battle has not yet been won because the President must sign the measure and the statutory method of lowering the voting age must be tested in the courts. However, the Congress of the United States is now on record in support of such a change. It is only a matter of time until we extend full citizenship rights to Americans between the ages of 18 and 21.

Mr. President, I emphasize that I am thrilled to have been associated in this vital effort to bring this fine segment of our population into the electoral process.

Mr. McGOVERN. Mr. President, at the request of the Senator from Massachusetts (Mr. KENNEDY) who is necessarily absent from the Senate today, I ask unanimous consent that a statement released by him be printed in the RECORD and I would like to associate myself with the remarks of Senator KENNEDY relative to the approval of voting rights for Americans 18, 19, and 20 years of age.

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

SENATOR KENNEDY PRAISES HOUSE ACTION IN PASSING VOTING RIGHTS ACT AND 18 YEAR OLD VOTE PROVISION

The House of Representatives deserves the highest praise for their action today in passing the Voting Rights Act. The substantial majority by which the bill was approved is a magnificent response by the House to the call of millions of young and black Americans for a voice in the political process of the nation. The Voting Rights Act of 1965 is the greatest single piece of civil rights legislation

in our history. The five-year extension of the Act, passed today is amply justified by the remarkable record of new registration and voter participation already achieved under the Act. Only by extending the Act can we cement the gains we have made and secure the right to vote for the countless citizens who have not yet received its benefit.

Equally important, the bill's extension of the franchise to millions of 18, 19 and 20 year olds is a major vote of confidence in American youth. It is the most significant action taken by the nation in fifty years to broaden the base of American democracy for our citizens.

All of us are aware that in these past few months, as perhaps never before, the nation's youth have been on trial before the American people. Today's vote by the House is a solid and well-deserved vindication of the overwhelming majority of young Americans who have demonstrated their desire to work peacefully within the system, who have rejected the path of the brick and the bomb in favor of channeling their energy and commitment into the traditional framework of American democracy and peaceful change. The youth of America are the only future we have, and they have earned the right to participate in the most basic right of our society—the right to vote.

Today's historic vote in the House of Representatives may well be the highwater mark of the legislative record of the 91st Congress. In many respects, the successful passage of the Voting Rights Act is a tribute to the effective leadership of Speaker John McCormack, Majority Leader Carl Albert, and Chairman Emanuel Celler of the House Judiciary Committee, together with the strong bipartisan support of Congressman John Anderson, Chairman of the House Republican Conference.

The action by the House, however, is more than a personal victory. It is a victory for every American, and another important milestone in our long march toward fulfilling the promise of democracy for all our people.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H.R. 4249) to extend the Voting Rights Act of 1965 with respect to the discriminatory use of tests and devices.

ENROLLED BILLS SIGNED

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

H.R. 5554. An act to provide a special milk program for children; and

H.R. 14810. An act to amend section 2(3) and section 3c(6) (I) of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 and subsequent legislation, so as to authorize production research under marketing agreement and order programs.

POWERS OF THE PRESIDENT IN THE ROLE OF COMMANDER IN CHIEF

Mr. ALLOTT. Mr. President, in recent weeks I have received many scores of communications from scholars expressing their support for the President's position in the current debate over the

powers of the President in the role of Commander in Chief.

These communications have come from every section of the Nation. They have been high-level contributions, containing the best judgments of reflective men who are very anxious to rebut the arguments currently being used by those attacking the President's powers as Commander in Chief.

I have just received an exceptionally impressive communication. It comes to me from Prof. Stefan T. Possony, and—thus far—it is a memorandum six chapters long. I say it is six chapters long "thus far" because, Professor Possony tells me, there is more to come. He has been considerate enough, and public spirited enough to mail to me the first installments in his comprehensive study, even before the final chapters are completed.

The subject of Professor Possony's memorandum is the subject of the current debate. That is, it concerns the myriad issues relating to the question of the President's powers and duties as Commander in Chief.

What is especially remarkable and commendable about Professor Possony's work is its timeliness. He has responded to fast-breaking events with astonishing speed. And he has done so without sacrificing substance to speed. In fact, this work fully reflects the learning and practical wisdom that have made Professor Possony one of the world's most respected students of international affairs.

Professor Possony has mastered the rare art of bringing high scholarship to bear effectively on practical problems. His work—his career—is living proof that reflective men can address themselves to the problems of the world without either misleading the public or diluting the excellence of their scholarship. I hardly need emphasize the fact that such proof is rare enough in these days when academic institutions seem given over to the dissemination of the most implausible exhortations.

The title of Professor Possony's memorandum is "Indochina and American Security." The titles of the first two chapters are "Congress and Consensus" and "Congress and Presidency."

Professor Possony is convinced that, while Congress seems bent on taking up the duties properly belonging to the President, it might better attend to the honorable—and, in recent years, neglected—task of building a viable national consensus. That we are much in need of such constructive and creative consensus formation is proven, according to Professor Possony, by the emotionalism that convulsed some elements of the Nation in these weeks immediately following the President's announcement regarding Cambodia. Professor Possony says this:

One month after President Nixon's announcement on Cambodia, which shocked the United States, the country is still standing and functioning; and the facts of international life are still unchanged. Political rhetoric didn't scale any higher peaks because there weren't any to climb, and the accomplishment of getting to the top of still another Mount Everest no longer was

an achievement because all the Gaurisankars, Chimborazos, and Kilimandjaros of political emotion already were occupied. Hence the speech makers had no choice but to crawl back into the valleys of fact and realism. No one was going to impeach the President. The radical students were not gaining the upper hand over the moderates. The establishment, whatever it is, was not going to be smashed. The Chinese were not entering the war. The danger of nuclear confrontation had not increased by a quantum jump. Even the American economy was not returning to 1932. We were not back to normal, but the country was beginning to realize that there had been irrational over-reaction.

Professor Possony does not think we should be self-satisfied just because the American system survived the emotional excesses of the minority reaction to the President's decision to attack the sanctuaries along the Cambodia-South Vietnam border. As Professor Possony understands, a substantial majority of Americans agree that the President's decision was tactically sound, and well within his constitutional powers to make. But he also understands that real and serious differences divide the Nation, and his analysis is worth pondering. He put it this way:

The optimist can argue that the American political system was proving its resilience, flexibility, and endurance. But since we are living in the midst of an unprecedented world crisis—unprecedented in terms of its duration and its dangers—and since this conflict is becoming increasingly more difficult and costly, perhaps we should recognize that, at this juncture, we are not very well prepared to confront severe challenges. The brutal fact is that the nation does not understand its predicaments, does not comprehend its government's strategy, and is uncertain how and even why we must face up to aggression, terror, and totalitarian dictatorship. Political oratory has built a dreamworld of instant, just and durable peace. Intrusions upon hopes and encounters with reality have unsettling psychological effects. Hence our national responses have become ineffectual.

In my judgment, the country is divided, but not primarily into regions and religions, and not in classes and races. From the point of view of foreign policy, the divisions are essentially of an intellectual, psychological and political nature.

There is a group which is aware of the international conflict, its impact upon American life and free institutions elsewhere and the difficulty of ending this conflict. This group displays conflict-awareness and is sensitive to the growing inter-dependence of nations and national independencies, the conflict-aware group is divided rather sharply from a group which minimizes, or even denies, the facts and the significance of the current conflict. However, the group which ignores external conflict is impressed by the problems that have arisen internally; a subgroup believes that internal tasks may have to be solved through internal conflict.

Professor Possony postulates that there are two important and opposing groups in America. There are persons he describes as "conflict-aware." These persons are sensitive to the various dangers and challenges facing us. The second group is one given over to "conflict denial." Persons in this group tend to play down the importance of international conflict. But, as Professor Possony notes, members of this group, ironically, seem quite ready to accept the use of conflict

in internal affairs. As Professor Possony says:

Within this broad division of conflict-awareness and conflict-denial, various sub-groups are susceptible to different types of propaganda. Among the conflict-aware people, some are impressed by the USSR, others by China, some fear nuclear weapons, others subversion, some think in terms of an isolated United States, others worry about Europe or Asia, some deny the existence of internal problems, others fear American self-destruction, and so on down the line. Similar cleavages exist within the conflict-denial group.

It is Professor Possony's strong belief that our weakened national consensus must be overcome if we are to have a rational foreign policy. Without such a foreign policy, "national paralysis" will result. Professor Possony says this:

The pursuit of happiness is predicated on the pursuit of rational foreign policy. National paralysis, therefore, must result in individual unhappiness. Hence the question is not whether Presidential powers have gained undue ascendancy over the powers of Congress, or whether Congress can start an operation to recapture allegedly lost power, or capture power it never held. *The real question is whether Congress will make a major effort to overcome disunity and reforge that degree of national unity which we need if we want to persevere and prevail, or even to survive.*

This task is not one for Congress to solve alone. The Executive and the Judiciary must face up to the same challenge. But it is primarily a task for Congress because the legislature is the only forum where differences can be composed.

Have frustrations affected Congress to such an extent that it can no longer perform its supreme role as the creator of national consensus? Many foreign observers are convinced that the American phase of world history is drawing to a close. In this case, the Soviet phase would be beginning. I hold the opposite view: the present crisis will in the end strengthen our representative government. But I have observed the collapse of four European parliaments and I must say frankly that the symptoms of grave parliamentary illness are visible.

Perhaps one reason for Professor Possony's cautious optimism about the future of our constitutional balance is his conviction that we have been having a useful and substantial debate in this Chamber during the past month. But he dissents from much of what has been said here. He explains his position this way:

The Senate debate of May 1970 turned out to be a refresher course in constitutional law. Time and again it was reiterated in learned papers received from Academe that the President and Congress each have their own sphere of responsibility and that the line separating the two powers is poorly demarcated. Generally speaking, Congress called the shots during the 19th century, while during the 20th century, except for the Taft Administration and the 1920's, the President made the decisions. Congress supposedly failed to assert its prerogatives in foreign policy and strategy. Hence, as a *New York Times* editorial of May 14 put it, recent decades were marked "by presidential dominance—and tragic errors."

This customary interpretation is hardly persuasive. For long stretches of time Congress did refuse to ratify treaties, but whether this hampered American foreign policy is arguable. The efficacy of treaties is extremely poor, as Laurence W. Bellenson showed in his *The Treaty Trap* (Washington, Public Affairs Press, 1969). This book was sponsored by the Foreign Policy Research

Institute. The United States effectively pursued its "manifest destiny", and it was not quite as isolationist or self-centered as is commonly believed. For example, we went after pirates (sea guerrillas) in Africa, we had conflicts and settlements with Britain, France, Spain, and Mexico, we proclaimed and enforced the Monroe Doctrine for the entire western hemisphere (in the age of the sailboat!), we opened Japan, we moved into the Philippines, we liberated Cuba, we built the Panama Canal, we operated in China, we supported the Russian revolution of 1905 and the Chinese revolution of 1912, and we fought in France and Siberia. The Senate did not like treaties, perhaps wisely so. Nevertheless, the world was our oyster except that before 1917 we never had gone to Europe.

There were disputes between Congress and the Presidency but, to the best of my knowledge, there was not a single case when the President of the United States regarded military action as mandatory and was unable to order it because he lacked Congressional support.

On the subject of congressional power, and the President's need for latitude and flexibility, Professor Possony states his case cogently. He says this:

If A attacks B, and the U.S. wants to help B by hitting A, then Congress must support this move; but it need not notify A. If the U.S. must move rapidly, the President has the material power to act, yet this would be unwise if Congress is opposed. Nevertheless, it is the President who determines the danger and who has the responsibility to take protective measures. He must act on his oath and he must anticipate that in the end Congress will support his judgment.

There are infinite variations derived from the elementary fact that the President is the recipient of warning and operational intelligence and is able to act with the requisite speed. The problem is complicated further by the secrecy requirement. The President has the right of initiative and therefore possesses the stronger power.

Mr. President, I think Professor Possony is especially useful in urging us to avoid dogmatic slumbers. He warns against seeking pat formulas with which to answer hard questions about how to share responsibilities and powers. He says this:

The elementary requirement is, therefore, not for specific Congressional actions, but for the type of action which fits the concrete situation best. The constitutional requirement is satisfied if President and Congress cooperate. Without Congressional support, the President cannot wage a prolonged war, but he is clearly entitled to order counteractions and reprisals and he has *de facto* power to wage short wars. To deprive him of this power requires the transformation of our system into a parliamentary democracy.

So far in U.S. history, Congress always supported the operational actions which the President, in his capacity as Commander-in-Chief, took to protect American security and fulfill our commitments. Congress did not always agree with Presidential strategy but it never had any sustained ambition to assume command.

Mr. President, in the coming days of our important debate, I intend to share with the Senate subsequent installments from Professor Possony's illuminating memorandum. Meanwhile, so that all Senators may benefit from this first portion of this memorandum, I ask unanimous consent that the two chapters I have discussed today be printed in the RECORD.

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

CHAPTER I

CONGRESS AND CONSENSUS

One month after President Nixon's announcement on Cambodia, which shocked the United States, the country is still standing and functioning; and the facts of international life are still unchanged. Political rhetoric didn't scale any higher peaks because there weren't any to climb, and the accomplishment of getting to the top of still another Mount Everest no longer was an achievement because all the Gaurisankars, Chimborazos, and Kilimandjaros of political emotion already were occupied. Hence the speech makers had no choice but to crawl back into the valleys of fact and realism. No one was going to impeach the President. The radical students were not gaining the upper hand over the moderates. The establishment, whatever it is, was not going to be smashed. The Chinese were not entering the war. The danger of nuclear confrontation had not increased by a quantum jump. Even the American economy was not returning to 1932. We were not back to normal, but the country was beginning to realize that there had been irrational over-reaction.

Accordingly, Congressional deliberations also cooled. The legislative initiatives by some Senators, which originally were designed as reprimands of the President, gradually were reinterpreted by their promoters into acts of support. The stranglehold was transformed into an accolade, and the Cambodian operation was not stopped but was allowed to proceed to its intended conclusion.

The optimist can argue that the American political system was proving its resilience, flexibility, and endurance. But since we are living in the midst of an unprecedented world crisis—unprecedented in terms of its duration and its dangers—and since this conflict is becoming increasingly more difficult and costly, perhaps we should recognize that, at this juncture, we are not very well prepared to confront severe challenges. The brutal fact is that the nation does not understand its predicaments, does not comprehend its government's strategy, and is uncertain how and even why we must face up to aggression, terror, and totalitarian dictatorship. Political oratory has built a dreamworld of instant, just and durable peace. Intrusions upon hopes and encounters with reality have unsettling psychological effects. Hence our national responses have become ineffectual.

In my judgment, the country is divided, but not primarily into regions and religions, and not in classes and races. From the point of view of foreign policy, the divisions are essentially of an intellectual psychological and political nature.

There is a group which is aware of the international conflict, its impact upon American life and free institutions elsewhere, and the difficulty of ending this conflict. This group displays conflict-awareness and is sensitive to the growing inter-dependence of nations and national interdependencies. The conflict-aware group is divided rather sharply from a group which minimizes, or even denies, the facts and the significance of the current conflict. However, the group which ignores external conflict is impressed by the problems that have arisen internally; a subgroup believes that internal tasks may have to be solved through internal conflict.

Within this broad division of conflict-awareness and conflict-denial various sub-groups are susceptible to different types of propaganda. Among the conflict-aware people some are impressed by the USSR, others by China, some fear nuclear weapons, others subversion, some think in terms of an isolated United States, others worry about Europe or Asia, some deny the existence of

internal problems, others fear American self-destruction, and so on down the line. Similar cleavages exist within the conflict-denial group.

Such vulnerabilities to fragmentary, hence improper, arguments are rooted in personal experiences and psychological conditions but they are aggravated by the complexity of the challenge. Since resources are scarce, priorities must be selected. Situations change and established techniques become obsolete. Hence policies which, to some extent, are contradictory are unavoidable and partial problems are stressed, while other segments of the overall problem are ignored. There is a chorus of special pleaders—for space, for submarines, for NATO, for SEATO, for superiority, for convergence, for economic co-operation, and for dozens of additional causes. Since each pleader sings his own melody, there is a cacophony of sounds, and harmony is not achieved.

Lack of intellectual consensus is in part due to the weakening of the principles or ground rules by which we ordered our policies during the past 200 years. Many groups, each of which represents a legitimate concern, discover that their views and interests are slighted or disregarded. As a result national unity is now far weaker than it was during the best periods of our history. In the past, we always managed to overcome internal strife but at present the danger is that persistent disunity will paralyze us. Naturally, if we are unable to conduct our foreign policy effectively, we also will be unable to avert disaster to ourselves and to the entire Free World.

The pursuit of happiness is predicated on the pursuit of rational foreign policy. National paralysis, therefore, must result in individual unhappiness.

Hence the question is not whether Presidential powers have gained undue ascendancy over the powers of Congress, or whether Congress can start an operation to recapture allegedly lost power, or capture power it never held. The question is whether Congress will make a major effort to overcome disunity and reforge that degree of national unity which we need if we want to persevere and prevail, or even to survive.

This task is not one for Congress to solve alone. The Executive and the Judiciary must necessarily face up to the same challenge. But it is primarily a task for Congress because the legislature is the only forum where differences can be composed.

Have frustrations affected Congress to such an extent that it can no longer perform its supreme role as the creator of national consensus? Many foreign observers are convinced that the American phase of world history is drawing to a close. In this case, the Soviet phase would be beginning. I hold the opposite view: the present crisis will in the end strengthen our representative government. But I have observed the collapse of four European parliaments and I must say frankly that the symptoms of grave parliamentary illness are visible.

CHAPTER II

CONGRESS AND PRESIDENCY

The Senate debate of May 1970 turned out to be a refresher course in constitutional law. Time and again it was re-iterated in learned papers received from Academe that the President and Congress each have their own sphere of responsibility and that the line separating the two powers is poorly demarcated. Generally speaking, Congress called the shots during the 19th century, while during the 20th century, except for the Taft Administration and the 1920's, the President made the decisions. Congress supposedly failed to assert its prerogatives in foreign policy and strategy. Hence, as a *New York Times* editorial of May 14 put it, recent decades were marked "by presidential dominance—and tragic errors."

This customary interpretation is hardly persuasive. For long stretches of time Congress did refuse to ratify treaties, but whether this hampered American foreign policy is arguable. The efficacy of treaties is extremely poor, as Laurence W. Bellenson showed in his *The Treaty Trap* (Washington, Public Affairs Press, 1969). This book was sponsored by the Foreign Policy Research Institute. The United States effectively pursued its "manifest destiny," and it was not quite as isolationist or self-centered as is commonly believed. For example, we went after pirates (sea guerrillas) in Africa, we had conflicts and settlements with Britain, France, Spain, and Mexico, we proclaimed and enforced the Monroe doctrine for the entire western hemisphere (in the age of the sailboat!), we opened Japan, we moved into the Philippines, we liberated Cuba, we built the Panama Canal, we operated in China, we supported the Russian revolution of 1905 and the Chinese revolution of 1912, and we fought in France and Siberia. The Senate did not like treaties, perhaps wisely so. Nevertheless, the world was our oyster except that before 1917 we never had gone to Europe.

There were disputes between Congress and the Presidency but, to the best of my knowledge, there was not a single case when the President of the United States regarded military action as mandatory and was unable to order it because he lacked Congressional support.

It has been argued that President Polk tricked the United States into war with Mexico, while Congress, against Presidential opposition, forced the country into war with Spain. Because he lacked Congressional support and popular consensus, President Franklin Roosevelt is said to have provoked Pearl Harbor. The Tonkin Resolution also is based upon error or fabrication.

There is not much legal substance to such findings. The constitutionality of the various steps which led to American military actions is a matter of personal opinion, not judicial judgment. Military operations are necessarily started in response to an outrage the exact nature of which cannot be known at the moment of decision but possibly may be determined years later through painstaking research. The policy-maker cannot have the knowledge the historian has 100 years later—and vice versa.

Suppose the incident in Tonkin Bay had happened five years earlier or 400 miles farther down and suppose real damage had been done to an American ship: there would not have been a Tonkin Resolution. Why not? Because the overall situation would have been different, because no one would have perceived aggression or aggressive intent, and because no one would have anticipated serious trouble. The Tonkin Resolution was promulgated because Congress, together with the Executive, felt it necessary to warn Hanoi and because they wanted to forestall conflict. The naval event which triggered the Resolution was incidental.

The relations between the Presidency and Congress involve mutual arm twisting. But once we disregard inevitable political clashes, Congress and Presidents always worked together in handling the strategic challenges confronting the U.S. There was, so far as I know, no major exception to this rule.

This cooperation was accomplished, not by a single and standardized procedure, but flexibly. The precise procedural solution that was applied in each concrete case was related to the situation. In most cases, the President necessarily took the initiative, and in one way or the other Congress supported the President. In still other instances, Congress exerted pressure. Sometimes the President had it all his own way. More often there were compromises or mergers between different concepts.

The specific method by which Congress

"declared" war varied greatly. Congressional declarations that military action ordered by the President at his discretion would be supported, were hypothetical in nature and some of those were never acted upon because the expected crisis did not eventuate. In other instances, in order to keep the conflict on a low level and facilitate its early liquidation, it was considered prudent to avoid a formal "declaration of war". Such a formal declaration includes notification to the opponent that as of a given time a state of war will exist, but such notifications have been rare and they are not always feasible.

The Constitution does not prescribe the form in which war is to be declared.

The rule that war should be declared necessarily applies to the initiative state and not to the defender. The attacked state need not declare war because the war already was declared or initiated. A declaration by Congress to the effect that a state of war exists or has existed, means essentially that the U.S. claims belligerent rights and that peace must be re-instituted by agreement or formal peace treaty; otherwise such a declaration has mainly domestic consequences.

If A attacks B, and the U.S. wants to help B by hitting A, then Congress must support this move; but it need not notify A. If the U.S. must move rapidly, the President has the material power to act, yet this would be unwise if Congress is opposed. Nevertheless, it is the President who determines the danger and who has the responsibility to take protective measures. He must act on his oath and he must anticipate that in the end Congress will support his judgment.

There are infinite variations derived from the elementary fact that the President is the recipient of warning and operational intelligence and is able to act with the requisite speed. The problem is complicated further by the secrecy requirement. The President has the right of initiative and therefore possesses the stronger power.

This problem may appear to be insoluble, except that the President usually is able to count on having the majority of the vote and to secure authorization beforehand, e.g. the Tonkin Resolution. Congress cannot effectively oppose the President before the money runs out; and even after that hiatus, the President has enormous legal, political, and material resources available to make his decisions stick.

The elementary requirement is, therefore, not for specific Congressional actions, but for the type of action which fits the concrete situation best. The constitutional requirement is satisfied if President and Congress cooperate. Without Congressional support, the President cannot wage a prolonged war, but he is clearly entitled to order counteractions and reprisals, and he has *de facto* power to wage short wars. To deprive him of this power requires the transformation of our system into a parliamentary democracy.

So far in U.S. history, Congress always supported the operational actions which the President, in his capacity as Commander-in-Chief, took to protect American security and fulfill our commitments. Congress did not always agree with Presidential strategy but it never had any sustained ambition to assume command.

In view of this historical "togetherness", why does there appear to be a current cleavage between the President and a fairly large number of Senators? The opposition to the conflict in Vietnam arises from the conviction that the communist aggression in Southeast Asia does not pose a real threat to American security; that U.S. strategy has been a failure and will continue to fail; that the costs of the conflict are out of proportion to any possible gain; and that the war lacks public support, hence if it is continued, it will aggravate to internal divisions within the United States.

The specific legislative difficulty is due to

the fact that several Senators changed their mind on some aspects of the conflict. This change was induced, to a large extent, by the public reaction to the U.S. move into Cambodia.¹ However, there also was an initial reaction that the President had begun a new war for which he should have sought Congressional approval.

American forces became involved in Indochina in a perfectly legal and constitutional manner, not by unilateral and arbitrary Presidential actions. President Nixon did not intend to start a new war and he had, at least in his mind, ample authority for the Cambodian initiative. Not surprisingly, Congress failed to challenge him on this point. Senator Church stated specifically that the sponsors of the Church-Cooper amendment never made the argument that by using American troops in Cambodia the President went beyond his powers or violated Congressional power to declare war.

Hence the current problem is that, if the opponents of the war have the votes, Congress may move to rescind the authority under which the Vietnam war has been conducted.

The problem is not that we have been fighting an illegal war—since the war already lasts five years, this would have been infeasible. Neither is it the problem that Congress did not support the President; or did not declare war against the Vietcong (who don't exist as a recognized state); or against North Vietnam (such a step might have activated the mutual security treaties of the communist bloc).

The problem is that Congress may want to withdraw its support and may attempt to "un-declare" the war.

Such an attempt would be without precedent.

THE VOTING RIGHTS ACT

Mr. ALLEN. Mr. President, while pleasure and satisfaction are being expressed by Senators with respect to the action by the other body on the Voting Rights Act and on the provision of 18-year-old voting by statute, I feel that I would be derelict in my duty if I did not express displeasure and dissatisfaction at the passage of both phases of the bill.

The section of the bill reducing the voting age to 18 by statute is, in the judgment of the junior Senator from Alabama, clearly unconstitutional because in at least five places in the Constitution and in its amendments it is clearly indicated either that the States have the authority to set the voting age or that 21 years is the voting age approved by the Constitution. I refer Senators to article I, section 2, of the Constitution; to article II, section 1, of the Constitution; and to the 10th, 14th, and 17th amendments to the Constitution.

While we are talking about the possibility or the question of whether the President might see fit to approve the bill, because he has expressed the opinion that this subject should be covered by a constitutional amendment, I think we are ignoring the almost certain striking down of this act by the Supreme Court. I think that unquestionably the Supreme Court of the United States will strike down this effort to lower the voting age to 18 and thereby take away from the States the prerogative which they have enjoyed from the very foundation

of the Government. So the junior Senator from Alabama certainly takes no pleasure and derives no satisfaction from the action of the House in this regard.

Coming at this critical time, a lowering of the voting age to 18 should not be other than by a constitutional amendment, because that would give the States themselves, which have the right to set the age, the opportunity to say whether or not they want to relinquish that right. If the State legislatures, or 38 of them, are willing to reduce the voting age to 18, the junior Senator from Alabama would feel that the Constitution was being complied with, if a constitutional amendment were submitted to them and the States approved a constitutional amendment to that effect.

But lowering the voting age to 18 by statute is absolutely unauthorized under the Constitution. We will live to see the day when we will regret having held out this light of hope to young people and then having it snatched away from them. It would have been much better, much more constructive, if we had taken the position that a constitutional amendment is required; that these privileges do not come easily; that they must be done in a manner prescribed by the Constitution; that the Constitution must be changed; and that we should not try to take unauthorized shortcuts.

So, I predict the throwing out of this statute by the Supreme Court, when the statute reaches the Supreme Court in a test suit.

Mr. ERVIN. Mr. President, will the Senator from Alabama yield for a question?

Mr. ALLEN. Yes; I am delighted to yield.

Mr. ERVIN. I will ask the Senator from Alabama if he shares the feeling of the Senator from North Carolina that the House having passed a bill granting to 18-year-olds the right to vote by a statutory method does not prove that the Constitution has no higher standing in the House than it does in the Senate.

Mr. ALLEN. Yes; that would seem to be indicated, I should say to the distinguished Senator from North Carolina.

Mr. ERVIN. I should like to ask the distinguished Senator from Alabama whether there was not a total lack of any judicial opinion even intimating that Congress had the power to offer the vote to 18-year-olds by statute rather than by constitutional amendment prior to the handing down of the decision by the Supreme Court in the case of Katzenbach against Morgan.

Mr. ALLEN. None whatsoever.

Mr. ERVIN. I will ask the Senator whether that case did not in essence hold that section 5 of the 14th amendment, which merely gave Congress the power to enact legislation appropriate to enforcing the other provisions of the 14th amendment, empowered Congress to pass a Federal law nullifying State laws which were in perfect harmony with the first section of the 14th amendment and which Congress was forbidden to pass by the five sections of the Constitution the distinguished Senator from Alabama has called attention to.

Mr. ALLEN. The Senator is correct.

Mr. ERVIN. I ask the Senator from

Alabama if he does not agree with the Senator from North Carolina that that holding was based upon the strange theory that Congress had the power to usurp the authority of the States to adopt congressional legislation which would nullify State legislation in the very areas of our life in which the Constitution expressly confers the power to legislate upon the States.

Mr. ALLEN. Yes, I certainly share that belief with the distinguished Senator from North Carolina.

Mr. ERVIN. I ask the Senator from Alabama if, prior to the case of Katzenbach against Morgan, it was not held that the Constitution of the United States was a harmonious document, and that every clause in it should be interpreted so as to give it its total effect.

Mr. ALLEN. That is correct.

Mr. ERVIN. I ask the Senator from Alabama if Katzenbach against Morgan was not based upon the theory that the Constitution of the United States is a set of mutually repugnant provisions of unequal dignity, and that, by using one provision, Congress can nullify other provisions of the Constitution.

Mr. ALLEN. That is correct; yes, sir.

Mr. ERVIN. I ask the Senator his final question: If the decision of the majority of the Court in Katzenbach against Morgan is granted, would it not nullify the interpretation of the Constitution the Founding Fathers had in mind when they drafted and ratified the Constitution?

Mr. ALLEN. I think it is entirely logical to reach that conclusion.

Mr. ERVIN. In other words, if that position be sound, the Constitution is veritably a ghost out of our past, which has no present vitality whatever?

Mr. ALLEN. I agree with the Senator.

Mr. ERVIN. I thank the Senator. I ask the Senator further if the passage of this statute and its signing into law by the President will not place in jeopardy and uncertainty, and subject to litigation, every elective office in both the Federal and State governments throughout our land.

Mr. ALLEN. Yes, sir.

Mr. ERVIN. Does the Senator from Alabama think that Congress has attained a remarkable achievement by passing a law which will place in jeopardy the title to every office, both Federal and State, throughout the length and breadth of this country?

Mr. ALLEN. Well, it is a remarkable law, but the Senator from Alabama does not believe it is a wise law. It is certainly remarkable that Congress has passed any such law; yes, sir.

Mr. President, as the distinguished Senator from North Carolina has pointed out, this lowering of the voting age to 18 by statute may well place in jeopardy every election held under the authority of the States or of the Federal Government after the effective date of the act; and, as the Senator from Alabama recalls, the act is to be effective on January 1, 1971. So it would be impossible, prior to the first of January 1971, even to put in motion a court proceeding to test the constitutionality of the reduction of the voting age to 18.

¹ Public opinion polls show that there was a negative public reaction, but the majority supported the President.

We all have observed how slowly the wheels of the Federal judiciary grind on occasion. We have no assurance that the Supreme Court will hand down a decision in the matter of the reduction of the voting age to 18 until after many elections have been held in this country. I point out that this 18-year-old voting requirement applies to all elections, whether municipal, State, or Federal—elections for all offices from constable up to Senator and Representative, including the offices of the President and Vice President themselves.

So if, in response to this statute, some 5 million or more young people register, and then the 1972 presidential election is held—and I use this example because that is an election in which all of us are very much interested, both as citizens and as public officials, though there will doubtless be dozens of elections held in 1971 and 1972 prior to the November election—suppose that, after some 5 million young people have voted in the presidential election of 1972, the Supreme Court holds that this reduction of the voting age by statute to 18 is unconstitutional, and that every single one of those votes was illegally cast. Suppose the election were even fairly close—and all recent presidential elections except the 1964 election, I believe, have been decided by a great deal less than the 5 million margin to which I have alluded—we would have no idea who was really elected President of the United States, and it would throw this country into even greater chaos than it is now in, were any such set of facts to occur.

So, far from handing out literary and verbal bouquets at this time to the House of Representatives on the passage of this statutory provision, I think that we should take stock of just what we have done, and hope that we will have an early decision of the Supreme Court of the United States—though it could not possibly come short of 8 or 10 months from now, because the statute will not even become effective until January 1—either striking down the statute, as seems almost certain, or at least straightening out the matter.

In my judgment the Senate, in sending that measure to the House of Representatives, acted unwisely, and the House acted unwisely in going along with the Senate bill.

The 18-year-old voting provision was debated on the Senate floor for some 2 days. The junior Senator from Alabama used a portion of that time; and he feels now as he felt then that we should not have reduced the voting age, and that the House of Representatives should not have followed the Senate's lead in this matter.

One amendment that I offered was adopted on the Senate floor. It was accepted, almost to my surprise, by the Senate. It was offered almost in jest, because I had been one of a group of Senators who had supported certain legislation which had been emasculated by a similar provision. The legislation to which I refer was almost completely emasculated by putting in the phrase

"except as required by the Constitution," which was added to nullify the provisions of the Whitten amendments here on the Senate floor; and when I offered the same language, as I say, almost in jest, as an amendment to this measure, it was accepted by the Senate.

So, in accordance with the terms of the bill, the voting age will be reduced by statute "except as required by the Constitution." There may be a little meat in that phrase that will become a part of the law, because the law is going to say that the voting age is reduced to 18 except as provided by the Constitution.

So it may well be that this phrase, put into the law somewhat in jest, will be a significant feature when the measure is before the Supreme Court for decision.

Now as to the second aspect of the bill—so-called voting rights—the junior Senator from Alabama realizes that what he says now will have no more effect on the bill than the remarks he made when the Voting Rights Act was up for extension on the floor of the Senate some months ago. But since this will be the only time he will have an opportunity to discuss that matter again, he will say, briefly that he does not feel that a great deal of satisfaction is to be gained by those who supported the Voting Rights Act of 1970, which has been referred to erroneously as an "extension" of the Voting Rights Act of 1965, because it is not an extension for 5 years of that act, as the junior Senator from Alabama pointed out on the floor of the Senate on many occasions while the bill was being debated. It adds an additional period of 5 years to the penalty provision which the Southern States have to endure or to go through before they can come out from under the automatic trigger provisions of the Voting Rights Act.

The Voting Rights Act, as we all know, puts some seven Southern States under its automatic trigger provision, provided that in the 1964 general election fewer than 50 percent of those of voting age voted. In States where 50 percent of the voting age population did not vote in that election, those States automatically came under its provision, automatically were subject to having election observers and vote registrars come into their States to observe their elections, to be election watchers, to serve as boards of registrars in our States. The Voting Rights Act of 1965 provides that a State can come out from under the provisions of that act provided it can show that for a period of 5 years it has not used any formula or device for the purpose of interfering with the franchise of the people of that State. So the period during which a State must be under this penalty period has been increased from 5 years to 10 years by the recently passed bill.

The act itself is not extended for 5 years, and we have heard it erroneously said on many occasions that the act was going to expire on August 6, if it was not renewed. No portion of the act expires. It stays part of the law, whether the 1970 act is enacted or not. The effect is that the 5-year period is changed to 10 years, during which the State must be free from any discrimination or any use of a

device to discourage the exercise of the franchise.

Mr. President, the junior Senator from Alabama would not have commented on the passage of this act by the House had not the matter been brought up by the distinguished senior Senator from Michigan (Mr. HART), who is one of the sponsors of the voting rights bill and, I assume, also the 18-year-old voting provision. Since he has done so, and since he was taking pride and pleasure and satisfaction from seeing the passage of this bill, with its two aspects, and since no other Senator spoke up expressing a different view, the junior Senator from Alabama did not want his silence to indicate that he approved of the expressions that were being made—expressions of pleasure, delight, and satisfaction—at the passage of this unwise legislation, unwise at two points.

It was for that reason that the junior Senator from Alabama felt called on to give his views with respect to both pieces of legislation. The bill providing for 18-year-old voting by statute is unwise, almost certainly unconstitutional, and improperly holds out to the young people the hope of voting at 18 years of age, when it is by no means a certainty—supposedly giving them that right and subjecting it to the likely possibility of having it withdrawn from them.

The other aspect of the so-called Voting Rights Act to which I wish to allude is the requirement during this 10-year period—and not only is it a 10-year period, but also, after the State comes out from under the provisions of this act, by proceedings here in the courts in Washington, it is on probation for another 5 years, which would make it 15 years, and I have no doubt that 5 years from now this period would be extended for still another 5 years, which would make it 15 years plus 5 years on probation—is that the entities of government in a State covered by the so-called Voting Rights Act, in passing any resolution, ordinance, or statute having to do with elections, territorial boundaries, election districts, or concerning the corporate limits of any cities, have to get that legislation, that ordinance, that resolution approved by the Attorney General of the United States before it can become effective.

The State of Alabama has enacted some meritorious legislation having to do with the time for qualification of all candidates for office. The Attorney General has turned down those statutes, having no racial implications whatsoever, but they were so held to have had. Thus, we do not like the idea of having to come to Washington, hat in hand, to get approval of the statutory enactments of our States, or the ordinances and resolutions of the governing bodies of our counties or cities.

The junior Senator from Alabama takes no pleasure and no satisfaction from the passage of the so-called Voting Rights Act. He voted against it.

Likewise, he takes no pleasure and no satisfaction from the reduction of the voting age to 18. He voted against that, too.

I yield the floor, Mr. President.

AMENDMENT OF THE FOREIGN MILITARY SALES ACT

The Senate continued with the consideration of the bill (H.R. 15628) to amend the Foreign Military Sales Act.

A LETTER FROM VIETNAM

Mr. LONG. Mr. President, one of my constituents, Mr. Ernest D. Holloway of Monroe, La., sent me an excerpt from a letter from 1st Lt. James Packer III, to his parents. Lieutenant Packer is in Vietnam, and, concerning the Cambodian situation, he has this to say:

Before closing I want to add a word about the demonstrations and rebuttal in response to Nixon's action in regard to Cambodia. People tend to forget that there are Americans here now and many, many have paid a severe price in the past. The point is that we got into it here and can't let it all go to waste. We, at least, have to make an effort at enabling the Vietnamese to carry their own burden. Thusly, we can't pull out all at once. This sweep through eastern Cambodia is the only sensible thing our military has been allowed to do since getting here. This move will buy us some time, a few months, maybe. It will save American lives. And, lastly, remember this: Not one of those 5 million captured small arms rounds will ever take my life. Nor will any of the other captured materiel. Equate this with every G.I. we have over here and you'll understand how we feel about it all. The lives we lose in Cambodia, though individually precious, will send a lot of guys home to their families. Remember all that when any of you want to cast a stone at Nixon.

I thought it would be appropriate to put this in the RECORD since it expresses so well a sentiment that has been presented by many of our fighting men.

AMENDMENT NO 689

Mr. DOMINICK. Mr. President, I call up my amendment No. 689 and ask that it be stated.

The bill clerk proceeded to read the amendment.

Mr. DOMINICK. Mr. President, I ask unanimous consent to dispense with further reading of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the RECORD at this point.

The amendment of the Senator from Colorado is as follows:

On page 6, line 15, strike out "delivery" and insert in lieu thereof the word "programming".

On page 6, line 21 strike out "\$35,000,000" and insert "\$150,000,000";

On page 6, after line 25, add the following: "(d) The President shall promptly and fully inform the Speaker of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate of each decision to furnish on a grant basis to any country excess defense articles which are major weapons systems to the extent such major weapons system was not included in the presentation material previously submitted to the Congress. Additionally, the President shall also submit a quarterly report listing by country the total value of all deliveries of excess defense articles, disclosing both the aggregate original acquisition cost and the aggregate utility value at the time of delivery."

Mr. DOMINICK. Mr. President, I intend to ask for the yeas and nays on the amendment. There do not seem to be

enough Senators in the Chamber at this moment, so I believe that I had better wait until there are a sufficient number. If necessary, I will have to ask for a live quorum, which I hope will not be necessary.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. SCHWEIKER). The Chair would inform the Senator from Colorado that there is not a sufficient second.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. DOMINICK. Mr. President, I do not anticipate taking more than 10 or 15 minutes before getting to a rollcall vote on this particular amendment. I do not know how much time the opposition will require.

Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. DOMINICK. Mr. President, I will be very brief. I think this amendment might be of interest to all Senators because, for a great change, it is supported not only by the proponent, myself, but also by members of the State Department and the Defense Department. And whenever those two Departments get together, that is somewhat unique.

As worded in the pending bill, section 9 establishes an annual ceiling of \$35 million for excess defense articles which may be given to our allies under the military assistance program. Valuation of the excess articles is required to be not less than 50 percent of their original acquisition cost to the Department of Defense. Thus, on this basis of original cost, the bill limits MAP to \$70 million.

Under the Guam doctrine, we are trying to lower our profile and let our allies assume more of the burden of their own defense. Hence, the present provision, which very sharply restricts our ability to help our own allies, while avoiding a scrap pile in the United States, denigrates the Guam doctrine and does not assist us in cutting costs.

My amendment would leave the 50 percent requirement in determining valuation, regardless of the age of the equipment, but would raise the limit to \$150 million. In effect, this means that we would have \$300 million of excess defense articles which we could dispose of through our allies in the next 2 years, which is some \$9 million less than was authorized in fiscal year 1969.

The point I am making is that even with this larger increase in the amount I am talking about as a limit, it is still less than it was in fiscal year 1969.

The excess defense equipment referred to in this section has long ago been paid for by the Defense budget and is no longer needed to meet current operational requirements and mobilization reserves of the U.S. military services, and otherwise would be scrapped.

In many cases, the items are 10 to 15 years old, in need of extensive repair, and costly for the United States to maintain. But to the recipient country where labor is relatively plentiful and inexpensive, these articles may be extremely valuable and useful as a source of repair parts for equipment they now have or by rebuilding provide very serviceable defense articles. By providing them at no cost to our allies, we thus receive an additional benefit, in that our allies are strengthened, and to this extent our own security is enhanced. It is better to add to the strength of an ally than to add to our scrap heap.

As I said when I started, for a change the State Department and the Defense Department are in agreement and support this amendment.

The State Department, in a letter to the Senator from Pennsylvania (Mr. SCOTT) dated June 8, 1970, reported on section 9. It is very short, and I wish to read it.

Section 9 as now written would place such a low ceiling on the amount of excess materiel that could be delivered under the Military Assistance Program (MAP) that it would drastically reduce deliveries of defense articles to the principal aid recipient countries, such as Turkey, the Republic of China, and Korea. The greater part of the programs to these countries is required for training, operation and maintenance, and shipping costs. In fact, from a world-wide MAP based on a \$350 million appropriation, we do not expect to be able to provide more than \$78 million in equipment for force improvement (Investment Items) in FY 1970. Thus, excess articles—which have always been an integral part of MAP—provide an essential element to modernize the defense forces of our allies in the underdeveloped world. The reduction proposed in Section 9 would effectively cut down our overall aid. This might raise doubts about the effectiveness of our plans to implement the Nixon Doctrine of assisting allies to assume greater responsibility for their own security and to diminish the need for direct involvement of United States Forces. It would eliminate what they need for carrying the greater burden we are urging them to assume. In order to avoid the problems we believe are certain to arise from Section 9 as now written, we are hopeful that you will support a substantial increase in the authorized ceiling level.

Mr. President, that is exactly the amendment I have offered. I sincerely hope Senators will follow along with the recommendations which we have because the military assistance program which we have been conducting in the last fiscal year, 1969, goes to such countries as I shall now list. Unfortunately, the figures as to whom they might go in the future are classified, and I cannot put those in the RECORD, but I do have the countries here for fiscal year 1969. They are: the Republic of China, Korea, the Philippines, Greece, Iran, Turkey, Ethiopia, for a very small amount, Tunisia, Portugal, Spain, Bolivia, Colombia, Ecuador, Dominican Republic, Honduras, Paraguay, Peru, and Uruguay.

Mr. President, that totaled in terms of millions of dollars at a utility value of 117.3, which, upon figuring the original cost of valuation on which this limitation is placed, would be well over \$300 million. Actually, it was \$391 million, so by my amendment we would be saving

\$91 million a year in terms of total costs, even though, in fact, we are not saving, but cutting down because what we have to do at this point, as I said, is to maintain these items or build up a big scrap pile of defense items which the United States can no longer use and the maintenance cost for which is very high.

Mr. PERCY. Mr. President, will the Senator yield so that I may make a brief comment?

Mr. DOMINICK. I yield to the Senator from Illinois.

Mr. PERCY. Mr. President, I have just visited an ordnance torpedo repair plant in Illinois. I know that many times equipment comes back for repair and when we cost it out on the basis of American high labor cost, it is not worth the cost of the labor. Equipment of that type could be extremely valuable to some ally that has a low cost of labor and that could find a way to make such items very useful.

Mr. President, I commend the Senator on his amendment. I think it is useful and that it will help to implement the Guam doctrine enunciated by President Nixon, which I fully support.

Mr. DOMINICK. Mr. President, I appreciate the support of the Senator from Illinois. I think the points he makes are key issues involved in this particular amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Colorado.

Mr. CHURCH. Mr. President, before commenting directly on the amendment offered by the junior Senator from Colorado, I would like to place this whole grisley armaments business in perspective.

Looking back over the period 1964 to 1969, military expenditures worldwide totaled more than \$1 trillion. While it is difficult to do justice to such a staggering amount, the Arms Control and Disarmament Agency recently offered the following comparisons:

This sum exceeds the value of all goods and services produced in the United States in the past year.

It is more than two years' income for the world's 93 developing countries, in which over two and a half billion people live. And,

Larger than any civilian programs financed by public funds, the world's military budget in this period took as much public money as was spent by all governments on all forms of public education and health care.

In view of such comparisons as these, it should come as no surprise that in 1969 alone, "the Pentagons of the world" siphoned off an estimated \$200 billion in economic resources. Extrapolating from this data, a recent U.N. study, as reported in the Christian Science Monitor, described the outlook for the next decade in the following way:

If one silver dollar coin was dropped every second, it would take 126,000 years to exhaust the amount of money that will be spent on world armaments in the next ten years.

Mr. President, all of this should stand as a brutal reminder of man's inability to come to grips with his most pressing and urgent needs; and I for one take no pride in recognizing that, over the next 10 years, the United States will, in all

likelihood, be the world's leading producer and distributor of military hardware.

We are the largest single arsenal for the world today, selling or giving away weapons and armaments of all kinds in the magnitude of 6 to 1 over our nearest rival, the Soviet Union. Indeed, when the history of this period is set to print, it will probably record that we were the world's arms merchant par excellence; that the first nation in the world to give meaning to the mass consumption concept was equally adept at selling sporting rifles or submachine guns; automobiles or tanks; passenger planes or supersonic jet fighters; and, finally, history will probably record that what the world's mightiest industrialized nation itself could not use—whether it was wheat or machineguns—it learned to give away.

During the current fiscal year, the Department of Defense estimates that the United States will sell about \$1.9 billion in arms, military equipment, and related services, and that we will give away \$392 million in regular grant military aid, plus \$166 million—valued at one-quarter of original cost—in surplus military equipment. Thus, according to the current estimates, the United States will sell or give away about \$2.5 billion in war materials during the fiscal year now drawing to a close.

At this point, I should like to underscore the word "estimate," particularly as it relates to the issue of surplus military equipment; and, in consideration of this issue and the Dominick amendment which speaks to it, all Senators should be aware that for this fiscal year DOD originally estimated the excess program at \$79 million, based on acquisition cost. Now DOD tells us that this program will be about \$660 million.

In the case of individual recipients, DOD estimated that Taiwan would receive \$341,000 in surplus military equipment during the current fiscal year. That was the basis upon which Congress was asked to act. The estimate which was given us for our guidance was that \$341,000 in surplus military equipment would be transferred to the Government of Taiwan. Now we are informed that Taiwan will receive not \$341,000, but \$144 million in surplus arms, which is certainly a "C-5A" size overrun in anybody's book, and an overrun which comes on the heels of the rejection by Congress of an additional \$54.5 million in grant military aid for Taiwan.

In a like case, South Korea is the happy recipient of a similar overrun; Greece is getting about twice as much as originally estimated; and there are others, including the Philippines, Columbia, Nicaragua, and Panama.

Mr. President, what these figures really mean is that the Department of Defense has used and is using its stockpile of surplus arms to circumvent the expressed intent of Congress to reduce the grant military aid program. DOD's policy of circumvention was made clear by General Warren, Deputy Assistant Secretary of Defense for Military Assistance and Sales, who recently told the Foreign Relations Committee:

A little over a year ago, we decided we had to get more surplus property into our grant aid programs because our new obligational authority had been reduced considerably.

In view of DOD's use of its excess stockpiles to make end runs around Congress—a use which the Department's chief spokesman for this issue freely admits—I was one member of the committee who sponsored an amendment to put the brakes on the surplus program—to attempt to put some semblance of meaningful congressional control over the size of it.

As the amendment came out of committee, the Department of Defense could give away, during any one fiscal year—and it is important to understand, this is in addition to the regular grant military aid authorization; it is in addition to the military sales program; and it is in addition to DOD funding of military aid to Vietnam, Thailand, and Laos—in addition to all other military aid and sales, this bill would provide that the Department of Defense may give away up to \$35 million worth of surplus military equipment valued at not less than 50 percent of original cost, or a total of \$70 million, measured by original requisition cost. Moreover, the amendment provides that the value of any surplus equipment given over and above the \$35 million ceiling would be subtracted from the appropriation for grant military aid.

In other words, what we do in the bill is to reestablish a congressional ceiling, bringing back within the control of Congress the size of the overall military aid program. If we did not establish a limitation, we would have a loophole big enough to empty the whole inventory of the Pentagon into. In the present law, there is no limit to the discretion of the military to decide, with the approval of the President, how much of its own surplus inventory it wants to give away.

It does not make any difference what Congress says. Congress imposes limits on the military aid program. Congress passes a military sales bill and establishes limits on its size. But it does not make any difference. The Department of Defense, as the law now stands, can go around Congress via the excess weapons loophole and, at its discretion, determine the total size of the giveaway program, the countries to which the equipment will be given, in such amounts as the Pentagon decides.

That may be what Congress intends. There may be Members of Congress who want no ceiling established by law and who want no congressional control. I am not one of them. I think it is imperative that we begin to reestablish effective control over these programs. I think it is a mockery for Congress to engage in debate from year to year in an attempt to reach a final decision as to the size of a military program, a military assistance bill, and similarly to sit here for weeks seeking to pass a military sales bill which establishes an authorized ceiling, and then, when its all over continue to permit the existence of a loophole so big as to make the whole effort meaningless. That is the extent of the charade we have been playing. We must establish a

meaningful ceiling on the surplus program if Congress is to be the one to make the decision as to how large the arms giveaway programs are to be.

The amendment being offered by the junior Senator from Colorado (Mr. DOMINICK) would increase the \$35 million ceiling to \$150 million and would, in effect, double the grant military aid program by permitting DOD to give away an additional \$300 million in surplus arms. In other words, Senators should know that the effect of adopting the Dominick amendment would be to increase the grant military aid program from its present \$350 million level to \$650 million. Moreover, this amendment would legitimize DOD's previous end runs around Congress and would simply "enhance"—all the more—our very dubious role as the world's No. 1 supplier of arms.

Mr. President, I hope we will stand fast on this issue. The committee has taken a very modest step to reestablish some semblance of congressional control over the size of this program and to bring back within the judgment of Congress a matter that is an essential part of the foreign policy of the United States.

To delegate that decision away, to leave it to others to decide, to allow the determination to be made at the Pentagon without any reference to congressional approval, seems to me to be an abdication of our responsibilities as members of the legislative branch. So I hope that the Senate will stand fast on this issue, and underscore the intent of Congress to keep the grant military aid program within some sort of reasonable bounds. I hope the Senate will say no to those who would send more, and more, and more arms around the world. I hope we will reject the Dominick amendment.

Mr. President, it is also important to remember that one way or another we will go to conference having established a ceiling on the excess arms program, and we should be dealing there with conferees from the House of Representatives who will be speaking for a version of this bill that contains no ceiling, but rather from their standpoint is open-ended.

Doubtless we shall have to reach some compromise with the House conferees, and in all probability that compromise will involve increasing the ceiling that we will have established in this bill. But if we adopt the Dominick amendment, we will go to conference without a negotiating position, having given it all away, and thus any ceiling that could be reached would be so high as to be ineffectual.

For all of these reasons, Mr. President, I hope that the Senate will reject the amendment.

Mr. DOMINICK. Mr. President, I have listened to the impassioned speech of the Senator from Idaho with great interest. But I think that the record ought to be made crystal clear.

First of all, when the Senator is talking about "the Pentagon to the world," I gather he is not talking about the U.S. Pentagon, he is talking about all the others all over the world, for 15 years.

Second, until the latter portion of his

speech, very little reference was made to my amendment. Just so that the record will remain clear, I think it should show that I am maintaining the limitations that were added on the power of the Foreign Relations Committee to determine what will or will not be given away. I have not changed anything in the bill, with the exception of the figure, and actually have added another restriction. This additional restriction I shall read; it is subsection (d), a matter which the committee did not even have in the bill:

"(d) The President shall promptly and fully inform the Speaker of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate of each decision to furnish on a grant basis to any country excess defense articles which are major weapons systems to the extent such major weapons system was not included in the presentation material previously submitted to the Congress. Additionally, the President shall also submit a quarterly report listing by country the total value of all deliveries of excess defense articles, disclosing both the aggregate original acquisition cost and the aggregate utility value at the time of delivery."

This ties down even further the information that will come into the committees, so that they will know on a quarterly basis, at least, what is being done.

The Senator from Idaho, I would submit, is trying to have his cake and eat it, too. He wants us to withdraw, and I think we all want to get out and disengage from Asia as rapidly as we can; but he also says, "No, we cannot give away any of our excess military equipment, because to do so would be to increase militarism in some way."

If we are having problems with people around this world who are trying to encroach on the free world, nations must have the right to defend themselves, or to be defended. That is a part of the purpose for which I am offering this amendment—so that we can strengthen our own allies, enhance our own security, and cut down on our own costs in terms of manpower, maintenance of a military machine, and keeping on hand excess materials which are obsolete and outdated in this country.

Let me just state again the countries we are talking about that, in 1969, were given excess material.

The Republic of China, a longtime ally, which was constantly under attack from the Red Chinese on the mainland. We gave them some protection material.

South Korea, a country which is under attack constantly by the North Koreans. If we do not give them this material, where are they going to get it? Do they have their own economy in a shape where they can go out and buy the things they would like to buy? No; they do not. So we give them material which is obsolete for our requirements, but will still provide a defense mechanism for them.

The Philippines, which is also trying to do something about its own protection.

I could go on and on, listing each of the countries. Of course the major ones receiving assistance at the present time

are Turkey and Iran, which form the southern bastions of the NATO defense complex. Unless we can get some support for them, we are going to find ourselves in even more trouble in NATO than we are now, and heaven knows it is in pretty much of a shambles the way it is, with the French withdrawal.

So I say in all candor that I am not trying to knock out the restrictions the Senate Foreign Relations Committee has put into this bill. I am not trying to do anything of the kind. As a matter of fact I have added to them, so that they are even stronger than they were before. But I am trying to provide what the State Department and the Defense Department have insisted should be done if they are to have any kind of a viable program, to be able to support the Nixon policy of letting our allies defend themselves instead of having to ask for American men to do it for them. That is exactly the point of this amendment.

There is one other situation that I think should be mentioned. The theory is that by increasing this limit, we are going to be spending a lot more money. The fact of the matter is that we are going to be saving money, because it costs us a lot of money to have to maintain these products; or we simply have to take the same ones which we would otherwise give away and dump them in a scrap pile here, and then everyone goes around and says, "Look at the waste of the military."

Why not take those materials and give them to our allies, and thus give the allies a chance to defend themselves? It seems to me that is the chief issue of this whole debate.

PRESIDENT NIXON'S ECONOMIC STATEMENT

Mr. BENNETT. Mr. President, the President's economic statement today contains many things that have needed to be said for a long time. In a masterful way, he put the problems of inflation in their historical perspective, and clearly outlined those things that are being done and those things that must be done if inflation is to be solved.

The key word in his statement is the word "transition," or perhaps better "transitions" in the plural, because there are three which are interrelated, all of which must be accomplished successfully. Implicit in the meaning of the word "transition" is the understanding that we are making progress but which will require even more time in the future if we have a definite goal toward which we are to reach it. The first is the transition from war to peace, which affects our Federal spending patterns and our pattern of employment as men are released from the Armed Forces and job opportunities in defense plants are reduced. The second area of transition is the transition from a politically motivated Federal expansionist policy, producing the basic causes of inflation and high interest rates, to a Federal policy intended to produce monetary and fiscal stability. The latter has been the policy of the present administration since it took office 17 months ago.

While inflation is an economic term involving demand and cost factors, one of the major forces behind it is psychological, and while many think that the inflationary thinking habits of a decade should have been brought under control in less than a year and a half, this has not been possible. Although excessive demand has been curtailed, the transition still continues, in a predictable pattern in which cost factors and psychological forces have not yet been subdued, but are beginning to be affected by Federal policies.

Only after an inevitable time lag between official action and its effect on these two factors will there be significant changes in retail prices. This administration in order to minimize the potential damage of a sudden stop has wisely, I believe, sacrificed speed for the ultimate goal—an orderly transition to stability and a sustainable growth rate.

In his talk the President used the example of the process of docking a boat. Because I come from the West—the desert area—I have had more experience with horses than boats. My pet example refers to the problem of stopping a runaway horse. Even after you get a rope around his neck, he will pull you along with him for some distance before he finally slows down.

To me, the most significant transition the President discussed in his speech is the transition from reliance upon Government controls and pressures to the necessary reliance upon the self-control, responsibility, and good judgment of the individual citizens of the country and those who have power and responsibility in business, in industry, and in the labor movement.

After all, ours is a free market economy based on the rights of each individual citizen to own, use, and dispose of property as he sees fit within the law.

I am glad the President rejected categorically proposals for Federal price and wage controls, because to have accepted this would have a 180-degree reversal of the transition toward free market stability. Moreover, price and wage controls in the past have always been related to war, and we are also in the transition away from war to peace.

Finally, I agree with the President that price and wage controls never have worked and never will without inequities and economic dislocations far exceeding any questionable beneficial effect they might have.

From my personal experience as the manager of a small business during World War II, when we had wage and price controls, I know from firsthand experience that no one really accepts the controls and everyone feels perfectly justified in trying to find as many loopholes as possible in the program. When products cannot be produced within the controlled price limits, either their quality goes down or they are withdrawn from the market entirely and new products that are either not controlled or have controls based on a new price—higher than the one that was set in the beginning—take their place. Inevitably, rationing has to be added to price con-

trols, and this always breaks down and ends up in black markets.

Instead of looking back to increased Government control by force, the President's program looks down the pathway of transition to the only true stability, that which is created and maintained by the important factors in the free market system itself.

He pointed out the necessity of keeping wage demands in balance with the increase in productivity.

He rightly emphasized that the key to our future growth lies in our productivity, so the National Commission he proposed is one which will be working for a positive goal rather than a repressive one. He rejected the travesty of guidelines and substituted for it a kind of watchman function for the Council of Economic Advisors, who will call to the attention of the American people specific actions of the private participants—labor, industry and financial institutions—which may be out of line with the transitional goals to achieve stability.

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

Mr. BENNETT. I yield.

Mr. JAVITS. That, incidentally, is a policy which was espoused by the minority of the Joint Economic Committee, of which I have the honor to be the ranking member, and I actually introduced a bill on it, with the sponsorship of all minority members, both in this body and in the other body.

I think it is very important to make clear—if the Senator will allow me—that it is not quite the "milquetoast" approach which many would like to make it out to be. There has been criticism on two grounds—one, that we are not decrying anything, that industry and labor do not have to get permission before they raise a price or increase a wage by contract negotiation; second, that it is *ex post facto*. In other words, if the comment will come after rather than before, what has happened happens. In other words that the significant wage and price decisions that are publicized, are already in effect, and publicizing them will not result in their revision downward.

I should like to submit this to the Senator, who is the ranking minority member of the Committee on Banking and Currency and is a distinguished figure in this field: We felt, one, that anyone assuming that he is going to make a major price or wage change which would have an inflationary impact would know that this would receive widespread publicity and that this publicity will follow shortly after the wage or price decision is made. We think there will be such publication every month. When the President said "periodically," if he is taking our suggestion—and I think he is—it comes on a monthly basis. So that there is warning in implicit in the publication of significant wage and price decisions and labor and management will know this in advance.

Two, we believe—and we believe there is no question about it—that under the President's proposal dates, places, people are going to be explicitly named—when I say "people," I mean an entity,

a union, or a corporation—and the particular item or product will be named, also the inflationary impact on the total economy will be analyzed and published.

Three, the President has stated that an evaluation body for Government purchases will be established. The Government does a great deal of buying in this country. We estimate it does something in the area of \$25 to \$30 billion, perhaps more, in buying of tangible products. Government purchasing power could be used to considerable impact in the implementation of an "income policy." The President's proposal thus is a beginning. I am now speaking not only to those who are opposed to controls, such as the distinguished Senator from Utah, but also to those who favor them, standby or otherwise—Representative REUSS and perhaps others.

It is an effort to do something without incurring the dangers which everybody admits are inherent in certain types of controls, in an effort to put a damper, as it were, upon an onward march of wages and prices. It does enlist Presidential prestige, and it does involve some criteria—not fixed guidelines, but criteria as to what it does and what it does not have an inflationary impact. The criterion itself, which the Council of Economic Advisors must establish, will be useful as a guide. It will be much more flexible than guidelines. All the better.

So I would like to submit that this is a beginning, an important beginning, representing what could become a critically important factor in dampening unusual wage and price increases, and I think it commends itself very highly from that point of view. I am pleased to see that the President did pick this up and choose to implement it, as we had suggested.

Mr. BENNETT. I thank the Senator from New York for filling in this detail behind my rather general comment about the President's program.

The Senator from New York and I both understand that this, in a sense, still leaves the company or the union free to continue its program; but it is a way of marshaling the force of public opinion against widespread rejection of the transition toward a free economy stability. It is a careful use of the power of Government, rather than a direct use of force to curb or repress or restrain, and I think that is the heart of the President's approach, which is to strengthen the free market's economy rather than to attempt to control it with the force of Government.

Mr. JAVITS. I would not ask the Senator necessarily to join me in that, but I would point out another point, to go one step further. Those who feel that we should have a control or a freeze mechanism now, I ask that they consider the proposition that this is a beginning and, therefore, that they should not feel they have to push the Government to take further, more sweeping action now. But rather that they should give this proposal an opportunity to see if it will work. I would add that dimension to the statement made by the Senator from Utah.

Mr. BENNETT. Not being one of those who believe in a control mechanism, and

having tried to run and operate a business in World War II under a control mechanism, I know that it is a fraud and a sham, that actually it limits and controls the person who is so completely law-abiding that he will not try to get a few extra ration stamps or ask his grocer to put a particular package under the counter and save it for him and all the rest of that kind of thing. I have been very much impressed to see the statistics that even though we had wage and price controls during 5 years of World War II, the price level rose at the same rate as it did in the 5 years after World War II—about 32 or 33 percent over the 5-year period.

We could postpone part of it or dam it up, but the pressure is there and we cannot eliminate it. Thus, as the Senator says, there may be those who believe that the Government should use its power to attempt to interfere with the economic process, but I do not think it will work. If they will feel better with an audit after the fact, and feel that that will satisfy them, I am delighted; but I am glad that the President, as he did, categorically rejected the price control approach, and rejected his potential use of standby controls today. I think that was wise.

Mr. JAVITS. Again, if the Senator from Utah will be kind enough to yield, I do not think it would advance the issue to debate it now. It is debatable. I do not necessarily feel as the Senator does, but I affirm the fact that this is a way to begin. In retrospect it may not prove to have been a good beginning but it is a way most certainly to begin.

I hope very much that the proponents of the freeze and control mechanism will accept it as the way to begin and give it a chance to have effect, because it has a good chance and, working under those conditions, it need not be accepted as the end to end all ends. Further steps may indeed prove necessary but let us wait and see and not make that judgment now.

Mr. BENNETT. I hope it is the beginning of the end rather than a beginning.

Mr. GRIFFIN. Mr. President, will the Senator from Utah yield?

Mr. BENNETT. I yield.

Mr. GRIFFIN. I want to commend the distinguished Senator from Utah for his excellent statement today and for his leadership as the ranking member on the Committee on Banking and Currency.

I also want to pay my respects to the distinguished Senator from New York (Mr. JAVITS) for his constructive and imaginative suggestion which has been, in large measure, incorporated into the President's statement today.

Mr. President, in his report to the Nation today President Nixon has demonstrated that he is not looking at the world or the economy through rose-colored glasses. His speech was a realistic assessment of our economic position as we approach the middle of 1970. He reported on how far we have come since his inauguration—a considerable distance indeed—and he also provided a sense of direction as to where we should go now.

The President's statement was realistic but it was also most heartening. He made it clear that the elusive goal of price stability with relatively full employment is a goal within our reach. As we move to insure that we will meet that goal as expeditiously as possible, the President has announced a number of economic innovations which deserve our support. He is appointing a Productivity Commission to help industry and labor achieve a better balance between costs and productivity. He has asked the Council of Economic Advisors to prepare a periodic "inflation alert," spotlighting cases of dangerous price or wage increases. In addition, he is establishing a Regulations and Purchasing Review Board to guide certain Government economic decisions. And he has called upon the Congress to act in a number of important ways to strengthen and protect our economy.

But in addition to telling us what he will do in the coming months, the President also made it very clear that he will not take certain steps which are being urged for political reasons. Proposing wage and price controls may be splashy and dramatic ways to respond to economic problems but he knows they would not work. Again, in this respect, the President has demonstrated a sense of realism and candor.

The reasonable and balanced speech of the President should be most reassuring to all Americans, for it indicates that he will continue the reasonable and balanced approach which has characterized the last 17 months. That approach has already produced enormous benefits. Its continuation will produce many more benefits in the future.

Mr. BENNETT. Mr. President, I thank the Senator from Michigan.

Mr. President, the President specifically rejected use of the pressures of the White House to force labor or industry to act within certain limitations. In this way, he has placed the social responsibility upon all segments of our free economic system and expects them to cooperate for the betterment of all.

He ended his speech by pointing out half a dozen actions that the Government can take to aid the free economy to solve such problems as unemployment, manpower training, insurance against market loss, the housing slump, loans for small business, and emergency help for railroads, thus reminding us that there can be no single, simple, program to "cure" inflation. Like all major problems, this inflation is a composite of many lesser maladjustments; and if we expect successfully to negotiate this transition period and come into an era of peace and stable economic growth with the highest degree of personal economic freedom, each one of us must accept his share of the responsibility. Each one of us must cure his own case of inflation psychology.

I hope that the President is not expecting too much when he suggests, during an election year, that we in Government should act as statesmen and not politicians. I am an optimist, however, and dare to hope that all Members of Congress will put the longrun benefit of their country and their constituents above their own personal, immediate, political goals and support the President in this

program to carry us through the three transition periods.

The transition from war to peace.

The transition from inflation to stability.

The transition from Government control of the economy to the time when it will be operating in its traditional free market posture.

Mr. PROXMIER. Mr. President, the President's economic message did have some merit and I support his proposals to publicize the basis of wage demands and price increases. That is valuable, and I am delighted that the President set up an institution to try to coordinate and examine the inflationary implications of the Government's position in the procurement and regulatory area.

What the President proposes now, however, comes as too little and too late. I recall last year, when the auto industry proposed its biggest price increase in 10 years, that I wrote to the Council of Economic Advisors and asked them to give us some cost data as a basis for the increase; and the Council refused to do anything.

Again, when big oil announced a substantial increase in the price of oil, I called on the Council of Economic Advisors to supply the basis, the reasoning, or the justification for the increase, not asking for any jawboning; and once again they refused to do it.

Thus, I am glad now, at last, that the President appears to have established a program which will give us the facts so that we can have some information on which public pressure can be organized against inflation or any inflationary action not justified by management or by labor.

The policy of gradualism in cooling inflation has been a dismal failure and in retrospect, it is obvious that stiffer measures should have been employed to curb inflation. These might have included an earlier use of Presidential "jawboning" and a much greater cut in Federal spending.

In the absence of a prompt and early attack upon inflation, the private business community has had little faith in the ability of the administration to control inflation, as a result, businessmen have reacted quite normally by placing record high orders for new plant and equipment. This, of course, only aggravated the problem of inflation.

The President hinted in his talk that the economy was finally beginning to respond to the administration's economic program and that prices were beginning to decline. However, this optimism is not justified by the figures for the Consumer Price Index. In 1969, consumer prices rose 6.11 percent; during the first 4 months of 1970, the index rose at an annual rate of 6.3 percent and during April, the last month for which figures are available, the Consumer Price Index rose at an annual rate of 7.5 percent. By these figures, things are not getting better—they are getting worse.

At the same time, an ominous new development has opened up on the monetary front which the President did not mention. He did mention that monetary policy had eased and that in the last 6 months, the money supply grew

at a rate of 6 percent. What he failed to say, however, is that in the last 3 months, the money supply grew at the highly inflationary annual rate of 9.2 percent. Even if the new measures recommended by the President prove effective, the downward pressure on prices can be canceled out by the inflationary increase in the money supply.

We are making the same mistakes in monetary policy that we made in the 1966-67 period which saw a highly restrictive period of monetary restraint followed by a highly expansionary period. As a result, the Fed caused a recession in the housing industry, and then in an overreaction in the opposite direction, contributed to the inflationary spiral.

A continuation of the Fed's policies could put prices beyond control. Part of the reason why the Fed has been expanding the money supply so rapidly has been due to its bailing out the Treasury from the consequences of deficit spending. The much heralded \$1.3 billion budget surplus has proved to be illusory, with the result that the Treasury has had to resort to the financial markets to finance Government operations.

The specific measures recommended by the President were for the most part desirable. However these, will cost money. These include increases in unemployment insurance, manpower training, and social security benefits as well as emergency housing assistance, which will require an initial appropriation of \$310 million.

Likewise, the proposal for loan guarantees to bail out the Penn Central could cost the taxpayers as much as \$700 million if the company defaults.

The President urged:

Whenever a Member of Congress displays the imagination to introduce a bill that calls for more spending, let him display the courage to introduce a bill raising the taxes to pay for that program.

This advice might also be applied to the President. If the President wants the Congress to move forward on his spending programs at a time when prices are still skyrocketing, let him propose stiffer reductions in less essential areas such as the Defense budget, the SST, space, and public works. A dramatic announcement of a \$5 billion cut in these programs would demonstrate to the Congress and to the American people that the President really means business in the fight against inflation.

Likewise, if the President wants to risk \$700 million of the taxpayers money to bail out the Penn Central, let him at the same time call an increase in taxes to finance the potential loss.

Mr. BENNETT. Mr. President, I have enjoyed the comments of my good friend, the Senator from Wisconsin. All the time he was talking, I was thinking back a little bit to when in 1968 we had a budget deficit of \$25 billion.

I am remembering that as we worked on the tax bill in 1969, it was fixed so that there would be a reduction in taxes in this year and the next year and a reduction in revenue so that the Republican President would have to face exactly

the situation that has been created for him.

During the decade of the sixties, the cost of Government increased on an average of 15 percent each year. Last year it was cut back to a 7.5-percent increase. And this year the President hopes that he can cut it back to half that again.

We cannot get away from the fact that we have a split party control in this Government and that the power of the purse resides in Congress which the President cannot control.

Let us give him a chance. He has had 18 months with Congress in the hands of his political opponents. I think that he has done a magnificent job in first trying to get an operating control of the country. And when the Senator complains that he has not been able to maintain a surplus, I point out that the fact that he has been able to maintain the operations of the country at a deficit which may be one-tenth or one-twelfth of the \$25 billion deficit in 1968 is really quite an achievement.

Mr. PROXMIRE. Mr. President, the fact is, as I recall, that last year Congress reduced the President's budget requests by \$5.5 billion. That is we cut his budget and reduced spending that much below his requests. It is my understanding that Congress will again this year, reduce presidential requests.

I think it is perfectly proper for Members of Congress on my side of the aisle to call on the President to exercise greater restraint in his spending proposals. This is consistent with what we have done both as a Congress and as a party.

Mr. BENNETT. Mr. President, I think that we must not criticize the President for not being able to produce a surplus when in the end it is the total appropriations that Congress makes which determines whether there is a surplus or a deficit.

There is credit enough and blame enough for both of us.

I think that in the 17 to 18 months that the President has been in office he has done a magnificent job in turning the economy around from a \$25 billion deficit toward an approximate balance.

Mr. PROXMIRE. Mr. President, I would agree that in the last 17 months, we have improved the fiscal position of the Government. But I think that it is hard to claim that the President is doing a magnificent job with the economy.

Inflation has gotten much worse. Interest rates are much higher than they have ever been in the history of the country. We have unemployment rates that are alarming.

We have the predictions of the Government's top economist that at best unemployment will stay at the present level for most of the rest of this year. Others predict that it will get worse.

No doubt the President is a good man. He is doing the best job that he can. He is an intelligent man. But I think that it is well to point out that the results of the economic policies of the administration have been unfortunate for many American citizens.

Mr. BENNETT. Mr. President, I can-

not believe that my good friend, the Senator from Wisconsin, would expect any President to turn around, in 17 months, the storm of inflation that had been gathering force for 10 years and do it in the face of the split Government situation that we have today.

Mr. PROXMIRE. Mr. President, as I tried to say in my remarks, the President comes in now after 17 months with a modest and very limited first step to begin to halt inflation. It seems to me that it is too little.

He has done no jawboning, which is one thing that only the President of the United States can do. He has announced that he would not call on the labor unions and he would not call on management to show restraint. He has done none of that.

These proposals come after we have suffered an increase in inflation. It seems to me that whereas the Senator from Utah is perfectly right in pointing out that the President has done some good and that the program has merit, I think it also well to point out that the program is late in view of the serious and prolonged inflation coincident with high interest rates and rising unemployment.

Mr. BENNETT. Mr. President, does the Senator remember that President Johnson gave up jawboning after he found out that it did not work? Why should we expect President Nixon to start a program that would not work?

Mr. PROXMIRE. Mr. President, I disagreed with President Johnson and said so at the time with respect to the abandonment of wage-price guidelines after the airline strike in 1966. But he did not give up the necessary jawboning.

I think jawboning is necessary because only the President can do it. The distinguished majority leader and the distinguished minority leader of the Senate and other leaders of Congress cannot effectively stop or roll back price increases. Only the head of the country can call this to the attention of big business in such a way that public opinion is organized to bring pressure to hold down prices and roll them back. President Johnson did this on occasion. It is true that in the closing days of his administration he had given up on wage-price guidelines. I agree with the distinguished Senator from New York (Mr. JAVITS) that wage-price guidelines are something we should reconsider.

Mr. JAVITS. Mr. President, will the Senator yield to me?

Mr. PROXMIRE. I yield.

Mr. JAVITS. Mr. President, it is not enough for a President to take a position. He has to know what he is talking about; he has to have criteria and a basis of expertise for claiming a price is too high or is not too high.

One of the things that worried us about the steel price rise with which President Kennedy had to deal before he suffered a tragic end was the feeling that it was brought about because prices went up, but there was no disclosed factual guideline-type basis backing up his action. We argued the matter on the floor of the Senate and we had quite a debate. We should not argue about whether he should have done it sooner, and I think he should have.

I hope now we will assume the situation is not less sound than it was in the jawboning era, but more sound because it will be based on considered judgment, analyses and facts—on sound, objective economic criteria.

I hope the Council of Economic Advisers will disclose all of its worksheets to the people so that if there is a complaint it can be made, and it can be said, "They are wrong and we are right." I hope this scheme will have those advantages over the elementary jawboning, to which the Senator referred.

Mr. PROXMIRE. In all fairness to the late President Kennedy in connection with the steel strike, he and the then Secretary of Labor, Arthur Goldberg, had first gone to great pains to persuade labor to moderate their demands and to get an understanding on the part of the unions that they would limit their demands to productivity increases. It is true that President Kennedy acted without the complete knowledge of all Members of Congress as to what the cost data was and it would have been good to have had that. I think it is good all parties involved then had the fundamental understanding that wage costs were stable and were not the justification for the big increase in prices that steel proposed. There was careful and thoughtful analysis by Walter Heller, his economic adviser, that President Kennedy was aware of at the time he stepped into that situation.

Mr. JAVITS. I would not dream of being critical of such a tragic figure as former President Kennedy. I was only pointing out that we may have added a positive element which will be very helpful in the situation in that it will give a factual basis. All I said was that one of the arguments made at the time was there was no disclosed factual basis. President Kennedy may have had the figures from Walter Heller but they were not disclosed. This may be a step forward. I am very anxious to see this work.

I thank the Senator for yielding.

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

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

AMENDMENT OF THE FOREIGN MILITARY SALES ACT

The Senate continued with the consideration of the bill (H.R. 15628) to amend the Foreign Military Sales Act.

UNANIMOUS-CONSENT AGREEMENT

Mr. CHURCH. Mr. President, I ask unanimous consent that at the end of the period for the transaction of routine morning business tomorrow the Senate proceed to the consideration of the amendment introduced by the distinguished Senator from Colorado (Mr. DOMINICK); that the time be equally divided between the proponents and the opponents; and that a rollcall vote be taken on the amendment at 2:45 p.m. tomorrow.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. CHURCH. Mr. President, I ask unanimous consent that the time for the opponents be under the control of the Senator from Idaho (Mr. CHURCH) and that the time for the proponents be under the control of the Senator from Colorado (Mr. DOMINICK).

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

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

Ordered, That the Senate proceed to vote at 2:45 p.m. on Thursday, June 18, 1970, on the pending amendment by the Senator from Colorado (Mr. DOMINICK) numbered 689, to the bill (H.R. 15628) to amend the Foreign Military Sales Act, with the time for further debate before the vote being equally divided and controlled by the Senator from Colorado (Mr. DOMINICK) and the Senator from Idaho (Mr. CHURCH), or their designees.

THE PRESIDENT'S MESSAGE ON THE ECONOMY

Mr. BAKER. Mr. President, having watched and heard the President today deliver his message on the economic policy and productivity of the United States, I take this opportunity to say that I feel his remarks were candid, direct, and appropriate to the circumstances.

I believe that the country will be encouraged, as I am encouraged, to hear his appraisal of the situation, which includes an appraisal that the time has come for the improvement of the volume of money and credit that is available to this economy which, in turn, implies we may have come through the worst part of the period of adjustment that we have been subjected to in these efforts to escape from the inflationary spiral of the last several years.

The statement is significant for what it did not say in terms of its appraisal of the situation, as well as what it did say. I am especially pleased to note the President indicated he has no plans at this time for economic controls in the nature of wage-price controls, which I feel especially in peacetime have the effect of postponing the inevitable and building up a bigger head of steam where a destructive explosion may occur in the economy.

The new technique is sensing increases and decreases in productivity, in inflationary alerts, and advices for the executive department which are important and significant.

Congress should take heed of the urgings and requests of the Chief Executive for legislative assistance in this field, as he has requested legislative assistance in other fields and has not received it.

I believe the American people received a fair and frank appraisal of the situation and that by and large it is an encouraging one and one which leads to the prospect of stability and real progress in our economic situation in the months just ahead.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT OF THE FOREIGN MILITARY SALES ACT

The Senate continued with the consideration of the bill (H.R. 15628) to amend the Foreign Military Sales Act.

Mr. CHURCH. Mr. President, in connection with the amendment offered by the junior Senator from Colorado (Mr. DOMINICK), I think it would be of interest to the Senate to have included in the RECORD a list of excess weapons that have been delivered over a period of years, the period being from fiscal year 1965 through fiscal year 1970.

The table is interesting and enlightening, because it demonstrates how the size of this program has been increasing as the Department of Defense has utilized this program as a way to circumvent the effort of Congress to maintain a ceiling on the size of the grant military aid program.

For example, in fiscal year 1965, this particular provision in the law was used as a basis for authorizing the transfer of weapons with a utility value of \$85.6 million and an original acquisition cost of \$189.8 million. These amounts are in sharp contrast to those for fiscal year 1970, when the surplus-authority provision in the law was used to authorize the transfer of weaponry having a utility value of \$166.8 million for which the acquisition cost to this country was \$667.2 million.

Unless we pass the bill as reported by the committee, we will have failed to establish an effective congressional ceiling on the surplus program, and it will continue to grow with each passing year as the effort grows to circumvent Congress' intent to maintain the military aid program within reasonable bounds.

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

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

Fiscal year:	EXCESS STOCKS DELIVERED	
	Utility value	Acquisition value
1965	85.6	189.8
1966	60.4	146.6
1967	46.7	138.4
1968	45.3	132.8
1969	114.0	317.7
1970	166.8	667.2

¹ Estimate.

Mr. CHURCH. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

THE WISDOM OF UNDERSTANDING

Mr. CHURCH. Mr. President, recently I received and placed in the RECORD letters from highly placed members of previous Democratic administrations who have abandoned their support of U.S. policy in Indochina. One came from Nicholas Katzenbach, Under Secretary of State during the Johnson administration. The second was from Associate Dean William M. Capron, of the Harvard Graduate School of Business, who was Assistant Director of the Budget Bureau during the Johnson administration.

This week I received a third letter—this from Mr. Dan H. Fenn, Jr., now at the Harvard Graduate School of Business Administration. Mr. Fenn served on the staff of Vice President Johnson and subsequently as a Commissioner and Vice Chairman of the U.S. Tariff Commission. In his letter, he makes an interesting distinction. The issue, he writes, is not that of a "strong Presidency" versus a "weak Presidency." Rather, Mr. Fenn writes, it is a matter of "a misguided Presidential action versus a wise one."

The letter speaks for itself. I ask unanimous consent that it be printed in the RECORD.

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

JUNE 3, 1970.

DEAR SENATOR CHURCH: My government experience has been in the Executive Branch, including service as Staff Assistant to the President from 1961 to 1963, and four years as a Commissioner and as Vice Chairman of the United States Tariff Commission thereafter. Consequently, I might be expected to be biased in favor of a strong executive—as, indeed, I am.

Nevertheless, I write you now in support of your amendment to utilize the Congressional power of the purse to curb the shortsighted and destructive Cambodian adventure. I recognize full well the implications of the action you are taking for the powers of the President in matters of foreign affairs. I recognize, too, that those of us who supported President Truman in Korea and rejected the changes of "dictatorship" from the opposition stand today on the other side of the argument. Then we supported "strong Presidential action;" now we fear it.

This apparent inconsistency does not trouble me, however, because the point at issue here is not a "strong Presidency" versus a "weak Presidency." The issue is a misguided Presidential action versus a wise one. Under these circumstances, and despite the implications, it is incumbent upon the Congress to exert the authority which the Constitution has provided and bring this frightening extravaganza to a halt.

Let us, in a somewhat quieter mood and moment, address ourselves to the complex question of the relative roles in foreign affairs of the President and of the Congress. That is a separate issue, and one demanding the utmost thought and care. But the problem at the moment is not so abstract; it is to slam on the brakes. This the Congress can and should do and at once.

With best wishes,

DAN H. FENN, JR.,

Lecturer on Business Administration,
Harvard Graduate School of Business
Administration.

THE PRESS AS A VALUABLE SOURCE OF NEWS

Mr. CHURCH. Mr. President, when America comes home from its bloody

misadventure in Southeast Asia, it may be that a generous share of the credit will be allocated to the men and women of what Thomas Carlyle called the fourth estate, the press. Under difficult working conditions, compounded by the censure of our military command, reporters have labored diligently for the elusive truth of our involvement—the mistakes of our policies and the heroism of our combat troops.

One of those who has performed superbly in both Southeast Asia and in Latin America is Tad Szulc of the New York Times. A recent story of his from Washington deserves our attention during this debate on the pending Cooper-Church amendment. It deals with whether the U.S. Air Force may, after all, be employed in providing air cover for South Vietnamese forces—after American combat troops themselves are withdrawn from Cambodia, presumably by July 1. I think this possibility emphasizes the entangling web of involvement in which we are ensnared as a result of having breached the Cambodian frontier.

Mr. President, I ask unanimous consent that the Szulc story to which I have referred be printed in the RECORD at this point in my remarks.

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

U.S. AIR COVER FOR SOUTH VIETNAMESE?
(By Tad Szulc)

WASHINGTON, May 22.—The United States was reported today to be prepared to continue air cover if needed for South Vietnamese forces that are considered almost certain to remain in Cambodia after the American withdrawal deadline July 1.

The latest evolution of the Administration's policy emerged in a variety of ways during the day. Spokesmen remained intentionally vague in their public comments but in private, officials indicated an increasing likelihood that the support would go on.

Under intensive questioning by newsmen, the White House press secretary, Ronald L. Ziegler, refused to say whether the United States would provide air cover for the South Vietnamese units. But he appeared to allow for this possibility when he finally said that he would reserve comment "on the discussion of United States air activity in relation to June 30" in Cambodia.

SOME RULE OUT DENIAL

Other high officials said that if, as assumed, the South Vietnamese retain in Cambodia the combat forces that have been battling the Vietnamese Communists there since April 29, and if they require air cover, they cannot be denied it.

With an eye on Senate criticism of actions in Cambodia, the officials noted that the proposed fund-bill amendment forbidding the use of American ground forces in Cambodia—a measure now under debate—does not prohibit the use of United States planes to cover the South Vietnamese after the withdrawal.

But, the officials went on, actual decisions will be made in the light of specific combat situations when United States commanders have determined that the safety of South Vietnamese troops, or the security of American forces across the border in South Vietnam, requires tactical air strikes.

BOMBING AND STRAFING

The support would take the form of bombing and strafing missions by jet fighter-bombers and helicopter gunships.

In any event, it appeared that the reported course of United States policy—the apparent

readiness of the Administration to supply air cover to the South Vietnamese if need be and to accept their continued presence in Cambodia—represented a major departure from the policy enunciated by President Nixon in his news conference May 8 explaining the Cambodian action.

On that occasion, he said that while the South Vietnamese were not obliged to abide by the American deadline, I would expect that the South Vietnamese would come out approximately at the same time that we do because when we come out our logistical support and air support will also come out with them.

Last Saturday White House officials told newsmen in a briefing at Key Biscayne, Fla., that the Administration had every reason to believe that the South Vietnamese would depart about the same time as the United States forces did.

At that point, however, according to authoritative quarters, President Nixon was already under mounting pressure from the Department of Defense and the Saigon Government to agree to an indefinite stay for South Vietnamese units.

LAIRD SUPPORTS STAND

There were growing indications this week that the Administration had decided to accept the argument that the South Vietnamese must remain in Cambodia, or, at least, be free to return when required. That interpretation was confirmed today by Secretary of Defense Melvin R. Laird. However, it was known that many key officials opposed the policy.

Appearing on the "Today" telecast of the National Broadcasting Company, Mr. Laird said: "I think it would be a mistake to make a firm timetable and establish it here for the Vietnamese forces."

"I personally feel as Secretary of Defense," he added, "if the occasion should arise when the South Vietnamese forces could go into the sanctuary areas at a time when the sanctuaries are rebuilt; when there are North Vietnamese occupying the particular territory, I would recommend that they be used if they so desire. It would be a decision that would be worked out in cooperation with the Cambodian Government and the South Vietnamese."

Mr. Laird emphasized, however, that there would be "no American advisers in Cambodia after June 30." Other Administration officials expressed confidence that the South Vietnamese troops had the capability to operate without them.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT OF THE FOREIGN
MILITARY SALES ACT

The Senate continued with the consideration of the bill (H.R. 15628) to amend the Foreign Military Sales Act.

AMENDMENT NO. 708

Mr. BYRD of West Virginia. Mr. President, on behalf of myself, and the able assistant Republican leader (Mr. GRIFFIN) and the distinguished junior Senator from Virginia (Mr. SPONGE), I send to the desk an amendment, and ask that it be printed and lie on the table.

The PRESIDING OFFICER. The amendment will be read for the information of the Senate.

The assistant legislative clerk read as follows:

On page 5, between lines 18 and 19, strike the period and insert the following: "Including the exercise of that constitutional power which may be necessary to protect the lives of United States Armed Forces wherever deployed".

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. BYRD of West Virginia. Mr. President, it will be my intention on tomorrow, following the vote on the amendment offered by the able Senator from Colorado (Mr. DOMINICK), to call up the amendment which I have just asked to have printed. I hereby notify Senators to that effect.

ADJOURNMENT UNTIL 10:30 A.M.,
JUNE 18, 1970

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10:30 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 50 minutes p.m.) the Senate adjourned until tomorrow, Thursday, June 18, 1970, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate, June 17, 1970:

U.S. AIR FORCE

The following officers for appointment as Reserve commissioned officers in the U.S. Air Force to the grade indicated, under the provisions of sections 8218, 8351, 8363, and 8392, title 10 of the United States Code:

To be major general

Lt. Gen. David Wade, retired, [redacted] FR, Louisiana Air National Guard.
Brig. Gen. Edwin Warfield III, [redacted] FR, Maryland Air National Guard.

To be brigadier general

Col. Clinton M. Miller, [redacted] FR, Iowa Air National Guard.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 17, 1970:

DEPARTMENT OF LABOR

James D. Hodgson, of California, to be Secretary of Labor.

JOINT CHIEFS OF STAFF

Adm. Thomas H. Moorer, U.S. Navy, for appointment as Chairman of the Joint Chiefs of Staff for a term of 2 years, pursuant to title 10, United States Code, section 142.

Adm. Thomas H. Moorer, U.S. Navy, having been designated for duties of great importance and responsibility commensurate with the grade of admiral within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of admiral while so serving.

U.S. AIR FORCE

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 general

Gen. James Ferguson, [redacted] FR (major general, Regular Air Force), U.S. Air Force.

The following-named officers to be assigned to positions of importance and responsibility designated by the President, in the grade indicated, under the provisions of section 8066, title 10, United States Code:

Lt. Gen. Lucius D. Clay, Jr., [redacted] FR (major general, Regular Air Force), U.S. Air Force.

Maj. Gen. Richard H. Ellis, [redacted] FR (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Sam J. Byerley, [redacted] FR, Regular Air Force.

Maj. Gen. Robert J. Dixon, [redacted] FR, Regular Air Force.

Lt. Gen. Austin J. Russell, [redacted] FR (major general, Regular Air Force), U.S. Air Force, to be senior Air Force member, Military Staff Committee, United Nations, under the provisions of section 711, title 10, of the United States Code.

U.S. NAVY

The following-named captains of the line of the Navy for temporary promotion to the grade of rear admiral, subject to qualification therefor as provided by law:

Clarence M. Hart
Lewis A. Hopkins
George G. Halvorson
John D. H. Kane, Jr.
Edward L. Feightner
John M. Thomas
Brian McCauley
Thomas E. Bass III
Billy D. Holder

Richard E. Henning
William H. Shawcross
Robert P. Coogan
Ralph S. Wentworth, Jr.
Daniel J. Murphy
John S. Christiansen
Richard E. Fowler, Jr.
William M. A. Greene

Julian S. Lake
Joe Williams, Jr.
Joe P. Moorer
Walter N. Dietzen, Jr.
Harvey E. Lyon
Emmett H. Tidd
Robert O. Welander

Robert Y. Kaufman
Stansfield Turner
William R. St. George
Thomas B. Hayward
John J. Shanahan, Jr.
John G. Finneran

Rear Adm. John P. Weinel, U.S. Navy, having been designated for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of vice admiral while so serving.

The following-named officers of the Naval Reserve for temporary promotion to the grade of rear admiral, subject to qualification therefor as provided by law:

Line

Paul C. Huelsenbeck
Ira D. Putnam

Chester C. Hosmer
Samuel W. Van Court

Medical Corps

Scott Whitehouse

Supply Corps

Owen C. Pearce

Civil Engineer Corps

John H. McAuliffe

U.S. MARINE CORPS

Maj. Gen. John R. Chaisson, U.S. Marine Corps, having been designated, in accordance with the provisions of title 10, United States Code, section 5232, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade of lieutenant general while so serving.

IN THE ARMY

The nominations beginning James H. Aanson, to be first lieutenant, and ending Edward Poduszcak, to be first lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 27, 1970; and

The nominations beginning William D. Jones, to be major, and ending John A. Zimmerman III, to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 27, 1970.

IN THE MARINE CORPS

The nominations beginning William J. Esmann, to be second lieutenant, and ending Paul W. Thomas, to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 27, 1970; and

The nominations beginning Thomas H. Allen, Jr., to be lieutenant colonel, and ending Stephen J. Williams, to be first lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 27, 1970.

HOUSE OF REPRESENTATIVES—Wednesday, June 17, 1970

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

Let integrity and uprightness preserve me; for I wait on thee.—Psalms 25: 21.

Eternal God, our Father, who hast brought us to the beginning of a new day, grant that in all our ways and all ways we may remember that Thou art with us. Help us to do our duties, to carry our responsibilities, and to make our decisions with sincerity of mind and genuineness of heart. Remove from us all pretense, all deceit, all hypocrisy, and by Thy spirit may we do what we believe to be right for our country and good for our people.

Fill our lives with the mood of love and the motive of service that we may leap the boundaries of class, color, and creed and seek to minister to the needs of all Thy children.

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will recognize Members for unanimous-consent requests to extend remarks, and so forth,

or for 1-minute speeches with yielding back of the time, and later in the day the Chair will recognize Members for 1-minute speeches if Members desire to present them.

AUTHORIZING PRINTING OF ADDITIONAL COPIES OF REPORT OF COMMITTEE ON RULES ACCOMPANYING H.R. 17654

Mr. GETTYS. Mr. Speaker, I offer a resolution (H. Res. 1090) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution as follows: