A. Veterans of World War I, USA, Inc., 916 Prince Street, Alexandria, Va.

A. Wald, Harkrader & Rockefeller, 1225 19th Street NW., Washington, D.C.
B. INA Corp., 1600 Arch Street, Philadelphia, Pa.

A. Washington Gas Light Co., 1100 H Street NW., Washington, D.C.
E. (9) $3,068.07.

A. Robert P. Will, 201 Massachusetts Avenue NE., Washington, D.C.
B. The Metropolitan Water District of Southern California, 1111 Sunset Boulevard, Los Angeles, Calif.
D. (6) $3,600. E. (9) $1002.63.

A. J. D. Williams, 1231 25th Street NW., Washington,D.C.
B. International Utilities Corp., 1500 Walnut Street, Philadelphia, Pa.
E. (9) $20.

A. Kenneth Williamson, One Farragut Square South, Washington, D.C.
B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.
D. (6) $2,461.93. E. (9) $839.89.

A. Clay B. Wolfe, 400 First Street NW., Washington, D.C.
B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.
D. (6) $416.60.

A. Burton C. Wood, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $3,515.62. E. (9) $219.74.

A. Nicholas H. Zumas, 1225 19th Street NW., Washington, D.C.
B. National Music Publishers Association, 110 East 59th Street, New York, N.Y.
D. (6) $350.

SENATE—*Tuesday, July 28, 1970*

The Senate met at 10 a.m. and was called to order by Hon. JAMES B. ALLEN, a Senator from the State of Alabama.

The Reverend John H. Satterwhite, D.D., professor, Wesley Theological Seminary, Washington, D.C., offered the following prayer:

O God, our Father, You have revealed Your will to persons in the past: Grant to the President and the Members of the Senate the revelation of Your wisdom through which in our own day they may make Your will known in our country. Reveal Yourself to them, that through their work our country may come to know justice, equality, and love for all people.

Help them to make human life more human for all and to work for a united witness in our Nation for the liberation of the poor out of fear for our lives. Our lives belong to You and help us realize that hatred, violence and the destruction of human life are not part of our liberation.

Help us to obey Your commands which we have heard but not yet obeyed and use the wealth and power of our Nation to serve the communities of poverty and oppression; and may we be renewed by Your spirit through Jesus Christ, Your Son and our Lord. 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 of the Senate (Mr. RUSSELL).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., July 28, 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.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, July 27, 1970, be dispensed with.

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

ORDER FOR RECOGNITION OF SENATOR SYMINGTON LATER IN THE DAY

Mr. MANSFIELD. Mr. President, because of the early hour of convening, I ask unanimous consent that, although the distinguished senior Senator from Missouri (Mr. SYMINGTON) has already been granted an order to proceed for not to exceed 30 minutes, he may proceed under that order today at a time appropriate to him.

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

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

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

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

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

ORDER OF BUSINESS

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

SIX YEARS IN A BAMBOO CAGE

Mr. SCOTT. Mr. President, 6 years is a long time. For some of our prisoners of war held in North Vietnamese or Vietcong horror camps, it will soon be 7 years. Some of our men have spent what may be one-tenth of their allotted span of life in the most despicable conditions, in a bamboo cage hidden in some steaming jungle, their feet rotting away from parasitical infection, their bodies and minds tortured by inhuman practices fertile in the oriental mind.

Mr. President, it is worse even than this. Normally we spend approximately 20 of our years in preparation for our adult lives. Afterward, if we are fortunate, we may enjoy somewhere between 10 and 20 years of well-earned retirement. This leaves on the average approximately 40 years of adult productive living. I think it is only fair to recognize that to these prisoners, the citizens of this country who were our emissaries in a distant war, 7 years could be one-sixth of their allotted productive span of life. It has not been spent in particularly pleasant conditions.

To an enlightened people, who believe in the rights of the individual, the situation of our prisoners is intolerable. Tolerate it we must, since for the moment there seems nothing else to do; but repay it to the men concerned, and their families, we shall, so far as we can. And we hope, on that glad day when the battered remnants of these heroic men are at last repatriated to their own country and their own families, that the world will well note and long remember how they were treated, and by contrast how we have treated those of the other side who fell into our hands.

OVERSEAS ASSIGNMENT OF MILITARY VOLUNTEERS

Mr. SCOTT. Mr. President, last week I suggested that at this time we might give serious consideration to phasing out the draft for those who serve in Vietnam, substituting therefor those who volunteer to serve, those who are willing to put in their time in this overseas assignment. I think it might do a great deal to relieve tensions to make it clear that the element of compulsion to combat has been lifted in this instance.

I do not believe in selective objection to wars. I think all wars have some immorality associated with them, so I do not believe in the so-called immoral war concept. I do not believe we should choose the wars in which we serve; but I do believe if there are enough volunteers, and I believe there are, who would be willing to serve in Vietnam during

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

the terminal years of this conflict, during the period when the war is being wound down, and especially after the removal of virtually all the combat troops next spring and next summer, and gradual removal of supply and support forces, that perhaps this proposal would go a considerable way toward bringing about some better feeling and better understanding between the generations in this country.

I do not make the proposal as a "truce" because I was the first witness before the Scranton Commission, and for about a week or 10 days the only witness who made the point that student unrest was not necessarily geared to the war, for if it were, why would it arise when the war was being deescalated, rather than under previous administrations when it was being escalated; and moreover, since student unrest is a widespread phenomenon everywhere in the world, and not only in the springtime, there certainly are many causes for it.

But I do believe that youths feel that the generations above them which run the country are not being fair to them. This is not an unusual feeling. Young people always feel that older people are not being fair to them, and they have something on their side when they say that.

So to the degree to which we can preserve the elements of fairness in relation to the obligations and the duty of a citizen, we should try to do it. That is why I would like to keep alive the discussion of the importance of volunteer forces in this area. I hope that we can devise some means to do it. I hope if we do this will improve negotiations between the colleges and the rest of the country, and may perhaps lead to a lowering of the temperature, even in the ivy leagues, because our "elites" in this country are students, and our affluent who should be happy are actually the most discontented of all our citizens.

I think we might remove one of the root causes of that alleged discontent and then see what continues to bug them, and perhaps we can get to the treatment of whatever is the underlying cause of the ferment if we remove some of what are clearly the external and visible irritations.

I hope we give careful consideration to this suggestion. It does not bear an ideological mark; it was suggested as recently as yesterday by Mr. Buckley, a conservative columnist, and it has been suggested by liberals and moderates. I think chiefly it is being suggested by people who are wondering what has gone wrong with today's youth, and in their search for means by which we might ease the exasperations. This is one of the proposals which has surfaced and which I think deserves careful consideration.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. Michael J. Kirwan, late a Representative from the State of Ohio, and transmitted the resolutions of the House thereon.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 2601) to reorganize the courts of the District of Columbia, to revise the procedures for handling juveniles in the District of Columbia, to codify title 23 of the District of Columbia Code, and for other purposes, and it was signed by the Acting President pro tempore (Mr. ALLEN).

DEATH OF MICHAEL J. KIRWAN, REPRESENTATIVE FROM OHIO

Mr. SCOTT. Mr. President, I know the Senate joins in sorrow for the death of the distinguished dean of the Ohio delegation, Representative Kirwan, of Ohio, and with whom I served in the House of Representatives.

DEATH OF JOHN KUNKEL, FORMER REPRESENTATIVE FROM PENNSYLVANIA

Mr. SCOTT. Mr. President, I yesterday brought news of the death of another former colleague, the Honorable John G. Kunkel, of Pennsylvania, grandson and great-grandson of many Members of Congress, one of whom ran on the ticket for vice president with Henry Clay, and another was a Member of the First Congress.

John Kunkel was a very distinguished man, indeed, who was very much beloved by all his colleagues. We join in extending our condolences to his widow, Kitty, and the family, in saying the last sad goodbye to a friend.

RECESS

Mr. SCOTT. Mr. President, I ask unanimous consent that the Senate stand in recess, subject to the call of the Chair.

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

Thereupon, at 10:29 a.m., the Senate took a recess subject to the call of the Chair.

At 10.41 a.m., the Senate reassembled when called to order by the Acting President pro tempore (Mr. ALLEN).

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished Senator from Nebraska (Mr. HRUSKA) and I be permitted to proceed for an indeterminate period of time during morning hour.

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

INSPECTION OF IMPORTED LIVESTOCK PRODUCTS

Mr. MANSFIELD. Mr. President, the well-known columnists, Roscoe and Geoffrey Drummond, in one of their columns of recent date, headlined "Is Hruska Beef Bill for Health or Protectionism?" referred to "special-interest Congressmen" who "are going to fantastic lengths to take advantage of the high protectionist madness now gripping both the House and the Senate." That is a direct quotation from the Drummonds' article.

They also say that:

Politicians are lining up to hand out the goodies, and they see votes at home when they do.

Again quoting the Drummonds:

Just when you think that the worst is over, it isn't. Something more comes out of the legislative factory now running at high speed for no good purpose and oiled for the coming elections.

* * * * *

And who is fashioning the latest bit of high-protectionism gone berserk? None other than two of the normally most thoughtful and careful men in the Senate—the prestigious liberal majority leader, Mike Mansfield of Montana, and the distinguished Republican conservative, Roman Hruska of Nebraska.

They are proposing a restrictive trade measure which shows what can happen when two usually reasonable and responsible men get caught up in the home-industry, protectionist mania on the eve of a congressional election.

Mr. President, I assume that what the Drummonds are referring to is a bill (S. 3942), which was introduced by me some weeks ago, to provide for thorough health and sanitation inspection of all livestock products imported into the United States, and for other purposes.

That bill has nothing to do with imports per se, but it does have a great deal to do with endeavoring to make imported meat as sanitary, as healthful, and as safe as that produced by our domestic producers.

I appeared before the Committee on the Judiciary under date of July 16. I ask unanimous consent that my testimony at that time be printed in the RECORD.

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

STATEMENT OF SENATOR MIKE MANSFIELD: S. 3942—INSPECTION OF IMPORTED MEATS, JULY 16, 1970

Thank you, Mr. Chairman and members of the Committee, for this opportunity to appear before you in behalf of my bill, S. 3942, on inspection of imported meat.

There is nothing more important to consumers and to those who produce meat in this country—and we have both in Montana—than the maintenance of absolute confidence in the purity, wholesomeness and sanitary quality of the meat and animal products offered consumers.

Per capita consumption of beef has grown from 85 pounds in 1960 to 110 pounds last year, and of all meats from 161 pounds to 183 pounds per person. The Department of Agriculture is forecasting continued growth, and this is all because American consumers have confidence in our system of inspection and, therefore, in the quality of the meat allowed to be offered to the public at stores.

In recent years, when proof was offered that some slipshod practices existed in handling of meat, Congress has promptly provided for poultry inspection and for improved meat inspection. We have voted the most rigid requirements considered desirable on our own meat packing and processing establishments, and we have voted to require that meat imported into the United States be produced under equally sanitary conditions so it will meet standards of wholesomeness equal to ours.

My confidence in the quality and thoroughness of inspection of imported meat was shaken when Dr. John Melcher, a Montana veterinarian who was elected to Congress just a year ago at a special election,

described to me what he had learned as a result of a personal investigation into the nature of our inspection of foreign meat plants and of meat as it comes into the United States.

We have only 14 or 15 men who travel the globe to make sure that more than 1,100 foreign packing plants are designed and operated to meet our sanitation requirements, and that the day-to-day inspection of meat as it moves down the packing house lines is equal to the inspection standards and requirements we maintain. The annual report of the inspection branch at USDA shows that one of these men frequently inspects three plants a day, which certainly isn't much of an inspection of the plant, the premortem and post-mortem procedures, the boning, cooking or freezing, packing and handling of meat destined for the United States. In his hour or two visit, he cannot, of course, assure himself that there is premortem examination of all animals butchered around the year, or that there is thorough post-mortem inspection of every carcass on the packing line 365 days a year—that has to be taken on faith that the governments in Central and South America, Oceania, Europe and the East all provide rigid day-to-day inspection equal to ours.

We run a check on the results of the inspection on foreign plants when meat arrives in the United States. The equivalent of about 75 man years is devoted to sampling the 1.6 billion pounds of meat shipped to us to make sure that the defects in it do not exceed certain tolerances: one minor defect per 30 pounds, one major defect per 400 pounds, and one critical defect per 4,000 pounds. Congressman Melcher will discuss those defects and their classification.

It is my understanding—and if it is not correct we should make it so—that as meat moves down processing lines in an American packing plant, if any defect is discovered which affects the absolute wholesomeness of a piece of meat, that piece of meat is pulled off the line and the defect eliminated or the meat "tanked" and removed completely from any possibility of human use.

The bill which I introduced in the Senate, a companion to Congressman Melcher's H.R. 17444, provides for thorough inspection of all animal products imported into the United States, and that means piece by piece inspection, after thawing, of the fresh and frozen meat which arrives at our ports of entry.

We cannot provide hundreds or even thousands of United States inspectors in foreign plants to maintain daily vigilance over meat produced in each of them which may be shipped to us. We can inspect these products thoroughly which are offered for our markets, and that is what the bill proposes be done.

I am concerned about the volume of meat and animal products being imported into the United States. Unregulated, it can have extremely serious consequences for our domestic producers, upon whom we must rely for the great bulk of our meat, dairy products and other animal foods. We deal with the problem of volume in separate import quota legislation. I authored the Meat Import Law of 1965.

This question of thorough inspection is a separate question, just as important as any import quota, for failure to guarantee American consumers that imported meat—which is mixed with our own in ground and processed products and is unidentifiable as imported meat except in rare instances where it comes in in consumer packages—is absolutely wholesome and sanitary can destroy confidence in the meat and animal products on the shelves and in the coolers of our stores.

Congressman Melcher will testify today. As a veterinarian he can discuss with you in some detail the existing inspection procedures, and such problems as the failure of Australia to eliminate certain defects in shipments to us. This aspect of the problem is very technical and I defer to my colleague, Dr. Melcher, who is a very thorough person. At least, we have found him to be as a veterinarian in Forsyth, Montana; as a Congressional candidate from the Second District, and as a Congressman.

Mr. MANSFIELD. I also ask unanimous consent that a statement of Representative JOHN MELCHER of the Second District of Montana before the committee on the same date be printed in the RECORD at this point.

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

STATEMENT BY CONGRESSMAN JOHN MELCHER: IMPORTED MEAT INSPECTION

Thank you, Mr. Chairman and members of the Committee, for this opportunity to discuss the pending bills for improvement of the inspection of imported meat and animal products.

I have introduced in the House of Representatives, H.R. 17444. The Mansfield and Burdick bills, S. 3942 and S. 3987 are the same. The bill was an outgrowth of my concern, as a veterinarian as well as a citizen, about both the safety from a health standpoint and the wholesomeness and sanitation of meat coming into the United States. I made considerable inquiry into the situation. On April 15, I addressed the House on the subject and on May 5, introduced H.R. 17444. I have subsequently put into the House Record an article from a Melbourne, Australia paper, reporting a discussion of the inadequacy of meat inspection and procedures in that country during a meeting of their Parliment. Also, an article from the Western Livestock Reporter, published at Billings, Montana, indicating that there is considerable American capital behind expansion of the livestock industry in that country; American interests are acquiring land there in large tracts and there are indications that the Australian native citizens are not entirely happy about it.

With your permission, Mr. Chairman, I will file copies of these past statements for your hearing record.

I would like to make clear at the outset that, while I am concerned about the volume of meat, dairy and honey imports into the United States, the problem of adequate inspection of what does come is separate from any quota problem. If there is a relationship between volume of imports and inspection, as distinct from economic consideration involved in imports, then it is that quantity should be geared or regulated to the volume we are equipped to certify for sanitary production and to thoroughly inspect before use in this country.

Certainly this is no time to expand and enlarge quotas; we need first to make sure of the safety, wholesomeness and sanitation of what we are getting, for it is presently questionable.

The bill I introduced calls for "thorough examination and inspection" of animal products, including "all fresh or frozen or chilled meats after thawing" and before use in this country. The language is intended to cause the Secretary of Agriculture and others concerned—including those of us in Congress—to look not only at the adequacy of our inspection of fresh and frozen meat but also dairy products, cooked and canned meats—the whole list of animal product imports and be certain that they meet proper standards.

The phrase "thorough examination and inspection" has been used because some latitude is necessary as to inspection of various products: cheese, butter, dairy mixes, eggs and canned meat products, but it is the intention of the author of the bill that, in the case of meats, "thorough examination and inspection" means piece-by-piece inspection of all chilled and uncooked meat, piece by piece inspection of cooked meat which arrives here in paper or plastic wrappers, piece by piece inspection of meat in bulk cans after they are opened and before use, and at least a thorough sampling of the contents of consumer packages, including canned meats.

If legislative history to that effect isn't enough to make it binding, then the bill should be amended to make that explicit.

Our surveillance of foreign packing and processing plants licensed to export to the United States is not adequate to give us very positive assurance that the processing has always been under standards for wholesomeness and sanitation truly equal to ours.

The requirement that consumer packages indicate the country or origin provides some warning to consumers, but I think we owe them more than a warning: we owe them reassurance that the product in the package is wholesome and sanitary. Inspection of a substantial sample is little enough reassurance of that.

I am advised that there are two developments in the meat importing business that must be taken into consideration: more and more meat is coming into the country "containerized," or in large containers which can be hoisted directly from the hold of ships to vehicles for transport to inland destinations, and given import entry inspection at the destination in the interior of the United States. There is also an increasing volume of cooked meat for processing uses which goes to the processed meat and canned soup factories in large bulk cans.

We have meat and food inspectors all over the United States, and there is no reason why blocks of chilled meat cannot be thawed and examined piece by piece before use at processing plants, or why the contents of the bulk cans cannot be inspected after the cans are opened and before the contents are used in consumer food items.

Cooking meat insures killing disease organisms, but it is not an assurance of wholesomeness. Cooked meat needs to be examined for thoroughness of cooking (there have been cases of imported cooked meat which was semi-raw in the middle) and for all of the defects involving wholesomeness and sanitation for which raw meat is inspected: dirt, insects, rodents, blood clots, cysts, ingesta, fecal matter, etc. Cooking should not permit automatic entry: we still need to know it is well-cooked, particularly in the case of Argentina where hoof and mouth disease is prevalent. In addition, in all cases we need to be certain that all the meat, cooked or otherwise, is clean.

I do not want to take an excessive amount of the Committee's time, Mr. Charman, dealing with the inspection staffs available to maintain surveillance over 1100 foreign plants, the wholly inadequate sampling method of inspection after meat arrives in the United States, the standards, the number of defects allowed to go through, and other details. The House remarks which I have inserted deal with them, and include a table of defects and defects allowed in accepted lots.

I have spent a good many hours trying to familiarize myself with details, including a visit to the docks to see what happens to a cargo of meat when it arrives, and I could easily impose on your time. I will try not to do so, but I would like to point up a few major facts.

In my House remarks, I said that we have 15 "foreign review officers" who travel the globe to make sure that regulations, plants, procedures, sanitary conditions and other phases of meat production and inspection are *equal* to ours, as required by law. I am now told it is 14 inspectors, a reduction of

only one, but significant because that one is a 6⅔% reduction in the size of the total force! In addition the foreign review officers live here in the Washington area and are not permitted by a State Department ruling to live abroad in the countries whose plants they have been delegated to inspect. They consequently are in travel status back and forth much of the time.

I was advised that the equivalent of 75 man-years of time is devoted to inspecting meat as it arrives at our docks, and have had no change in that figure.

I was supplied figures indicating that we have about 7,050 full-time and part-time inspectors serving 1,052 meat and poultry processing plants in the United States. Subsequently, I have been given revised data.

It indicates the following:

It indicates that we have 734 plants in the United States where red meat is slaughtered and a 3,224 which slaughter and/or process red meats, served by 4,637 inspectors. Then there are 1,004 poultry slaughter and/or processing plants served by 2,750 inspectors. The meat inspection staff totally includes 7,387 field personnel and 804 who are administrators here in Washington or laboratory people, bringing the grand total personnel involved in the work to 8,191.

I cannot believe that 14 men, operating separately, who are not allowed to live abroad but must commute from the United States and have to drop in on three and even four foreign plants a day in order to visit all of them at least once a year, can possibly provide us with any real assurance that slaughter and inspection procedures, and the sanitation of the 1,100 plants abroad which ship to us, is equal to United States standards.

I don't think the Department of Agriculture believes it either. I have here the ledger sheets, which are the only record which has been kept on imported meat rejections, indicating rejections for one year, the shipping plant number, size of lot, cause of rejection and the port of rejection. I understand the Department is now computerizing this record so it can determine if there are plants from which rejections regularly run high, or other coincidences or data in these records which would indicate trouble spots abroad which our review officers have missed in their hurried visits to the foreign establishments.

It is my understanding, incidentally, that this compilation of rejections was started after the advent of meat import quotas, in order to get a total on pounds rejected so imports to replace the rejected lots could be entered into the United States.

The need to analyze the rejection data to find trouble spots is indicative of the Department's own behalf that violations get by their tiny force of "review officers," who inspect abroad.

We get 1.6 billion pounds of chilled, cooked and canned meat from the 1100 plants inspected by the 14 review officers. After it arrives here, we put about 75-man years into inspection, by a very thin sampling procedure based on mathematical probabilities—a sort of poker or roulette system—involving less than 1% of all the meat.

Because low cost of free refrigerator space is not available at most of our docks, even the inspection of the tiny samples is done under time pressure. They want to get the cargo moving before it begins to thaw out.

As the meat cargo is lifted from the hold of a ship, it is assembled into lots on the dock. When a lot has been assembled, an inspector makes a random selection of a prescribed number of samples of the 50 to 60 pound boxes of frozen meat in the lot. These are marked and transported to an inspection room, or station, by the importer. The balance of the lot is marked "inspected and passed by the U.S. Department of Agriculture," and hurried to refrigerated railroad cars, trucks or storage space to be held until the samples have been inspected and the whole lot can be released—or it is rejected and ordered shipped back out of the United States.

The marked sample boxes are transported by the importer to the inspection station, located on the dock or nearby. There, some of the 50–60 pound blocks of meat are sliced with a band saw to take out two 2-inch cross cuts, or a 4-inch cut. These are then placed in plastic bags, immersed in warm water, thawed and inspected. The fate of the whole lot is decided on the basis of what is found in the slices which constitute about ½% of all the meat involved.

If the inspector finds less than a prescribed number of minor, major or critical defects in a lot, it goes through. If he finds more, up to a certain limit, a second batch of samples is run through.

The number of samples taken from lots of various sizes and the exact number of defects permitted to pass is indicated in the table attached to my House remarks, and will undoubtedly be supplied by the Department.

I am told that, statistically, the procedure allows one minor defect like dirt, a blood clot, or certain benign cysts, to pass per 30 pounds, one major defect like hair, blood clots, cysts and ingesta per 400 pound, and one critical defect, like a substantial dab of manure per 4000 pounds.

I have heard the statement made, Mr. Chairman, that these standards are "equal" to American inspection—that the allowable defects in imported meat coincide with the number that "get by" during our domestic inspection.

It is my understanding that U.S. meat inspectors do *not* stand at a slaughter line counting the number of defects passing them—they aren't just calling balls and strikes—but that made wholesome and sanitary or it is "tanked"—taken out of any line that goes into human food products. The objective of meat inspection is to get all defects out. If our inspectors are over-worked, or haven't time to "catch" all the defects in domestic meat, then we had better be considering how to augment the force. We should not make their shortcomings the basis of tolerating less than thorough inspection of imported meat.

There is evidence that our inspection force needs strengthening—that veterinarians in the force is declining by attrition, at least—and that the force is inadequate to provide full service without excessive overtime. I ask your permission to put in the record a brief statement on this subject that I put in the House record.

At this point, I want to make an additional observation about the need for piece-by-peace inspection.

Monday morning I watched a 32,000 lb. of meat unloaded and "inspected" at the wharf in Philadelphia. I saw the pallets of meat hoisted off the boat, the lot assembled, the boxes stamped "U.S. Inspected and Passed," and sample boxes taken to the meat inspection corner of a huge shed where samples were sawed and about 180 lbs. from the 15 boxes thawed out for examination. I stood with one grade 7 and one Grade 9 employee—neither was a veterinarian—as they each examined trays of the meat.

There were samples from other large lots piling up around them—two boats were unloading—and hunreds of tons of frozen meat in a great, unrefrigerated warehouse, awaiting the completion of their work.

If they had been on a domestic meat inspection line, they would have pulled off the slaughter or processing line several pieces of meat which had hair, blood clots and minor defects to be cleaned up or tanked. But their decision there was not whether an occasional single piece of meat was to be cleaned up/or rejected; (there were no facilities for that) their decision was, in this instance, whether $15,000 worth of meat—16 tons—were to be rejected and ordered out of the country for a few too many minor defects.

They weren't making 64 cent decisions—they were making the $64,000 kind under terrifically greater pressure to be reasonable than on a domestic slaughter line.

It is just common sense to know that an inspector will be less reluctant to send back a single shoulder of beef or mutton than to reject tons and tons of meat because he found a defect or two too many. Even in instances where domestic inspectors check lots of 20–100,000 lbs, their decision to turn a lot back is only for re-working—it is not a flat rejection of every pound in a multi-ton lot.

Piece by piece inspection is inevitably better than inspection of units with values running into five and six figures.

Three faults in the system appear to be self evident—

1. Foreign review officers are spread too thin. We need more of them and need them living in the countries they are assigned to inspect.

2. On the dock inspection is not acceptable because of the pressure of time, the confusion, and the inherent disorder of dock procedures.

3. Random selection which inspects only a minute percentage of the meat neither assures wholesomeness and sanitation nor does it assure confidence to consumers that the meat they are going to buy meets the standards we say it should have.

The fact that we have inspected a small portion of the foreign meat, and on that tiny inspected portion have found only so much dirt or hair or blood clots, cysts, ingesta, or fecal material is not satisfactory. By doing so we jeopardize the belief that the finished product cleared for anywhere in the United States—any store, any restaurant or hot dog stand or any dinner table including our own is the clean, wholesome quality meat that we want and use to be confident we had.

In my mind, there is absolutely nothing more important to the livestock industry than complete confidence and absolute assurance on the part of the American housewife and that the meat she buys at the retail store is healthful, sanitary and wholesome.

If the housewife loses confidence in what is in the freezer, or on the butcher's block, our market will decline precipitously. Our American product must be kept up to the highest standards.

And I am concerned about imports because the imported meat is mixed with American in hamburger, it goes into soups, cold meat and processed meats—hot dogs, sausage, cold cuts—and becomes indistinguishable from American.

It is intolerable that slipshod inspection of imports might be allowed to undermine confidence in all meat offered at our stores.

I must say very candidly that I have been shocked by developments in relation to meat inspection since I made my first statement on the subject.

Shortly, afterward, imports of mutton from Australia from ewes butchered after May 15 were embargoes, and I was advised that there had been some debate in the inspection division for two or three years about the need to take such action.

The revelations in the Queensland paper I have submitted make me believe that the "equal" requirement in our law has not been enforced in this instance. The Minister of Primary Industry for Australia is quoted as saying their packing methods have not—and cannot in some plants—meet our standards because the carcass and viscera are not kept associated. He talked about reaching a "compromise" with us. A compromise between our standards and what they want ac-

cepted simply can't meet the requirements of our law. The law says their plants, procedures and inspection must be "equal" to ours: not some compromise between "dirty" and equal.

There has been temporizing with processing and inspection abroad. And a recent General Accounting Office report indicates temporizing in some plants here at home which shocks me, particularly in view of difficulty which was given to butchers and small locker plants in rural areas.

I am advised that the General Accounting Office is starting to look at the adequacy of our surveillance and inspection of foreign plants, and meat imports.

I requested the General Accounting Office to undertake such a study about a fortnight ago and on Tuesday consulted with a team from that agency which has already gone to work.

I am especially pleased with this since the charge cannot be made—as it has been made in regard to a Congressman from the cow country—that this is an effort to create a furor which will limit the volume of imports.

Regardless of volume, meat which is imported into the United States must be kept healthful, wholesome and completely sanitary and those objectives are all that is involved in the bill before you today. I am talking now about quality, not volume.

Mr. MANSFIELD. Mr. President, Representative MELCHER is the original author of this proposed legislation. He is one of the best known veterinarians in the northwestern part of our Nation. He is a good, sound Congressman, and he knows the livestock industry as very few other Members of Congress do. What we are endeavoring to do, I repeat, is to apply the same standards for healthful meat to imports that we apply to our domestic production.

My testimony before the committee applied to only this particular matter, and it pointed out that we have only 14 or 15 men who travel the globe to make sure that more than 1,100 foreign packingplants are designed and operated to meet our sanitation requirements, and that the day-to-day inspection of meat as it moves down the packinghouse lines is equal to the inspection standards and requirements we maintain. The annual report of the inspection branch at USDA shows that one of these men frequently inspects three plants a day, which certainly is not much of an inspection of the plant, the premortem or postmortem procedures, the boning, cooking or freezing, packing, and handling of meat destined for the United States. In his hour or two visit, he cannot, of course, assure himself that there is premortem examination of all animals butchered around the year, or that there is thorough postmortem inspection of every carcass on the packing line 365 days a year—that has to be taken on faith that the governments in Central and South America, Oceania, Europe and the East all provide rigid day-to-day inspection equal to ours.

Mr. President, one of the results of that meeting was that I received a call from the CBS in San Francisco—and I understand that what I am about to say also appeared in certain portions of the Nation's press, though I must report that I have not seen it in that respect.

Anyway, a George Mair of CBS News called and asked for my reactions to two statements which came over the wire this afternoon on the AP and the UPI. One is by Raymond Ioanes of the Department of Agriculture. Mr. Ioanes stated that the Mansfield-Burdick bill would result in the blocking of further American meat exports. How I do not know. And how asking that foreign, imported meats be up to American standards would have that effect, I do not know.

Then he continued:

Remarks by Peter Nixon, Australian Minister of the Interior, from Melbourne—"Senator Mansfield's remarks on behalf of the meat lobby will result in having the cost of meat inspection forced on the Australian Embassy—

I do not know what the Australian Embassy has to with it—

If this is to work as I suspect it is, Senator Mansfield should be hung, drawn and quartered without benefit of inspection and roasted on the high altar of American protectionism.

That is quite a strong statement, but I had no comment. I think the record should speak for itself.

I do think, Mr. President, that when we try to bring forth a bill of the type which I have mentioned, we ought to at least be given credit for good faith, and we ought to be recognized as not endeavoring to do anything in this measure which would interfere in any way with meat imports. We do have a law covering the importation of frozen meat and veal, and that law is the result of the efforts of the distinguished Senator from Nebraska (Mr. HRUSKA) and the Senator from Montana, now speaking.

That law was passed 6 years ago. We have had to watch it very carefully, but it has brought about a degree of importation with which we can live. We would only hope it would be observed in all its details.

But so far as the bill in question is concerned, I repeat: It has to do only with the proposition that meats imported into this country should be just as sanitary, just as healthful, just as safe, and the same requirements applicable to our own meats should apply to these foreign imports.

It is interesting to note that in this column by the Drummonds, the heading is "Hruska Beef Bill for Health or Protectionism?" To the best of my knowledge, while I know the distinguished Senator from Nebraska (Mr. HRUSKA) is very sympathetic to this proposed legislation, his name was not on the measure when it was considered before the committee. I must admit I do not know what HRUSKA beef bill is referred to, unless it is one which the distinguished Senator from Nebraska introduced some time ago, which has passed both bodies, which has been signed by the President, and which is now the law of the land. But I defer at this time to the distinguished Senator from Nebraska, who can explain his position far better than I can.

Mr. HRUSKA. If the Senator will yield, the Senator from Nebraska would say that he also carefully inspected the bill that was introduced by the Senator from Montana, and his name does not appear as a cosponsor of that bill.

Mr. President, I want to minimize the offenses here against accuracy, and otherwise, of the authors of the article in question. I ask unanimous consent at this time, with the permission of the Senator from Montana, to join him as a cosponsor of his bill, so that we will correct that part of the column, even though it is on a nunc pro tunc basis.

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

Mr. MANSFIELD. I am delighted to have the distinguished Senator from Nebraska as a cosponsor, because, in my opinion, he is the leader of the Senators in this Chamber, both Democratic and Republican, in trying to bring home a better understanding of what the beef industry stands for in this country, and also in pointing out the difference between beef in the marketplace and beef on the hoof.

Mr. HRUSKA. Mr. President, I should like to ask the Senator from Montana this question: He well knows that Public Law 90–201, which is the Meat Inspection Act of 1967, contains provisions, under section 20 thereof, requiring that foreign meat products imported for human consumption be prohibited entry unless the exporting country complied with all inspection and building standards and other regulations applicable to such articles produced and inspected within the United States.

My question is this: Is it not a fact that the bill introduced by the Senator from Montana, and now cosponsored by the Senator from Nebraska, in addition to several other Senators, simply seeks to sharpen the provision which has been law for 3 years now, and to make it more accurate and to make it more effective, to see that only wholesome meats are imported into this country?

Mr. MANSFIELD. The Senator is correct. I might add that the purpose is to equalize the situation between imported meats and domestically produced meats.

Mr. HRUSKA. I am confident that the authors of the article would not take any other position but that any meats which are imported should comply with the law of this land, because the objective of the law of this land is to protect the consumer; and that is exactly the purpose of the Mansfield bill.

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

Mr. HRUSKA. I am happy to yield.

Mr. MANSFIELD. May I say that that is not the view of the Department of Agriculture, which is against this proposal for reasons which I cannot understand, even though I have in my hand the letter signed by J. Phil Campbell, Under Secretary, addressed to the Honorable ALLEN J. ELLENDER, under date of July 16, 1970. With it is a USDA statement on statutes and activities for preventing introduction of animal diseases.

It is most interesting that our own Department of Agriculture is in opposition to this bill, which seeks only to achieve for imported meats what we now demand of domestically produced meats. This is such a simple, straightforward bill, having nothing to do with imports, that it was a shock to me to find out that

the U.S. Department of Agriculture was in opposition to giving this kind of a fair deal, a square deal, to the American beef producers.

Mr. HRUSKA. Mr. President, normally we think of Roscoe and Geoffrey Drummond as among the most careful and reasonable of today's newspaper columnists in their utterances.

Mr. MANSFIELD. And they usually are.

Mr. HRUSKA. It is surprising and disappointing, therefore, to find them engaging in careless and reckless misstatements when one of their personal causes or pet articles of faith comes under attack.

I refer to a column which appeared in some of the Nation's newspapers yesterday relating to proposals to tighten up on the sanitary inspection of foreign meat imported into this country for American consumption. To Mr. Drummond and his son, evidently the cause of foreign trade is so sacred that no consideration—not even the need to protect the health of the American public—must be permitted to stand in its way. Sanitary inspection procedures accepted as normal by American producers are treated as deliberate harassments and "protectionist" obstacles when applied to food products brought here from foreign countries.

Regrettably, the column by the Drummonds contains a number of specific misstatements of fact which need correction. It imputes motives to the Senator from Montana (Mr. MANSFIELD) and to the Senator from Nebraska (Mr. HRUSKA) which are unworthy. It says that legislation presented as a "health" bill is really a "keep out imported meat" bill. By innuendo and journalistic artifice, it suggests all sorts of devious actions on the part of these two Senators. These various implications and suggestions are untrue. The record shows it, and shows it over a series of years, and the record in connection with the article ought to be set straight.

In the Drummond column it is stated that "Senators MANSFIELD and HRUSKA know that health-endangering meat is not being imported into the United States."

The fact is, Mr. President, that health-endangering meat has been imported into the United States and we know that to be a fact because the Department of Agriculture has told us so. To give an example, several months ago, the Department of Agriculture found it necessary to impose a total embargo on imports of all Australian mutton because the Australian inspection system on mutton is not adequate. It is not equal to the standards we impose on our own in-industry. Until the deficiencies in the Australian system are corrected, we must insist that no more Australian mutton come into this country. That ban was imposed more than 2 months ago, and the Austrlians have not yet raised their requirements to meet our standards.

I ask unanimous consent to have printed at this point in the RECORD a press release put out by the Department of Agriculture.

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

USDA ANNOUNCES TEMPORARY BAN ON IMPORTS OF AUSTRALIAN MUTTON

The U.S. Department of Agriculture announced today that Australian mutton slaughtered after May 15 may not be imported into the United States. The action was taken by USDA's Consumer and Marketing Service which administers the Federal Meat Inspection Act.

C&MS said that the Australian inspection system for mutton is deficient in that carcass identification is not adequate for proper inspection, disposition of questionable carcasses is not in accordance with requirements, and dressing and handling procedures are inadequate.

C&MS said that these deficiencies in the Australian inspection system applied only to sheep slaughtering plants.

C&MS said that imports of Australian mutton into this country may be resumed when the deficiencies are corrected.

Federal law requires that, before a country may export meat to the United States, it must have and enforce inspection laws and regulations equal to those which apply to meat produced in the United States.

Mr. HRUSKA. The press release is dated May 11, and it was received in my office a week later. The opening sentences read as follows:

The U.S. Department of Agriculture announced today that Australian mutton slaughtered after May 15 may not be imported into the United States. The action was taken by USDA's Consumer and Marketing Service which administers the Federal Meat Inspection Act.

C&MS said that the Australian inspection system for mutton is deficient in that carcass identification is not adequate for proper inspection, disposition of questionable carcasses is not in accordance with requirements, and dressing and handling procedures are inadequate.

It seems to me that anyone who would seek to quarrel with the Department of Agriculture on the basis of statements that they use for official action of this kind involving another government has a big task at hand. If he wants to quarrel, whether he be a columnist or not, with the conclusions of the Department of Agriculture, I will bet on the Department of Agriculture, because they are trying to protect the consumers of this country.

Next, the Drummond column states that these two Senators—MANSFIELD and HRUSKA—know that the "proposed additional inspection is a trick, a gimmick to close off such meat imports."

The facts prove the contrary. It is true that there is a law on the books designed to put a limit on the amount of meat that can be imported into this country. That act was passed in 1964. It was known as the Hruska amendment, adopted for that purpose. However, it is a perfectly straightforward law—there is nothing gimmicky about it. The quota on imports permitted is a very substantial quota, under the law and the procedures we have followed. It allows for an increase in the quota each year to be adjusted according to the increase of consumption of meat in the domestic market.

By recent action of the President, the quantity of fresh, chilled, and frozen beef, veal, mutton, and goat permitted to enter in 1971 will be 1,140 million pounds. The quantity of meat is greater than the quantity admitted in any previous year since foreign meat producers are permitted to share in the growth of the U.S. market with the domestic industry under the law.

As to the allegation that sanitary restrictions are simply a gimmick to close off imports, it is worth noting that the same question was raised with respect to an amendment proposed by the Senator from Nebraska during consideration of the legislation which became the Wholesome Meat Act of 1967.

It was at that point that the amendment to section 20, already referred to, of Public Law 90–201, was adopted which forbids and prohibits entry into the United States of foreign meat products imported for human consumption, unless the exporting country complied with all inspection and building standards and all regulations applicable to such articles and produce and inspections within the United States.

It had been proposed that the Secretary of Agriculture give Congress a report each year of the effectiveness of our effort to inspect the meat from foreign sources. During a colloquy which occurred on November 28, 1967, the gentleman from New York (Mr. JAVITS) asked for assurance that the requirements with respect to sanitary inspection not be used as a device to limit imports, in the guise of a sanitary requirement. He was satisfied with the assurances given at that time, and as noted above, the volume of meat brought in has actually increased since that time, proving that the sanitary requirement has not been perverted into a "gimmick" to throttle the channels of trade, as charged by the Drummonds.

Next, the Drummond article states that "The health issue is a phony." This conclusion is based on the testimony of a departmental official about the present inspection system. Nowhere does the departmental official say that the health issue is a phony and neither does he say that the present system is perfect. He defends the present program to some degree, since he is part of the administration of it. There has doubtless been an effort to bring the level of inspection in other counrties up to our own standards, but the fact remains that we have only 14 or 15 inspectors traveling around the world covering all of the meat production and processing plants in 40 countries that supply us with meat. During the Senate subcommittee hearings on the agriculture appropriations bill which were recently held, it was brought out that there are some 1,100 plants abroad that are certified to ship meat to this country, and we try to have our inspectors visit them as often as possible. Yet, last year it was possible to make only 1,700 visits to those 1,100 plants. In other words, most of them were visited only once during the entire year; a few were visited twice or more. Those were only visits, not inspections—certainly not inspections carcass by carcass as is done in this country.

During the course of the Agriculture appropriations hearings a year ago on the 1970 appropriations bill, it was necessary to write into our committee report some strong language calling upon our Department and upon the foreign governments to tighten up their inspection

procedures. An extract from that language will be included in the RECORD at the end of this statement.

Mr. President, finally, the Drummond column dredges up once again the ancient concept that agriculture has surpluses to sell abroad and, therefore, that we should not ask for restrictions on imports. Apparently the argument is that the cattle industry which is the largest single industry in the United States, should be sacrificed for the benefit of our exports of wheat, soybeans, and rice. This argument overlooks entirely that fact, that most other countries are much more restrictive against imported farm products than we are. As noted above, we are permitting foreign meat producers, not only to continue shipping meat here as before, but to share in the growth of our own market.

In the Drummond column, a spokesman for the American Meat Institute was quoted as opposing further sanitary restrictions on imports of foreign meat, on the basis of our export markets in foreign countries. According to the column, this spokesman said—

> The meat industry now finds a market in foreign countries of half a billion dollars yearly for its meat and livestock products. While the advocates of protection for U.S. livestock producers are endeavoring to build a fence around this country to keep foreign products out, they will discover that fences stop trade in both directions.

If those quotations do indeed, in full context, represent the views of the American Meat Institute, they seem to me most ill advised. According to a tabulation recently published by the Department of Agriculture, imports of foreign livestock, meat and meat products in 1968 amounted to $1,103.9 million, compared with similar exports to foreign markets of only $427 million. Imports exceed exports in a ratio of nearly 3 to 1 in 1968, and no doubt the experience of 1969 was similar.

Now then, as to whether that 1964 amendment was protectionist, we had that out a number of years ago. It was discussed thoroughly during the negotiations that Secretary Orville Freeman of the Department of Agriculture had with the Common Market when the Kennedy round of negotiations was going on. The Hruska amendment of 1964 was actually used by Secretary Freeman as an example of how total embargoes could really be improved by reducing the matter to a quota system.

Mr. President, I quote now from one of his 1968 statements endorsing what he called the orderly trading in the international arena, and he was referring to the amendment of 1964 when he said the following words:

> Orderly trading calls for reasonable protection of our agriculture—not protectionism. There's a big difference. Reasonable protection allows trade to flow. It permits comparative advantage to function with relative freedom for the good of all. Protectionism, by completely shielding inefficient producers from competition, stifles trade.

Secretary Freeman then went on to say:

> The U.S. beef quota law illustrates what I mean by reasonable protection.

Mr. President, I think that is conclusive to those who want to designate this as being a protectionist measure and a protectionist step.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the Drummond column as it appeared in the Omaha World-Herald on July 27, 1970; a press release issued by the Department of Agriculture on May 11, 1970, describing the decision to embargo further imports of Australian mutton until the deficiencies in the Australian inspection system are corrected—which deficiencies have not yet been corrected as of this date—a press release issued by the Department of Agriculture on June 30, 1970, announcing the volume of fresh, chilled, and frozen beef, veal, and mutton which may be imported in 1970; an extract from Senate Report 91-277, the report on the 1970 agriculture appropriation bill, which describes the additional measures needed to be taken to tighten up the inspection procedures in foreign countries on meat to be sold in the American market; and a page from Foreign Agriculture Circular FLM 10-69, issued September of 1969, published by the Foreign Agricultural Service of the U.S. Department of Agriculture, which summarizes U.S. imports and exports of livestock, meat, and meat products in 1968.

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

[From the Omaha (Nebr.) World-Herald, July 27, 1970]

IS HRUSKA BEEF BILL FOR HEALTH OR PROTECTIONISM?

(By Roscoe and Geoffrey Drummond)

WASHINGTON.—Special-interest congressmen are going to fantastic lengths to take advantage of the high-protectionist madness now gripping both the House and the Senate.

> Industries are lining up in clusters to grab a share of the protectionist favors —a domestic market walling out competition from imports. This lets prices go where they will, which is up.

Politicians are lining up to hand out the goodies, and they see votes at home when they do.

Just when you think that the worst is over, it isn't. Something more comes out of the legislative factory now running at high speed for no good purpose and oiled for the coming elections.

And who is fashioning the latest bit of high-protectionism gone beserk? None other than two of the normally most thoughtful and careful men in the Senate—the prestigious liberal majority leader, Mike Mansfield of Montana, and the distinguished Republican conservative, Roman Hruska of Nebraska.

> They are proposing a restrictive trade measure which shows what can happen when two usually reasonable and responsible men get caught up in the home-industry, protectionist mania on the eve of a congressional election.

It's a revealing case study because if theirs is a good bill, then the liberal two-way trading policy which has brought so much prosperity to the United States is bad.

The bill is presented as a "health" bill—which it isn't—not as a keep-out-imported-meat bill, which it is.

Its purpose is described as providing for "thorough health and sanitation inspection of all livestock products imported into the United States." And it is specifically added that every can, every pound of fresh, frozen or chilled meat must be thawed and inspected piece-by-piece at its entry.

Sens. Mansfield and Hruska know that health-endangering meat is not being imported into the United States. They know that Americans are not dying or being made sick by poisoned-meat imports.

> They know their proposed additional inspection is a trick, a gimmick designed to close off such meat imports.

They know that their bill would mainly hurt the poor, because the imports they are trying to keep out are mainly ingredients for hamburger and sausage.

Maybe some few livestock men somewhere—in Montana or Nebraska or elsewhere—will find themselves benefitted, but certainly not the consumer, certainly not agriculture as a whole and certainly not the nation's total economy.

This is special-interest protectionism at its worst.

The health issue is phony. Says Dr. H. M. Steinmetz of the Consumer and Marketing Service of the Agriculture Department: "Meat prepared in foreign countries for importation into the United States is equivalent to that produced under federal inspection in our country."

Is American agriculture a limping industry which can't compete in the world market? Not at all. American farmers exported a near record of $6.6 billion in farm commodities in the last 12 months and this is a billion dollars more in commercial sales than the year before.

We sell abroad far more farm commodities than we buy abroad—over a third of our wheat crop, 40 per cent of our soybeans, 60 per cent of our rice. And if we apply unneeded, discriminatory "sanitary" restrictions against countries selling meat to the United States there would inevitably be retaliation.

This is one of the reasons why Aled P. Davies, vice president of the American Meat Institute, opposes the Mansfield-Hruska atrocity.

"The meat industry," he says, "now finds a market in foreign countries of half a billion dollars yearly for its meat and livestock products. While the advocates of protection for U.S. livestock producers are endeavoring to build a fence around this country to keep foreign products out, they will discover that fences stop trade in both directions."

No wonder President Nixon threatens a veto if such madness as this gets through Congress.

[From the U.S. Department of Agriculture]

USDA ANNOUNCES TEMPORARY BAN ON IMPORTS OF AUSTRALIAN MUTTON

The U.S. Department of Agriculture announced today that Australian mutton slaughtered after May 15 may not be imported into the United States. The action was taken by USDA's Consumer and Marketing Service which administers the Federal Meat Inspection Act.

C&MS said that the Australian inspection system for mutton is deficient that carcass identification is not adequate for proper inspection, disposition of questionable carcasses is not in accordance with requirements, and dressing and handling procedures are inadequate.

C&MS said that these deficiencies in the Australian inspection system applied only to sheep slaughtering plants.

C&MS said that imports of Australian mutton into this country may be resumed when the deficiencies are corrected.

Federal law requires that, before a country may export meat to the United States, it must have and enforce inspection laws and regulations equal to those which apply to meat produced in the United States.

[From the U.S. Department of Agriculture]

NEW MEAT IMPORT PROGRAM ANNOUNCED

The Secretary of State and the Secretary of Agriculture have been instructed by the President to set new voluntary restraint levels on meat imports under Section 204 of the Agricultural Act of 1956.

Accordingly, Secretary of Agriculture Clifford M. Hardin announced today that 1970 imports of meat subject to the Meat Import Act are now estimated at 1,140 million pounds. The new estimate is based upon revised restraint levels for principal foreign suppliers for calendar 1970.

The President has issued a proclamation pursuant to Section 2(c)(1) of Public Law 88-482 limiting imports on certain meats—primarily beef and mutton—subject to the Act. At the same time he suspended that limitation.

The President suspended the limitation after determining that this action is required by overriding economic interest of the United States, giving special weight to the importance to the nation of the economic well-being of the domestic livestock industry.

The President also indicated that imports would not be permitted to enter without limitation during the balance of this year. The Secretary of State is readjusting the voluntary restraint program which has been negotiated with the Governments of the principal supplying countries to assure that imports of these meats will not exceed 1,140 million pounds during calendar 1970.

Secretary Hardin indicated that this action applies only to the balance of the current year and does not establish a precedent for action which may be taken in 1971.

Secretary Hardin also stated that he is today taking steps which would stop further transshipments through a third country of meat originating in Australia, New Zealand and Ireland. The transshipments of meat from Oceania have been an important factor contributing to the need for increasing the third quarterly estimate.

The Secretary also stated that authority to issue regulations limiting imports of certain meats under Section 204 of the Agricultural Act of 1956 have been delegated by the President to the Secretary of Agriculture under an Executive Order issued simultaneously with the Proclamation and suspension of quotas.

Public Law 88-482, enacted in August 1964, provides that if yearly imports of certain meats—primarily beef and mutton—are estimated to equal or exceed 110 percent of an adjusted base quota, the President is required to invoke a quota on imports of these meats. The adjusted base quota for 1970 is 998.8 million pounds. The amount of estimated imports which would trigger its imposition is 110 percent of the adjusted base quota of 1,098.7 million pounds.

Imports of meat by months from January 1967 through May 1970 were as follows:

MPORTS OF MEAT SUBJECT TO PUBLIC LAW 88-482 BY MONTHS

[In million pounds]

Month	1967	1968	1969[1]	1970[1]
January	77.4	80.7	41.9	124.5
February	58.5	72.6	50.4	100.7
March	61.9	64.1	136.1	112.0
April	58.8	78.3	90.0	88.7
May	51.5	56.1	80.5	62.0
June	69.6	105.1	85.7	.....
July	88.7	86.4	107.1	.....
August	92.2	108.6	141.8	.....
September	89.7	115.5	121.4	.....
October	91.8	102.1	108.3	.....
November	82.3	95.8	51.4	.....
December	72.4	35.6	69.4	.....
Total	894.9	1,001.0	1,084.1	.....

[1] Rejections which occur after entry is made are included in the published census figures and amounted to 13,500,000 pounds during 1969.

[Extract from Senate Report No. 91277]

FOREIGN MEAT INSPECTION PROGRAM

Public Law 90-201, the Meat Inspection Act of 1967, contained provisions under section 20 thereof, requiring that foreign meat products imported for human consumption be prohibited entry unless the exporting country complied with all inspection and building standards, and other regulations applicable to such articles produced and inspected within the United States.

The Secretary of Agriculture must certify that approved foreign meat processing plants, who slaughter or process meat products for export to the United States, "have complied with requirements at least equal to" all provisions of the act and regulations. In summary, these legal requirements impose standards and procedures for foreign meat plants equivalent to those imposed by the Department of Agriculture upon the U.S. meat slaughter and processing plants who ship in interstate commerce.

Based upon committee findings and the hearings on this bill, it is evident that the departmental regulations and requirements dealing with foreign meat processing plants do not specifically require those governments to establish and maintain an independent regulatory review of "inplant" inspection and supervision equivalent to the U.S. inspection program—under which highly trained veterinarian specialists make periodic and unscheduled visits to U.S. federally supervised meatpacking and processing establishments.

The purpose of visits and inspections by specialized veterinarians in U.S. federally inspected plants is to review the standards of performance maintained in plant facilities, and by the regular inspection personnel assigned to these plants in carrying out the requirements and regulations issued by the Department for facilities subject to the Meat Inspection Act, as amended.

The Secretary of Agriculture is directed to institute prompt changes in current regulations dealing with the foreign meat inspection provisions of Public Law 90-205, which will require foreign governments interested in exporting meat products to the United States to promptly establish and maintain an equivalent system of periodic supervisory inspection of the plants that such countries certify as meeting standards equivalent to U.S. meat inspection and operating requirements. It is expected that such revised regulations will require that there be a minimum of at least one supervisory review inspection each month in addition to the regular inplant inspection, and it is further expected that the reports of findings will be made available to U.S. veterinary personnel upon request, when they visit exporting countries to conduct inspections of such plants.

Senator HRUSKA. I also request that the new regulations, printed in the Federal Register on February 27, be printed in the RECORD.

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

CHAPTER III—CONSUMER AND MARKETING SERVICE (MEAT INSPECTION), DEPARTMENT OF AGRICULTURE

Subchapter A—Meat inspection regulations

Part 327—Imported Products

Monthly supervisory visits by foreign officials to approved foreign export meat plants

On October 14, 1969, there was published in the Federal Register (34 F.R. 15800) a notice of proposed amendment to § 327.2(a)(1) of the Federal Meat Inspection Regulations (9 CFR 327.2(a)(1)). The amendment was proposed to require supervisory visits by foreign officials to foreign meat plants if the plants are to be eligible to have their products imported into the United States and to provide for reports by such officials.

Statement of considerations.—The Federal Meat Inspection Act requires that the Secretary of Agriculture shall each year report to the appropriate committees of the Congress with respect to administration of the section of the Act dealing with importation of livestock carcasses, meats and meat products. The Act specifies that this report shall include a certification that foreign plants exporting such carcasses or meat or meat products for importation into the United States have complied with requirements at least equal to all provisions of the Act and regulations issued thereunder. Such certification can only be made if the supervisory inspection exercised by the national government of the countries in which such foreign plants are located is adequate to maintain standards and operating procedures equivalent to those established by the United States meat inspection program.

As a result of the publication in the Federal Register of the notice of proposed amendment to § 327.2(a)(1) of the regulations, the Department received twelve letters of comment—seven from foreign countries and five from American farm and producer organizations.

The Department has carefully considered all of the information presented to it in these comments, and all other available information and has made the following decisions on the proposal to amend the regulations under the Federal Meat Inspection Act:

Frequency of visit [Decision: Monthly supervisory visits to each approved plant will be required.] This decision is necessary to assure uniform application of U.S. requirements to each certified establishment and to give the certifying foreign official current information on which to base continuing certification of establishments.

Report of findings [Decision: Foreign supervisors will be required to prepare written reports of findings and make such reports available to Department representatives.]

This decision will insure that monthly visits are made and serve to inform the Department of the condition of the establishment at the time of the supervisory visits.

Scope of reports [Decision: Reports will cover requirements referred to in (a) through (f) of subdivision (ii) of subparagraph (1), paragraph (a) of § 327.2.]

This decision will insure that the monthly examination covers the criteria prescribed for approved establishments by § 327.2 and permits exclusion from the report of matters not pertinent to U.S. meat importation.

These are the considerations on which the decisions were made. The specific amendment to the regulations is as follows:

§ 327.2(a)(1) is amended by adding a new sub-division (iv) to read as follows:

§ 327.2 Eligibility of foreign countries for importation of product into the United States.

(a) * * *

(1) * * *

(iv) The foreign inspection system must maintain a program of periodic supervisory visits to each certified establishment to assure that requirements referred to in (a) through (f) of subdivision (ii) of this subparagraph, at least equal to those of the Federal system of meat inspection of the United States, are being met. A representative of the foreign inspection system shall make at least one such supervisory visit each month to each such establishment and prepare a written report of his findings in respect to the requirements referred to in (a) through (f) of subdivision (ii) of this subparagraph, copies of which shall be available to the representative of the Department at the time of his review upon request by said representative to a responsible foreign meat inspection official: *Provided*, That such visits and reports are not required with respect to any establishment during a period when the establishment is not operating or is not engaged in producing meat food products. (Sec. 21, 34 Stat. 1260, as amended, 21 U.S.C. 621; 29 F.R. 16210, as amended; 33 F.R. 10750).

The foregoing amendment differs in some respects from the proposal set forth in the notice of rulemaking. The differences are due to changes made pursuant to comments received in the rulemaking proceeding. It does not appear that further rulemaking procedure on the amendment would make additional information available to the Department. Therefore, under the administrative procedure provisions in 5 U.S.C. 533, it is found upon good cause that such further proceedings are unnecessary.

The foregoing amendment shall become effective 30 days following publication of this notice in the Federal Register.

Done at Washington, D.C. on: February 24, 1970.

ROY W. LENNARTSON,
Administrator.

[From U.S. Department of Agriculture Foreign Agriculture Circular, September 1969]

U.S. TRADE IN LIVESTOCK, MEAT, AND MEAT PRODUCTS IN 1968

SUMMARY

The value of U.S. exports of livestock, meat, and meat products in 1968 totaled $427.0 million, down from $450.2 million in 1967 but 5.0 percent above the 1961–65 average. Most of the decline in 1968 exports was due to declines in the two major export categories—tallow and greases, and hides and skins. Nevertheless, tallow and greases, valued at $134.3 million, continued to be the leading category of exports; but their share of total exports declined to 31.5 percent from an average of 36.3 percent during 1961–65. Hide and skin exports, valued at $121.7 million, were down 4.5 percent in 1968 but were 36.9 percent above the 1961–65 average. Hides and skins are the second largest category of exports; their share of total exports was 28.5 percent in 1968, up from 21.9 percent during 1961–65. Total red meat exports showed impressive gains in 1968, increasing from $47.7 million in 1967 to $62.0 million and representing 14.5 percent of total exports. Virtually all of this increase was accounted for by pork, exports of which increased from $17.8 million to $31.6 million. Variety meat exports of $54.9 million were down 3.7 percent in 1968 but were 45.6 percent above the 1961–65 average and accounted for 12.9 percent of total 1968 exports. Lard exports, valued at $14.3 million, continued their downward trend from the 1964 high of $69.8 million.

U.S. imports of livestock, meat, and meat products reached a new high of $1,103.9 million in 1968, an increase of 18 percent over the previous year and were 32.8 percent above the 1961–65 average. Gains were recorded for all major categories of imports in 1968, with total red meats showing the greatest gain. Total red meats have increased from 51.9 percent of total imports during 1961–65 to 66.5 percent in 1968. Beef and veal was by far the principal meat import, valued at $485.5 million in 1968 and accounting for 44.0 percent of total import value. Imports of wool accounted for 13.2 percent of the value of 1968 imports; cattle, 8.8 percent; and hides and skins, 6.4 percent.

Mr. MANSFIELD. Mr. President, all too often and all too easily the beef producers of this Nation are being charged with the high cost of beef in the marketplace and on the shelves in the supermarkets.

For the record, could the distinguished Senator explain the difference between the price received on the hoof and the price the consumers have to pay in the marketplace?

Mr. HRUSKA. I shall be delighted to explain it. That is one of my favorite themes and I never tire of reciting it.

The fact is that the farmer and the rancher do not sell beef. They do not sell round steak, porterhouse steak, or hamburger. They sell cattle. I repeat, they sell cattle.

The price of fat cattle on the market today in Chicago, Omaha, Minneapolis, or Kansas City is less in terms of 1970 dollars than it was 20 years ago in terms of 1950 dollars.

If there is a difference in the price of hamburger, the eyes of criticism and castigation should not be directed to the farmer and the rancher. There must be something somewhere between the time the sale is made by them and the time the hamburger is ground and placed on the retail counters. The farmer and the rancher cannot be held responsible for that.

Mr. MANSFIELD. Mr. President, does the Senator recall offhand, or would he have to check with his wife, what the price of hamburger is today?

Mr. HRUSKA. Mr. President, I have not inquired of her lately. Frankly, I do not know what it is. I do know that it costs anywhere from 35 cents to 85 cents for a hamburger sandwich in the restaurants. And I am confident that the hamburger meat is not worth that much and that it does not cost that much.

Mr. MANSFIELD. Mr. President, I understand that it is 70 to 75 cents a pound today, and hamburger is made of the cheapest cuts.

Mr. HRUSKA. The Senator is correct. It is made of what they call the processing or manufacturing beef.

Mr. MANSFIELD. It is low-grade beef which goes into hamburger. How they can blame the stockmen for the wide disparity in price that exists which the consumer has to pay when he goes to the supermarket or marketplace is beyond me.

I am delighted that once again the distinguished Senator from Nebraska has laid it out for those who want to hear, those who are willing to look to see, that insofar as the beef industry is concerned, the high prices do not result where the beef is produced, but where it is bought, and is, therefore, entirely out of the hands of the cattlemen.

Mr. HRUSKA. That is correct. And I might state that the cost of producing a fat steer today is twice what it was 20 years ago. Yet, the number of dollars received by the farmers and ranchers is less than it was when that critter was sold.

Mr. MANSFIELD. Mr. President, I hope that this homily by the distinguished Senator from Nebraska will be taken to heart by the consumers of the country so that they will know where the blame lies for the high price of beef and meat and will be aware of this propaganda which seems to place the blame on the stock growing segment of our economy, a blame which properly does not belong there.

Mr. President, I ask unanimous consent that I may have printed in the RECORD the text of S. 3942 and a column by the distinguished team of Roscoe and Jeoffrey Drummond.

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

S. 3942

A bill to provide for thorough health and sanitation inspection of all livestock products imported into the United States, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is directed to establish a system of thorough examination and inspection of all livestock products imported into the United States, including all fresh and frozen or chilled meats after thawing, providing for such examination at the time of entry or before any processing or offering for sale to consumers, to prevent the entry of any disease or distribution of any unwholesome products. The Commissioner of Customs shall levy on such animal products entering the United States, in addition to any tariffs, a charge or charges set by the Secretary of Agriculture, sufficient to defray the cost of such examination and inspections and of United States surveillance of all establishments abroad slaughtering animals or processing animal products for export to the United States.

IS HRUSKA BEEF BILL FOR HEALTH OR PROTECTIONISM?

(By Roscoe and Geoffrey Drummond)

WASHINGTON.—Special-interest congressmen are going to fantastic lengths to take advantage of the high-protectionist madness now gripping both the House and the Senate.

Industries are lining up in clusters to grab a share of the protectionist favors—a domestic market walling out competition from imports. This lets prices go where they will, which is up.

Politicians are lining up to hand out the goodies, and they see votes at home when they do.

Just when you think that the worst is over, it isn't. Something more comes out of the legislative factory now running at high speed for no good purpose and oiled for the coming elections.

And who is fashioning the latest bit of high-protectionism gone berserk? None other than two of the normally most thoughtful and careful men in the Senate—the prestigious liberal majority leader, Mike Mansfield of Montana, and the distinguished Republican conservative, Roman Hruska of Nebraska.

They are proposing a restrictive trade measure which shows what can happen when two usually reasonable and responsible men get caught up in the home-industry, protectionist mania on the eve of a congressional election.

It's a revealing case study because if theirs is a good bill, then the liberal two-way trading policy which has brought so much prosperity to the United States is bad.

The bill is presented as a "health" bill—which it isn't—not as a keep-out-imported-meat bill, which it is.

Its purpose is described as providing for "thorough health and sanitation inspection of all livestock products imported into the United States." And it is specifically added that every can, every pound of fresh, frozen or chilled meat must be thawed and inspected piece-by-piece at its entry.

Sens. Mansfield and Hruska know that health-endangering meat is not being imported into the United States. They know that Americans are not dying or being made sick by poisoned-meat imports.

They know their proposed additional inspection is a trick, a gimmick designed to close off such meat imports.

They know that their bill would mainly hurt the poor, because the imports they are trying to keep out are mainly ingredients for hamburger and sausage.

Maybe some few livestock men somewhere in Montana or Nebraska or else-

where—will find themselves benefited, but certainly not the consumer, certainly not agriculture as a whole and certainly not the nation's total economy.

This is special-interest protectionism at its worst.

The health issue is phony. Says Dr. H. M. Steinmetz, of the Consumer and Marketing Service of the Agriculture Department: "Meat prepared in foreign countries for importation into the United States is equivalent to that produced under federal inspection in our country."

Is American agriculture a limping industry which can't compete in the world market? Not at all. American farmers exported a near record of $6.6 billion in farm commodities in the last 12 months and this is a billion dollars more in commercial sales than the year before.

We sell abroad far more farm commodities than we buy abroad—over a third of our wheat crop, 40 percent of our soybeans, 60 per cent of our rice. And if we apply unneeded, discriminatory "sanitary" restrictions against countries selling meat to the United States there would inevitably be retaliation.

This is one of the reasons why Aled P. Davies, vice president of the American Meat Institute, opposes the Mansfield-Hruska atrocity.

"The meat industry," he says, "now finds a market in foreign countries of half a billion dollars yearly for its meat and livestock products. While the advocates of protection for U.S. livestock producers are endeavoring to build a fence around this country to keep foreign products out, they will discover that fences stop trade in both directions."

No wonder President Nixon threatens a veto if such madness as this gets through Congress.

Mr. HRUSKA. Mr. President, I am grateful that the Senator from Montana brought this subject up. I was most happy to join him in this colloquy. It will no doubt set the record straight with men of good faith, and in the exchange of views and the information here perhaps their views will change a bit.

Mr. MANSFIELD. If they do, I think it will be because of the clarity with which the distinguished Senator from Nebraska expressed himself and explained the situation which confronts us on the basis of the column which was published throughout the Nation.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, July 28, 1970, he presented to the President of the United States the enrolled bill (S. 2601) to reorganize the courts of the District of Columbia, to revise the procedures for handling juveniles in the District of Columbia, to codify title 23 of the District of Columbia Code, and for other purposes.

RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

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

Thereupon, at 11:13 a.m., the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 11:55 a.m., when called to order by the Presiding Officer (Mr. HOLLINGS).

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

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

CHUGACH ELECTRIC ASSOCIATION, INC., ANCHORAGE, ALASKA

A letter from the Administrator, Rural Electrification Administration, U.S. Department of Agriculture, transmitting, in accordance with Senate Report No. 497, information relating to the $10,860,000 loan to the Chugach Electric Association, Inc., of Anchorage, Alaska, for the financing of certain generation and transmission facilities (with an accompanying paper); to the Committee on Appropriations.

REPORT OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the opportunity for savings by reducing paper work involved in Department of Defense bus travel, dated July 27, 1970 (with an accompanying report); to the Committee on Government Operations.

PROPOSED CONCESSION CONTRACT, WHITE SANDS NATIONAL MONUMENT, N. MEX.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract under which T. L. and Thelma Womack will be authorized to provide facilities and services for the public at White Sands National Monument, N. Mex. for a 5-year term (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT ON ACTIVITIES IN CERTAIN COUNTRIES RELATING TO APPLICATIONS FOR CONDITIONAL ENTRY

A letter from the Commissioner, U.S. Department of Justice, Immigration and Naturalization Service, reporting, pursuant to law, on activities in certain countries relating to applications for conditional entry, for the 6-month period ended June 30, 1970; to the Committee on the Judiciary.

ADMISSION INTO THE UNITED STATES OF CERTAIN DEFECTOR ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

REPORT OF THE AUDIT OF THE NATIONAL SAFETY COUNCIL

A letter from the National Safety Council, transmitting, pursuant to law, a report of the audit of the National Safety Council for the year ended December 31, 1969 (with an accompanying report); to the Committee on the Judiciary.

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 Aeronautical and Space Sciences:

"SENATE JOINT RESOLUTION NO. 16—RELATIVE TO EDWARDS AIR FORCE BASE

"Whereas, The hub of NASA's future space plans is the earth-orbited manned space station, from which interorbital ferries and planetary expeditions will depart, and hopefully, it will prove to be the precursor for the module that will eventually carry men to Mars and back; and

"Whereas, In order to support the station and its subsequent additions, an earth-to-orbit shuttle is required; and

"Whereas, Together, the space station and shuttle are the keystones to the next major accomplishments of the nation's space program; and

"Whereas, The year-round climate conditions are ideal at Edwards Air Force Base, in Kern County, California, for the earthside operations of the so-called "shuttle ship" to the future United States space station; and

"Whereas, The many dry lakebeds in the vicinity provide the best possible physical conditions for receiving such a craft in any event of an emergency reentry landing; and

"Whereas, There already exists the necessary open space, uncluttered by suburban congestion, for all phases of the project to launch and receive the vehicle; and

"Whereas, The basic facilities for the project are already installed there; and

"Whereas, Existing West Coast aerospace manufacturing firms can supply project components at the lowest possible transportation cost; and

"Whereas, Sufficient technical personnel required for the project already reside on or near the West Coast, thus providing the necessary project manpower with the least degree of dislocation of workers' families and the attendant least private and governmental expense to locate them there; now, therefore, be it

"Resolved by the Senate and Assembly 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, and requests the National Aeronautics and Space Administration, to permanently locate the launch and reentry facilities for the space station shuttle ship project at Edwards Air Force Base in Kern County, California; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the National Aeronautics and Space Administration."

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

"SENATE JOINT RESOLUTION NO. 32—RELATIVE TO THE 1971 WHITE HOUSE CONFERENCE ON AGING

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California memorializes the Congress of the United States to appropriate sufficient funds for the scheduled 1971 White House Conference on Aging, including funds for use by local committees which will attend the White House Conference in order that such local committees may hold local conferences in preparation for the national conference; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Armed Services:

"SENATE JOINT RESOLUTION NO. 28—RELATING TO THE BATTLESHIP U.S.S. MISSOURI

"Whereas, 1970 marks the 25th anniversary of the end of World War II; and

"Whereas, The citizens of Martinez, California, have undertaken the creation of a peace shrine and a living memorial to the

veterans of World War II with the organization of a committee to bring the U.S.S. Missouri to that city; and

"Whereas, This famed ship upon whose decks the documents ending hostilities with Japan were signed on September 2, 1945, bringing peace to a war-weary world, now languishes in the Bremerton, Washington, Navy Yard; and

"Whereas, Battleships of this class are fitted with every type of facility that serves a community such as a bakery, carpentry shop, plumbing and pipefitting shop, paint shop, machine shop, theater and even a hospital, all resources that well might be utilized for federal and state job-training programs; and

"Whereas, Such a ship has great potential in disaster relief as it is able to produce vast amounts of fresh water and electric power; and

"Whereas, The harbor of the City of Martinez is an appropriate site for the location of this ship because Camp Stoneman (later Parks Air Force Base) and Camp Shoemaker in Contra Costa County were the principal points of embarkation for the Pacific Theater both in World War II and the Korean conflict, because Port Chicago has served for 28 years as the major Pacific Coast naval ammunition depot, and because nearby are other military installations that also played vital roles in the World War II victory effort; and

"Whereas, The committee organizing the citizen effort behind this project envisions the creation of a nonprofit foundation to raise the necessary funds to move the vessel from its present moorings to San Francisco Bay, prepare a site offered by the City of Martinez, and fit the vessel for public inspection, the revenue from tours and sale of souvenirs making the ship self-supporting with profits going to the U.S. Navy Relief Fund; and

"Whereas, This project has been endorsed by the Martinez Chamber of Commerce, the Martinez City Council, the Contra Costa County Board of Supervisors, the City-State Waterfront Committee and the Contra Costa Council of the Navy League; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the citizens of Martinez are to be commended for their initiative and leadership in endeavoring to bring this renowned 'fighting ship' to San Francisco Bay, and their project is hereby endorsed by the California Legislature; and be it further

"Resolved, That the appropriate local, state and federal agencies whose sanction is required to move this vessel to the City of Martinez are urged to give speedy approval to this proposal so that the anniversary of the conclusion of World War II may be appropriately commemorated by the anchoring of this flagship of the United States Navy in Carquinez Straits; and be it further

"Resolved, That the Secreretary of the Senate is directed to transmit a copy of this resolution to the President and Vice President of the United States, the Secretary of Defense, Secretary of the Navy, Chief of Naval Operations, the commandants of the 12th and 13th Naval Districts, the Members of the United States Senate and House of Representatives from California, and to the Battleship 'Missouri' Committee of the Martinez Chamber of Commerce."

A joint resolution of the Legislature of the State of California; to the Committee on Banking and Currency:

"ASSEMBLY JOINT RESOLUTION NO. 9—RELATIVE TO HOUSING

"Whereas, Interest rates, land costs and spiraling costs of construction have made it impossible for California families with an income of less than $12,000 per year to be eligible for homes insured by the Federal Housing Administration; and

"Whereas, As forecasts indicate a severe economic recession in the housing industry during the coming fiscal year, it is desirable that all possible efforts be made to prevent such a recession; and

"Whereas, Unemployment rates in that industry are currently at 12 percent in California and threaten to reach 25 percent by early spring; 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 Congress of the United States that the ½ percent insurance fee required by the Federal Housing Administration on housing loans be eliminated if consistent with continued maintenance of Federal Housing Administration resources and the ability of the Federal Housing Administration to cover anticipated losses, that credit and income requirements for applicants be relaxed, that the mortgage period be extended from 30 to 35 years on loans insured by the Federal Housing Administration and Veterans' Administration, that maximum funding of the 235 Federal Housing Administration interest subsidy housing program for California be provided, that government-backed mortgage securities be introduced, and that every effort to reduce the high cost of interest rates in the residential mortgage industry be made; 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 Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Secretary of Housing and Urban Development."

A joint resolution of the Legislature of the State of California; to the Committee on Commerce:

"SENATE JOINT RESOLUTION NO. 9—RELATIVE TO THE LOS ANGELES-SAN DIEGO TRANSPORTATION CORRIDOR

"Whereas, The high-speed rail demonstration project in the Northeast Corridor between Boston and Washington, D.C., is evidence that high-speed rail transportation is competitive in cost, convenience, and time with airplanes and automobiles in traveling between these two metropolitan areas; and

"Whereas, There is mounting interest in California to apply the newly gained knowledge from the high-speed rail demonstration project in the Northeast Corridor to a similar high-speed rail link in the Los Angeles-San Diego Transportation Corridor to connect the metropolitan areas of Los Angeles, Orange, and San Diego Counties, and as a step toward extension of service between the Los Angeles and Palmdale areas, and between Los Angeles, San Francisco, and Sacramento; and

"Whereas, The ability of trains to travel into the core area of a city results in many passengers being brought closer to their destination than if they had traveled by airplane, and without the necessity of expending the great amount of time and effort that is so often necessary to reach the core area from an outlying airport; and

"Whereas, The increasing use of high-speed trains to travel between the metropolitan areas can eliminate the necessity of expanding the present networks of freeways that exist in such areas, and thus save the core areas of the cities for living purposes; and

"Whereas, It is imperative that alternative modes of transportation be developed in creating a balanced system of transportation to serve all strata of our society by making educational, recreational, cultural, and occupational opportunities readily accessible to all; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature respectfully requests the Secretary of Transportation to initiate studies as promptly as possible on the feasibility of a high-speed rail link in the Los Angeles-San Diego Transportation Corridor to connect the metropolitan areas of Los Angeles, Orange, and San Diego Counties; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Secretary of Transportation, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Finance:

"SENATE JOINT RESOLUTION NO. 22—RELATIVE TO VETERANS' UNEMPLOYMENT COMPENSATION BENEFITS

"Whereas, Returning veterans who receive, upon separation from the armed forces, pay for unused accrued leave are being denied unemployment compensation benefits for a period of time equal to the number of days of accrued leave as per Section 8524 of Title V of the U.S. Code; and

"Whereas, A returning serviceman who has bravely defended his country, returns home, and finds it difficult to find a job has enough difficulties without being penalized for being prudent in his use of leave time while in the service; now, therefore, be it

"Resolved by the Senate and Assembly 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 amend the present law so that our returning servicemen will not be denied unemployment compensation benefits under the circumstances described above; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on the Judiciary:

"SENATE JOINT RESOLUTION NO. 20—RELATIVE TO PLEDGE OF ALLEGIANCE TO THE FLAG

"Whereas, The right of school children to voluntarily salute the Flag of the United States in the public schools is being threatened; and

"Whereas, The children of this country, now more than ever, need the right to voluntarily reaffirm their love and respect for the flag of this country; and

"Whereas, In our proper concern for the rights of minorities we must not ignore the fact that patriotism is a privilege which may not be taken away from the majority; and

"Whereas, It is in the public interest to amend the Constitution of the United States to specifically insure that the children of this country shall have the right to salute the Flag of the United States in public schools; now, therefore, be it

"Resolved by the Senate and Assembly 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 utilize all their powers to bring about the passage of an amendment of the Constitution of the United States which shall assure to every child the right to voluntarily pledge allegiance to the Flag of the United States in any public school; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, 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 Kamimotobu

Village Assembly, Okinawa, praying for the removal of gas weapons from Okinawa; to the Committee on Armed Services.

A resolution adopted by the Ie Village Assembly, Okinawa, praying for the removal of all poison gas weapons from Okinawa; to the Committee on Armed Services.

A resolution adopted by the Ozato Village Assembly, Okinawa, praying for the removal of poison gas weapons from Okinawa; to the Committee on Armed Services.

A resolution adopted by the Women's Bureau, Department of Labor, 50th anniversary conference, Washington, D.C., praying for the enactment of legislation relating to the equal rights amendment of the Constitution; to the Committee on the Judiciary.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. TYDINGS, from the Committee on the District of Columbia, with an amendment:

S. 3647. A bill to authorize the Commissioner of the District of Columbia to lease airspace above and below freeway rights-of-way within the District of Columbia, and for other purposes (Rept. No. 91–1037).

By Mr. TYDINGS, from the Committee on the District of Columbia, with amendments:

S. 3648. A bill to provide improvements in the administration of health services in the District of Columbia, and for other purposes (Rept. No. 91–1038).

EXECUTIVE REPORTS OF A COMMITTEE

Mr. MAGNUSON. Mr. President, as in executive session, from the Committee on Commerce, I report favorably sundry nominations in the Coast Guard which have previously appeared in the CONGRESSIONAL RECORD and ask unanimous consent, to save the expense of printing them on the Executive Calendar, that they lie on the Secretary's desk for the information of any Senator:

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

The nominations, ordered to lie on the desk, are as follows:

Timothy J. Cenna, and sundry other officers, for promotion in the Coast Guard; and

Frederick K. Farner, and sundry other officers, for promotion in the Coast Guard.

EXTENSION OF THE HIGH-SPEED GROUND TRANSPORTATION ACT—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 91–1036)

Mr. HARTKE. Mr. President, from the Committee on Commerce, I report favorably, without amendment, the bill (S. 3730) to extend for 1 year the act of September 30, 1965, as amended by the act of July 24, 1968, relating to high-speed ground transportation, and for other purposes, and I submit a report thereon. I ask unanimous consent that the report be printed, together with the individual views of the Senator from Pennsylvania (Mr. SCOTT).

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

BILLS INTRODUCED

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

By Mr. ELLENDER:

S. 4128. A bill for the relief of Luka Cibilic;

S. 4129. A bill for the relief of Zdravko Franicevic;

S. 4130. A bill for the relief of Frano Gudelj;

S. 4131. A bill for the relief of Mate Gudelj;

S. 4132. A bill for the relief of Maro Hihar; and

S. 4133. A bill for the relief of Ante Lepetic; to the Committee on the Judiciary.

By Mr. BAYH:

S. 4134. A bill for the relief of Clarence C. and Lucy W. Russell; to the Committee on Finance.

By Mr. HART:

S. 4135. A bill for the relief of Dalpat Kasan Daya;

S. 4136. A bill for the relief of Kantilal Kasan Daya; and

S. 4137. A bill for the relief of Juliana M. Geronimo; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS OF BILLS

S. 3788

Mr. ALLOTT. Mr. President, I ask unanimous consent that, at the next printing, my name be added as a cosponsor of S. 3788, amending the Coal Mine Health and Safety Act of 1969.

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

S. 3942

Mr. HRUSKA. Mr. President, I ask unanimous consent that, at the next printing, my name 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. HOLLINGS). Without objection, it is so ordered.

S. 4104

Mr. JAVITS. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Indiana (Mr. BAYH) be added as a cosponsor of S. 4104, the School Breakfast Act of 1970.

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

SENATE RESOLUTION 433—SUBMISSION OF A RESOLUTION TO DISAPPROVE REORGANIZATION PLAN NO. 4 OF 1970

Mr. NELSON. Mr. President, I submit, and ask for its reference to the appropriate committee, a resolution to reject Reorganization Plan No. 4, a measure proposed by the President to establish in the U.S. Department of Commerce a National Oceanic and Atmospheric Administration, and I ask unanimous consent that the resolution be printed at the end of this statement.

This morning, I testified in opposition to this plan at a hearing by the Subcommittee on Executive Reorganization of the Senate Government Operations Committee. The testimony thoroughly explains my position regarding this oceans agency proposal, including my reasons for introducing the resolution which would reject it, and I ask unanimous consent that a copy of my testimony be printed in the RECORD at the end of these remarks.

Additionally, I ask that a copy of a statement I made in February proposing a national policy to protect the oceans environment and detailing the grave threats to this fragile environment also be printed in the RECORD.

Finally, I ask unanimous consent that a chart outlining Federal responsibilities in the marine environment be printed in the RECORD. This chart dramatically reveals the lack of coordination and focus at the Federal level on marine environmental policies.

The PRESIDING OFFICER (Mr. GRAVEL). The resolution will be received and appropriately referred; and, without objection, the resolution and other material will be printed in the RECORD, as requested by the Senator from Wisconsin.

The resolution (S. Res. 433) was referred to the Committee on Government Operations, as follows:

S. RES. 433

Resolved, That the Senate does not favor the Reorganization Plan No. 4 transmitted to the Congress by the President on July 9, 1970.

The material, presented by Mr. NELSON, is as follows:

STATEMENT BY SENATOR GAYLORD NELSON (D-WIS.) TO SUBCOMMITTEE ON EXECUTIVE REORGANIZATION, SENATE GOVERNMENT OPERATIONS COMMITTEE, REGARDING OCEANS REORGANIZATION PLAN

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to testify here today. You are to be commended for undertaking this careful review of these two reorganization plans which have major implications for Federal policies regarding the environment and the oceans.

My remarks on Reorganization Plan Number 3, which creates an Environmental Protection Agency, will be brief. I support EPA and commend the President for taking this step. It should mean a much tougher, better coordinated, more effective Federal policy in dealing with polluters. Furthermore, EPA, which is similar to proposals that have been made in Congress, is a logical foundation for further steps which must be taken for environmental control. An adequate budget and staff will be critical to EPA's success.

My concern today is with Reorganization Plan Number 4, which proposes a National Oceanic and Atmospheric Administration in the Department of Commerce.

In my view, Plan Number 4 leaves unanswered major, pressing questions about our oceans policies, and I intend to introduce a resolution today which would reject the plan.

My action regarding this proposal is not intended to be critical of the President. With his State of the Union Message and the messages and proposals to Congress that have followed and with the other actions the Administration has taken, the President has shown his deep interest and commitment to improving environmental quality, and his

efforts merit the support of Congress and the nation.

Further, the President may well be right in proposing Plan Number 4, and later, after careful consideration of all the possibilities, I might support it. But in my view, before an oceans agency in the Department of Commerce is established, Congress should thoroughly consider all of the ramifications not only of this proposal but of the numerous alternatives that have been proposed in high level reports and in legislation now pending.

The purpose of Reorganization Plan Number 4 at this time is not at all clear to me. Is it supposed to assist in developing the resources of the sea? Or is it supposed to protect them? Or is it to be another hybrid agency such as the Atomic Energy Commission which has had a great deal of trouble reconciling the development of nuclear power with the regulation of its consequences? In carefully reading the reorganization plan and the documents supporting it, I could not find a clear answer to any of these questions.

What is at stake in establishing this policy and deciding these matters is the last great undeveloped and probably least understood resource on earth—the sea. If we don't put environment first in the oceans sequence, it will be the same old sad story: In our haste to reap the benefits of these resources we will destroy their worth forever and further diminish the quality of life on earth.

At the July 9 press conference announcing the reorganization plans, Mr. Russell Train, Chairman of the Council on Environmental Quality and an environmentalist for whom I have great respect, was asked why the new NOAA was not put in EPA.

Mr. Train responded: "Because the new EPA is intended to focus on the control of pollution . . . Ocean programs, obviously, go far beyond that, development efforts of all sorts."

Asked essentially the same question, Mr. Rocco Siciliano, Under Secretary of Commerce, responded: "As far as NOAA is concerned, let's make a comparison. One is a standard setting, enforcement type agency which needs independence and that is your EPA. The other is a research, development, protection and conservation function which we are doing already in the Commerce Department. . ."

Frankly, these answers are confusing to me. If, as is now proposed, floating airports are put in the ocean off some of our cities, who will be responsible for protecting the sea from the environmental consequences? Who will be responsible for environmental regulations on the 47 million tons of wastes—from industrial acids to junked autos—that are dumped in ocean waters off our coasts each year? Or for the hundreds of square miles of coastal wetlands that are being drained and filled for subdivisions and industry?

The fact is, marine environment responsibilities are scattered all over the Federal government, or in instances are actually unassigned, and Plan Number 4 does little to remedy this.

Under the Plan, offshore oil leasing remains in the Bureau of Land Management in the Department of the Interior and oil well regulation remains in the Department's Geological Survey. On the other hand, control of the environmental effects of offshore oil spills goes to EPA with the Federal Water Quality Administration. The U.S. Coast Guard, which has important marine pollution control enforcement responsibilities, stays in the Department of Transportation. The Department of the Interior's marine fishery program, which has important marine environmental concerns among its other tasks, goes to the Department of Commerce.

Furthermore, Plan Number 4 does little to resolve other major questions on the marine environment. The Corps of Engineers lets all kinds of waste dumping go on beyond the three-mile limit off our coasts, because it is unsure of its authority in this area, and for inshore waters, the Corps recently did not even know how many permits it had issued. Plan Number 4 does not deal with this serious inadequacy in Federal policy.

Responsibilities for protection of our estuaries and the inshore region of our coasts in other activities—such as wetlands development—are equally unclear, and Plan Number 4 would not appear to resolve this matter.

Responsibilities for regulating the environmental consequences of such developments as offshore airports and seaports are also unfixed—yet soon, we will be faced with the job of dealing with these matters.

Finally, the tremendously important responsibility for controlling pollution of the sea beyond the three-mile zone is also unsettled, and Plan Number 4 does not provide the answer.

We might argue that a NOAA in the Department of Commerce is only temporary, with the hope that better things are in the offing—an independent NOAA, for instance—but as we all know, "temporary" agencies in Washington have a way of becoming permanent and gathering additional power, through no one's fault or ill-intention, but merely through bureaucratic inertia and by default.

There is no quarrel with those who say we need to develop the resources of the sea. We do. The minerals, the food, the space, the recreation offered by the marine environment can be of great benefit to all nations.

But distinguished ecologists are already warning that in 50 years or less there will be little productivity left in the sea for anyone if we continue on our present course of polluting it.

Just in the past two years, report after report has urged a coordinated national effort to wisely manage and protect the marine environment.

While citing the great opportunities in the sea, the January, 1969, report of the Commission on Marine Science, Engineering and Resources (the Stratton Commission) warned of the major threats lying "in the potential destruction of large parts of the coastal shellfisheries, and fisheries on the high seas." To deal with both the opportunities and the dangers, the report recommended a new, independent Federal agency, the National Oceanic and Atmospheric Agency, and among other things, suggested a Federal-state coastal zone management program in NOAA.

The National Estuarine Pollution Study report to Congress last November said, "The impact of man on his environment has taxed the resources of many estuarine zones to the limit of endurance and reached into the depths of the ocean itself."

Last year's reports by the President's Panel on Oil Spills said that at present rates of offshore drilling for oil, we could expect a marine disaster on the Santa Barbara scale once a year by 1980. The panel concluded that we do not now have the technology to contain major marine oil spills and pointed out that we are drilling 3,000–5,000 new undersea oil wells a year. And the President's Panel urged that certain marine resources be held in trust until we better understand how to exploit them without harming the ocean environment.

Then, according to newspaper reports, the Ash Council, appointed by the President to study and recommend government reorganization, early recognized the need for much greater emphasis on ocean problems in the Federal government and recommended a new marine environment agency under the Secretary of the Interior.

But Plan Number 4 proceeds in a quite different direction from these various recommendations and would deal with very few of the problems cited in these important reports and studies.

In my view, instead of this reorganization into a development-oriented department at this early stage in the shaping of national oceans policy, we would do far better to more carefully consider the recommendations of the above reports and to carefully consider legislation before Congress proposing to deal with the challenge of the sea.

Measures to establish coastal zone management programs have been introduced and heard before Senate and House committees. One is sponsored by the Administration—introduced last year, it would put the coastal zone management program in the Department of the Interior.

The Administration has also proposed legislation to end the dumping of polluted dredge spoils in the Great Lakes—an urgently needed step, and the President has directed the Council on Environmental Quality to study the ocean waste dumping problem and report to him with recommendations by September 1.

Further, measures to establish marine sanctuaries off California and to terminate oil leases in the Santa Barbara Channel have been introduced and are being actively considered.

Legislation to create the independent NOAA has been introduced by Senator Hollings, who has chaired hearings and has intensively studied our marine problems and who has been very perceptive in his understanding of these great concerns.

And the bill by Senator Muskie first proposing an environmental protection agency would have transferred the Environmental Science Services Administration from the Department of Commerce to EPA.

This year, I have introduced two bills regarding the oceans. One, the Marine Environment and Pollution Control Act, proposes a comprehensive system for marine management based on intensive environmental studies. The other bill would place in a national trust untapped marine minerals until we develop the technology and plans to protect the vital ocean environment as we tap its resources.

The Secretary of the Interior would be responsible for the programs created under both of these measures. At this point, I would like to comment that the record of the present Secretary of the Interior leaves no question that he is a courageous man determined to carry out his responsibilities for this nation's environment to the very best of his ability. The Department of the Interior is one of the two or three logical places in the Federal government to put the responsbilities for our marine environment, and under Secretary Hickel, one could have great confidence that he would institute a comprehensive program which would be an excellent base on which we could build this important policy.

The implementation of any of these proposals would represent a better first step towards establishing a national environmental policy on the oceans than Reorganization Plan Number 4. And in my view, such a policy could be better achieved by reorganizing and strengthening the Department of the Interior, or by building on the foundation of the Environmental Protection Administration, than by starting in the Department of Commerce.

What is necessary is that from the very beginning, we emphasize the importance of understanding the marine environment and acting to harmonize our activities with it. This will require extensive studies, planning, standard-setting, and enforcement.

And frankly, if I were an industrialist, I would insist that environmental policy regarding the oceans be established before I made any investment. Sooner or later, en-

vironmental controls will be set and enforced. And as the Santa Barbara and Gulf of Mexico disasters so well demonstrate, the costs of putting "development" before "environment" are immense.

It is appropriate to recall that we thought pesticides were a panacea and we rushed them into use—now we are paying the price. The same was true of the automobile, nuclear power generating plants, the one-way container. Now the sea—it will give us everything just find the golden key.

As the last frontier on earth, the oceans do present a great opportunity. And they are a great concern. The President recognized this in his major proposal in May for international cooperation to manage the resources of the sea beyond the 200 meter depth.

As yet, the oceans are almost uncharted, relatively undeveloped—as were the public lands of this nation a century and more ago. We have a choice: We can do it right this time, or we can make the same mess of the sea as we have of the land. Our better alternative is to establish a comprehensive national policy now that will harmonize our activities with the fragile sea, thus assuring the wise use of its resources.

And the sea presents this nation a unique opportunity to set an example for the entire world, as the President said. But can we lead, and expect other nations to act wisely, if our first concrete step regarding our own ocean waters is to give a matter as important as the marine environment such inadequate attention?

The matter of assuring environmental protection for the oceans as the world's single greatest resource is a responsibility great enough that we ought to hold up on authorizing the actions proposed in Reorganization Plan Number 4 until we have had the opportunity to evaluate all of the marine proposals that have been made and that are pending in legislation before Congress. Again, my introduction of the resolution to reject Plan Number 4 is not in any way meant as criticism of the President and his environmental program.

S. 3484—INTRODUCTION OF THE MARINE ENVIRONMENT AND POLLUTION CONTROL ACT OF 1970

Mr. NELSON. Mr. President, I am introducing legislation today which, in its broadest terms, is a human survival act. Its concern is with the pollution of the Great Lakes, and now, of the sea, a situation that poses dangers to the future of the human race that rank with those posed by the threat of nuclear war.

The legislation is entitled the Marine Environment and Pollution Control Act of 1970. One portion of the bill would establish a tough new national policy to halt the reckless exploitation and the destruction of our vital marine environment, and would substitute an environmental management plan beyond State waters that would be aimed at achieving a harmonious relationship between man and the source of all life, the sea.

Another part of the legislation would deal specifically with the disposal of tens of millions of tons of wastes into the sea from New York and other major cities on the ocean coastlines, in the Gulf of Mexico, and in the Great Lakes. I will explain in detail the provisions of this legislation later in the statement.

For the past year, the tragic story about the destruction of the sea has been unfolding at an accelerating pace. For people the world over, it is a shocking, surprising story, which they may first receive in disbelief. Throughout history, we have believed the sea was a limitless resource, as indestructible as the earth itself. And, as with all our other resources, we have acted accordingly, abusing it in the name of "Progress," somehow never realizing until very, very late that, like all other systems of the planet, the sea is a fragile environment, sensitive and vulnerable to the debris of civilization.

Our persistent refusal to accept these facts about all environments on earth is, in the view of many scientists, hurling us headlong to unprecedented worldwide disaster.

The sea is a fragile environment because, among other things, its only really productive areas are extremely limited. They are the Continental Shelves, the narrow bands of relatively shallow, highly fertile areas that extend from our coastlines, the same areas on which our myriad and dramatically increasing ocean activities are focused. Our shipping, mineral extraction, fishing, recreation, and waste disposal all are concentrated in these relatively small, fragile areas.

Destroy life on the Continental Shelves—which is what we are doing now—and, for practical purposes, the oceans are rendered a desert. Fertile coastal waters are 20 times as productive as the open ocean.

Destroy the richness of the sea, and you eliminate one of the greatest potential resources for feeding an exploding world population. Even today, there are nations, such as Japan, that depend almost entirely on the sea for their food and for many other critical resources.

Upset the intricate ecological systems of the oceans, and you run the grave risk of throwing all natural systems so seriously out of balance that the planet will no longer sustain any life.

The evidence is pouring in that we are already well on the way to causing drastic and lasting damage to the ocean environment.

Citing the steady buildup of toxic, persistent pesticides in the oceans, many scientists now believe that another 25 to 50 years of pesticide use will wipe out the oceanic fisheries.

Scientists investigating a massive dieoff of seabirds last year off Britain found in the dead birds unusually high concentrations of another dealy pollutant, toxic industrial chemicals used in making paints and plastics, and in other industrial processes. Concentrations of toxic mercury and lead have also been reported in instances at alarming ocean levels.

Scientists now see new dangers to marine life and human beings as well from the potential buildup through the food chain of long-term poisons from the crude oil that is now being spilled, dumped, or leaked into the oceans by man's activities at a rate of 1 million tons a year.

The oil is showing up far from its original sources. Scientists towing a net recently in the Sargasso Sea hauled in oil tar lumps as much as 2 inches thick. The Sargasso Sea is 500 miles south of Bermuda in the Atlantic Ocean.

In addition to oil, author-explorer Thor Heyderdahl sighted plastic bottles, squeeze tubes and other debris in the mid-Atlantic during his papyrus raft trip last year. At one point, the ocean water was so filthy the raft crew could not use it to wash the dirty dishes.

In the Pacific Ocean, some still undetermined ecological change has caused a population explosion among a species of starfish. It might be just another fascinating incident if it were not for the fact that the starfish, which feeds on living coral, can, in great enough quantities, cause serious erosion on islands protected by coral reefs and lead to the destruction of food-fish populations that inhabit the reefs.

Closer to home, the oil well blowout in the Santa Barbara Channel last year stunned our Nation. Anyone who still believes the sea is invulnerable to the same devastation we now see in rivers across the land should talk to the citizens of Santa Barbara.

Or they should ask the residents of Cleveland, Detroit, Toledo, Chicago, Milwaukee, Green Bay, or Duluth-Superior. For the past several decades, we have been methodically destroying the Great Lakes, among the largest bodies of fresh water on earth. Lake Erie is degraded almost to the point of a cesspool. Lake Michigan is seriously polluted, and is about to be ringed with nuclear powerplants discharging massive heat wastes. Lake Superior, the largest, cleanest Great Lake, is now threatened. On the Minnesota north shore, a mining company is dumping 60,000 tons of iron ore process wastes into the lake each day.

One need only to have glanced over the newspapers for the past few days to get a sense of the pattern that is developing off our coastlines. Off the gulf coast, an intense fire has been burning out of control for several days on an oil well platform. If the situation is not brought under proper control, raw oil from the well could seep over vast areas of the gulf, spreading to wildlife and bird preserves, stretches of coastal marshland, and recreation beaches. Off Nova Scotia, oil spreading from a wrecked tanker has contaminated nearby shores and is killing sea birds, and the same thing is happening off Florida as oil spreads from another wrecked tanker.

The situation in a few years will be much worse. If present trends continue, according to a recent report by the President's Panel on Oil Spills, we can expect a Santa Barbara-scale disaster every year by 1980.

The report also confirmed that we do not have the technology to contain the oil from massive blowouts and spills. In fact, scientists are pointing out that current control techniques, such as massive use of detergents to break up oil slicks, can be even more damaging than the spills themselves.

Yet, in blunt testimony to our sorry history of exploiting our resources at any risk to the environment, 3,000 to 5,000 new oil wells will be drilled annually by 1980 in the marine environment. The pressure is on even in polluted Lake Erie, where only widespread public resistance has prevented drilling there to date.

By ironic coincidence, Federal plans for new oil lease sales in U.S. offshore areas were announced only a few days before the Presidential panel's 1969 oil spill report.

Because of the dramatic and sudden nature of its occurrences and damages, oil pollution has been the most visible of the marine environment problems. A second, less visible, but just as significant threat is from the wastes that are over-running the industrialized, crowded metropolitan areas along our coastlines.

Progress—American style—is adding up each year to 200 million tons of smoke and fumes, 7 million junked cars, 20 million tons of paper, 76 billion "disposable" containers, and tens of millions of tons of sewage and industrial wastes.

It is estimated that every man, woman, and child in this country is now generating 5 pounds of refuse a day from household, commercial, and industrial wastes. To quote Balladeer Pete Seeger, Americans now find themselves "standing knee deep in garbage, throwing rockets at the moon."

The rational way out of this dilemma would be using the country's technology and massive resources to develop systems to recycle our wastes, making them valuable "resources out of place," or treating wastes to the highest degree that technology will permit.

Instead, in the classic American style, we have been taking the easy way out. Rather than planning ahead to handle the byproducts of our affluent society, we have invariably taken the cheapest most convenient route to their disposal, regardless of the environmental consequences. Until fairly recently, the easy way has been to dump our debris outside the city limits, or into the nearest river or lake.

But now, the end of one city means the beginning of another, especially in our sprawling metropolitan areas. And either the

river or lake is already grossly polluted with other wastes, or water quality standards are demanding that the polluters install decent treatment facilities.

With this tightening situation, one might think that we would finally begin a national effort to establish effective and environmentally safe waste management plans.

Instead, we have found another way to avoid the costs of environmental controls: Dump the debris into that supposedly bottomless receptacle, the sea. The attractions are many. The fact is that environmental regulations in our costal waters are so loose it is like frontier days on the high seas, a field day for laissez faire polluters. One recent private report points out the gross inadequacies in offshore environmental regulations:

Few applications for offshore waste dumping permits are ever denied, even when environmental agencies strongly oppose the dumping. In fact, the report could find no instance where the U.S. Army Corps of Engineers—in most cases, the lead agency for regulating the dumping—had ever rescinded a disposal permit, even when the polluter had clearly violated it. The reason, according to the report, is that authorities and responsibilities in the marine environment are so uncertain that public agencies may be reluctant to take action that might lead to court tests;

Furthermore, most dumping is carried out so far offshore that no present regulations of any Federal, State or local agency explicitly apply;

Although many public agencies are concerned in various ways with ocean dumping, rarely do any of them have a comprehensive picture of the total offshore waste disposal activities in the area;

Regular monitoring of ocean dumping is almost nonexistent, leaving the way wide open for abuse of already inadequate permit terms;

Finally, guidelines to determine how dumping will affect fragile ocean ecology and the marine food chain do not exist. Thus, decisions on the dumping permits are made with a tragic lack of vital information as to the consequences.

In this situation, it is often cheaper for a city to send its municipal wastes out to the ocean depths via a barge; or for an industry to relocate to the coastline from an inland area with tough water quality standards, so it can discharge its wastes directly into coastal waters without having to install costly pollution control equipment.

Because the effects of the ocean dumping are slow to appear, it is a problem that only now is breaking into public view. But when all the facts are in, I am convinced that continued unrestrained dumping clearly will spell a tragedy that will make Santa Barbara pale by comparison.

In the United States, cities, industries, and other polluters are now disposing 37 million tons of wastes into the marine environment every year, and this does not include Great Lakes figures.

Predictably, our mass consumption, mass disposal society is responsible for one-third to one-half the world's pollution input to the sea.

The cities and metropolitan areas involved include San Francisco, Los Angeles, San Diego, Boston, New York, Philadelphia, Baltimore, Charleston, St. Petersburg, Miami, Port Arthur, Galveston, Texas City, and Houston.

The wastes—dumped at sea from barges and ships—run the gamut of byproducts from the "affluent" society. They include garbage and trash; waste oil; dredging spoils; industrial acids, caustics, cleaners, sludges and waste liquor; airplane parts; junked automobiles and spoiled food. Radioactive wastes, poison gas, and obsolete ordnance have also been dumped in the sea by atomic energy and defense agencies.

Along our Pacific coast, 8.8 million tons of these wastes were dumped in 1968 alone.

Along the heavily populated east coast, 23.7 million tons were dumped that year.

And along the gulf coast in 1968, 14.6 million tons of wastes were dumped.

A leader for the whole country in the dumping of wastes into the sea is metropolitan New York. In a recent year dumping for this area off the New Jersey and Long Island coasts came to 6.6 million tons of dredge spoils, 4 million tons of sewage sludge, 2.6 million tons of dilute industrial waste acids, and 573,000 tons of cellar dirt.

The sewage sludge dumped 11 miles offshore, has spread over a 10- to 20-square-mile area of the ocean bed, killing bottom life, cutting oxygen levels, poisoning the sea waters. A wide area outside the dumping grounds is also contaminated, possibly by the sewage sludge. Dumping of other wastes is being carried out in five other undersea areas off New York.

The results of several decades of ocean waste disposal off this vast metropolis are grim portents for the future of much of the U.S. marine environment if the practice is allowed to continue.

Off New York, outbreaks of a strange fish disease, where fins and tails rot away, have been reported since 1967.

Recreation-destroying red tides have recently closed local beaches, particularly during the summer of 1968.

Massive growths of nuisance organisms, such as seaweeds and jellyfish, are now prevalent.

Once huge oysterbeds in New York Harbor have been all but eliminated.

Nearly all local clamming areas have been closed because of contamination.

Many swimming beaches are now closed every summer for the same reason, and there are indications that the sewage sludge dumped far offshore may now be creeping back in on the currents.

Now, in the face of this marine disaster, suggestions are being made that the New York dumping grounds be moved anywhere up to 100 miles offshore. Whether this is feasible on even an interim basis, it is highly doubtful it offers any permanent solution. New Yorkers 40 years ago thought they had escaped much of their waste problem when the present offshore dumping grounds were selected. Past history gives little cause for confidence that dumping even 100 miles into the sea will prevent grave consequences 40 years from now.

In fact, the evidence from the present New York situation, and from the effects of other United States and worldwide marine activities, indicates firmly that if we are to avoid setting off further disaster in our vital offshore areas, the dumping should be phased out entirely along our coastline and the Great Lakes. The legislation I am proposing would require such a phase-out in 5 years, a deadline which respected authorities have indicated would be reasonable, if a concerted effort is started now to find alternative, safe means of waste disposal or recycling.

The only exception would be when the Secretary of the Interior determined that an alternative was not yet technically available. Then, a temporary permit could be issued until an alternative was developed.

The legislation will also deal with the wastes pouring directly into the ocean and the Great Lakes from numerous outfalls of municipal and industrial waste disposal systems. As I pointed out earlier, the alternative of piping our wastes directly into the sea is becoming increasingly attractive from an economic point of view, as water quality standards are tightened inland. Yet from an environmental point of view, moving to the edge of the sea for cheap waste disposal and cheap water supplies will only accelerate the pollution of the sensitive offshore areas. It is a trend that must be halted now, and the legislation I am introducing will allow only liquid, nontoxic wastes, treated at levels equal to the natural quality of the receiving waters, to be disposed of at sea, with the exception noted above, where an alternative was not technically available.

Now, on one 30-mile stretch of the New Jersey coast alone, there are 14 sewer outfalls discharging directly into the ocean, with more planned. In New York harbor, 20 New Jersey companies are either in court or under orders to halt pollution. According to Federal figures several years ago, the estuarine waters of the United States received 8.3 billion gallons of municipal waste discharges per day.

Clearly, wholesale waste disposal and dumping into the ocean environment is a practice that is rapidly becoming a national scandal. It reflects another near total failure of our institutions to come to grips with a grave new challenge of this modern, complex age. And it is one more tragic instance of polluters and Government, with the consent of a lethargic public, avoiding rational environmental planning now, and letting future generations pay the price.

To date, we has been spending only a pittance in this country on new, more effective ways of handling our wastes, while we spend tens of billions of dollars to put a man on the moon, or to fight the Vietnam war. Legislation now pending before the Senate, the Resource Recovery Act, would be an important step forward in the urgently needed effort to manage this country's mounting solid wastes.

Ironically, while we continue to accelerate the gruesome process of polluting the sea, industry, our crowded cities, commercial ventures of all kinds, and even public agencies are making big new plans to carve up this rich, little regulated frontier for profit or for the tax dollar.

Already, the Defense Department holds one of the biggest chunks of marine environment—a total of approximately 300,000 square miles used for missile testing grounds and military operations.

But jurisdictions are so confused in the increasingly busy offshore waters that one mining opeartor had to turn back his sea bed phosphate lease when he found it was in an old Defense Department ordnance dump.

Crowded metropolitan areas are looking to the sea as the answer not only to their waste disposal problems, but for their space shortages as well. In the next few years, it is possible that construction of floating airports will begin for New York City, Los Angeles, and Cleveland. Floating seaports and floating cities may not be far behind.

And population and use pressures on our coastal areas will continue to escalate. Already, more than 75 percent of the Nation's population, more than 150 million people, now lives in coastal States, and more than 45 percent of our urban population lives in coastal counties.

Now, the coasts provide recreation for tens of millions of citizens. And the demand for outdoor recreation is increasing twice as fast as our burgeoning population. Yet in the face of these growing needs and expectations, the coasts are in danger of being crowded and polluted out of the market as recreation resources. In effect, Americans are slamming the door on their last escape route to a livable world. Our choice now is to either clean up our environment, or survive in surroundings we never thought we would have to accept.

Again, we look to the sea for distant answers. Within 33 years, we can expect permanent inhabited undersea installations and perhaps even colonies, according to the commission on the year 2000, a group established by the American Academy of Arts and Sciences.

In another activity, oil tankers, a more frequent source of pollution than oil wells, are being built to huge scales, cutting transpor-

tation costs but increasing environmental danger. The *Torrey Canyon* tanker was carrying 118,000 tons of crude oil when it broke up off England in 1967, a disaster that soaked miles of beaches with oil and killed more than 25,000 birds. Today, there are tankers being designed with a 500,000 ton capacity.

In addition to bringing new pollution dangers, the tankers will probably help create a new industrial seascape off our coasts. Since our ports are not big enough to handle these super ships, offshore docking facilities will have to be built.

In the Gulf of Alaska, heavy tankers could soon be operating to ship oil from the southern end of the proposed Trans-Alaska pipeline. Meanwhile, other oil and gas interests are proposing leases for drilling in the gulf. Leasing could put the tankers and oil rigs on a collision course, with massive oil spills as a result.

In another area of resource use, a company will soon begin an experimental mining operation off the southeast Atlantic coast in which a vacuum device will draw materials off the sea bed, and half way up, separate out fine wastes and spew them into the undersea in a broad fan. An almost certain result will be the smothering of bottom life over a wide area.

On Georges Bank, a rich international fishery off the New England coast, studies have identified areas with tremendous oil and gas potential, posing possible conflicts.

The evidence is clear. If tough environmental management steps are not taken now, the outcome of this bustle of new activity is certain. We will ultimately make as much a wreckage of the oceans as we have of the land. There will be constant conflicts between users, more reckless exploitation, perhaps the total destruction of marine life, and through the whole process, public agencies will be relegated to their all too frequent ineffective role of referees between competing resource users.

The legislation I am proposing today as the Marine Environment and Pollution Control Act of 1970 prescribes far-reaching steps to establish rational protection of the ocean environment.

The first section makes it unlawful for U.S. citizens, which includes corporate and municipal officers, to dispose of refuse materials into the Great Lakes, the territorial sea, Outer Continental Shelf waters, or the high seas without a permit from the Secretary of the Interior issued with the concurrence of the Council on Environmental Quality in the White House. Before the Secretary can grant such a permit, he will be required to undertake a broad-ranging investigation into the effects the disposal would have on the marine environment. In addition, public hearings will be held if requested, to give concerned citizens the opportunity to speak on the matter. In general, this legislation provides for public involvement in the decision-making process at every available opportunity, an involvement that has far too frequently been lacking in the making of Federal environmental policies.

Under this bill, the Secretary will only grant a waste disposal permit if there is convincing evidence that the disposal will not have any adverse effects on plant and animal life and the marine environment generally. As I have pointed out earlier, consideration of the impact of dumping on the fragile marine ecology of dumping has been entirely inadequate.

The bill would phase out all marine dumping by June 30, 1975, which is a reasonable and essential step for environmental protection, except for the exceptions noted earlier in the statement. It also provides a fine of not more than $1,000 per ton of material disposed of in violation of the act.

In the important second section of the bill, a system for marine environment management is established, which will apply to the submerged offshore lands under the jurisdiction of the Secretary of the Interior. As a first step, the bill provides for an Advisory Committee on the Marine Environment, to be appointed by the Secretary with the concurrence of the Council on Environmental Quality. The private citizen committee will include scientists trained in disciplines dealing with marine environment concerns. It will be responsible for the general scientific overview of the whole new program.

Also called for is a series of comprehensive programs and studies designed to increase our knowledge of the marine environment and its complex ecological systems, and the effects of our activities on this vital environment. Under the bill, the Secretary would develop models of physical and ecological systems of the marine environment which would be used to predict in advance the effects of proposed activities, an unprecedented step in marine environment protection.

I have also included a provision in the bill requiring truly long range forecasts of our needs and requirements, not only for minerals, but for recreation, fisheries, shipping, and natural ecological balance, over the next 50 years, another unprecedented step fundamental to making sound decisions about our ocean activities. This information will be made available to the public as it is developed by the Secretary, with the advice and recommendations of the scientific commission.

The next section of the bill provides for the application of the information and knowledge gained by the Secretary and the commission to the development of comprehensive resource management plans for the marine environment. Such plans will be developed whenever the Secretary is notified that present or proposed uses of the marine environment involve a risk of serious environmental damage or serious conflict with present or future users, or when any submerged lands under the jurisdiction of the Secretary are proposed to be leased. As a part of the plan, the Secretary would conduct an intensive study of the specific area involved, and of all the plant and animal life in it, and would attempt to develop means for avoiding adverse effects or conflicts among uses. The Secretary will also seek the views of the Governors of the coastal States in the vicinity of the area of proposed activity.

These efforts will culminate in a management plan which will be submitted to the Advisory Committee on the Marine Environment and also to the Council on Environmental Quality and there will also be opportunity for a public hearing. After concurrence of the council in the plan, the Secretary will implement it in public regulations which will constitute a comprehensive and mandatory guide for the use of the seabed and waters governed by the plan.

I believe these management plans would be a major step in avoiding Santa Barbara-type disasters brought on by lack of foresight and information, and this approach might well merit consideration by the States for the Great Lakes and their offshore territorial waters. Public participation would be an important part of the development of these plans.

It should be made clear that even the adoption of this legislation will only be a beginning in protecting our oceans. Inland, our water standard and cleanup programs must be strictly enforced and well financed, not only for the sake of our rivers and lakes, but for the future of the sea itself, which ultimately receives these wastes. And it is clear too that although the activities of this Nation are a major factor in the threat to the sea, all nations are having an impact, and have responsibilities which they too must exercise if this common world resource is to be protected. It is clear this will require new international cooperation and agreements.

Mr. President, I introduce this legislation for reference to the appropriate committee, and ask that it be printed in the CONGRESSIONAL RECORD at this point.

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

TABLE I.1.—FEDERAL MARINE SCIENCE ACTIVITIES

Agency	Mission
Department of Defense	All phases of oceanography relating to national security.
Navy; Advanced Research Projects Agency; Army Corps of Engineers.	Naval technology.
	Statutory civilian responsibilities: Great Lakes, river, harbor, coastal, and ocean charting and forecasting; Great Lakes, river, harbor, and coastal development, restoration, and preservation.
Department of the Interior	Management, conservation, and development of marine natural resources
Geological Survey; Federal Water Pollution Control Administration; Bureau of Commercial Fisheries; Bureau of Sport Fisheries and Wildlife; Bureau of Mines; Bureau of Land Management; National Park Service; Bureau of Outdoor Recreation; Office of Saline Water.	Measurement and enforcement of water quality standards.
	Acquisition, preservation, and development of coastal areas.
	Identification and development of technology for evaluation of mineral resources.
	Identification of sources and interrelationships for supply of fresh water.
National Science Foundation	Basic and academic oceanography.
	Facilities support.
	Sea grant colleges and programs.
Department of Commerce	Environmental prediction and description; tsunami and hurricane warning.
Environmental Science Services Administration; Maritime Administration.	Charting and mapping of coastal and deep-ocean waters.
	Central responsibility for air/sea interaction program.
	Research on ship design, shipbuilding, and ship operations.
	Marine transportation and port systems.
Department of Transportation	Safety and protection of life and property in port and at sea.
Coast Guard.	Delineation and prediction of ice masses.
Office of the Secretary.	Navigation aids; oceanographic and meteorological observations.
	Transport systems analysis and planning.
Atomic Energy Commission	Radioactivity in the marine environment.
	Development of Marine nuclear technology.
Department of Health, Education, and Welfare	Human health, healthfulness of food, biomedical research, and support of education.
Public Health Service; Office of Education; Food and Drug Administration.	
Department of State	United States participation in international organizations.
	Support of international fisheries commissions.
	International marine policies.
Agency for International Development	Foreign assistance and food resources for developing nations.
Smithsonian Institution	Identification, acquisition, classification, and ecology of marine organisms; investigations of the geophysical factors of oceanic environment.
National Aeronautics and Space Administration	Feasibility, design, and engineering of spacecraft and sensors for ocean observations.
National Council on Marine Resources and Engineering Development	Policy planning and coordination; assistance to the President.

SENATE RESOLUTION 434—SUBMISSION OF A RESOLUTION RELATIVE TO THE DEATH OF REPRESENTATIVE MICHAEL J. KIRWAN OF OHIO

Mr. YOUNG of Ohio submitted a resolution (S. Res. 434) relative to the death of Representative Michael J. Kirwan of Ohio, which was considered and agreed to.

(The remarks of Mr. YOUNG of Ohio when he submitted the resolution appear later in the RECORD under the appropriate heading.)

ADDITIONAL COSPONSOR OF A CONCURRENT RESOLUTION

SENATE CONCURRENT RESOLUTION 74

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Maine (Mr. MUSKIE), I ask unanimous consent that at the next printing, the name of the Senator from Indiana (Mr. BAYH) be added as a cosponsor of Senate Concurrent Resolution 74, affecting the treatment of prisoners in South Vietnam.

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

AUTHORIZATION OF APPROPRIATIONS FOR MILITARY PROCUREMENT—AMENDMENT

AMENDMENT NO. 795

AMENDMENT TO GUARANTEE EQUAL TREATMENT FOR U.S. CITIZENS

Mr. TYDINGS. Mr. President, as the result of anti-inflationary cuts in the Federal budget, the number of civilian positions in the Department of Defense is being reduced. Over the past 6 months, increasing numbers of Marylanders and other U.S. citizens employed by the Pentagon have been forced to confront the anxieties and hardships of unemployment and the ordeal of finding new jobs.

At the same time, the Department of Defense is providing jobs for 232,347 foreign nationals—primarily at U.S. military facilities and bases abroad—at a cost to the American taxpayer of approximately three-quarters of a billion dollars a year. More than one out of every six civilians currently employed by the Department of Defense is a foreign national. And what is worse, the percentage of DOD civilian employees who are foreign nationals has increased over the past 5 years.

This policy simply makes no sense at a time when Marylanders and other U.S. citizens working as civilian employees of the Pentagon are losing their jobs.

Reductions in the size of our military establishment are unavoidable and will continue. Cuts in Federal spending to combat inflation, the reordering of national priorities, and the movement toward foreign and military policies which rely on our allies to provide the manpower for their own defense necessarily entail reduced military manpower requirements.

But I believe we owe it to those U.S. citizens now employed as civilians by the Pentagon to insure that they are not forced to bear an unfair share of the burden of these manpower cuts. Whenever possible, they should be given preference over foreign nationals employed by DOD when civilian defense jobs are eliminated; and at all times they must be guaranteed at least equal consideration.

Therefore, I am submittting today an amendment to the defense procure authorization bill (H.R. 17123) to guarantee equal treatment for U.S. citizens in all future DOD civilian job reductions. This amendment obligates the Pentagon to match every job eliminated for a U.S. citizen with the elimination of at least one job currently held by a foreign national.

I ask unanimous consent that the text of this amendment to guarantee equal treatment for U.S. citizens be printed at the close of my remarks.

Mr. President, this amendment is not only dictated by basic considerations of equity, it also is consistent with the fundamental reorientation of U.S. foreign and military policies enunciated in the Nixon doctrine. As you know, the President has stated that our allies in Europe and Asia can no longer look to the United States to supply the manpower for their own defense. Consequently, we will be reducing the size of our overseas military forces considerably in the coming years. Bringing U.S. troops back home and closing American bases abroad will mean a much diminished demand for civilian DOD employees abroad. And 87 percent of all civilians currently employed by the Pentagon overseas are foreign nationals.

In short, this amendment provides a corollary to the Nixon doctrine: As our allies supply the manpower for their own defense, the United States will no longer be compelled to hire foreign nationals to fill overseas civilian defense positions.

Finally, if instances do arise where reductions in jobs held by U.S. citizens lead to the elimination of essential positions held by foreign nationals, the host nations should fill those positions at their own expense.

Nearly half of the foreign nationals paid by the Pentagon actually are employed by the nations in which the U.S. bases and facilities where they work are located. We simply reimburse these nations for the wages they pay these people. Since these nations presumably have invited us to station troops and build bases on their soil for their own security, there is no reason why they cannot be expected at least to pay the salaries of their own citizens needed to help in this effort. A survey of the 108,516 foreign nationals subsidized under this indirect-hire arrangement as of December 31, 1969, reveals that 98,604 or 91 percent are employed by West Germany and Japan—two nations that certainly can afford to pay these individuals out of their own treasuries.

Mr. President, both economic conditions here at home and military developments abroad demand a reduction in the number of foreign nationals employed by the U.S. Department of Defense. My amendment to guarantee equal treatment for U.S. citizens serves the interests of those U.S. citizens currently working as civilian employees of the Pentagon and of all of us who now are forced to send our scarce tax dollars overseas to pay the salaries of these foreign nationals.

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

The amendment (No. 795) is as follows:

At the end of the bill add a new section as follows:

SEC. 507. Whenever any citizen or national of the United States has his employment with the Department of Defense terminated as a result of a reduction in force, the Secretary of Defense shall, within 30 days after the date on which such employment is terminated, cause to be terminated, through a reduction in force, the employment with the Department of Defense of at least one foreign citizen or national, and the position occupied by such foreign citizen or national with the Department of Defense shall not be subsequently filled.

FAMILY ASSISTANCE ACT OF 1970—AMENDMENT

AMENDMENT NO. 796

Mr. METCALF. Mr. President, last year with the cosponsorship of several others, I offered a bill, S. 2265, to amend the Social Security Act to extend to all Indians of all tribes under all of the existing public assistance programs the special additional Federal matching payment of 80 percent, now provided only for the Navajo and Hopi for old-age assistance, aid to dependent children, and aid to the needy blind.

Today, with Senators MANSFIELD, GOLDWATER, GRAVEL, MCCARTHY, MONDALE, MOSS, STEVENS, and YARBOROUGH, I am submitting a revised version of the bill, drafted as an amendment to the Family Assistance Act, H.R. 16311, now being considered by the Finance Committee.

Mr. President, in his recommendations on American Indians, Mr. Nixon said:

Because of the high rate of unemployment and underemployment among Indians, there is probably no other group in the country that would be helped as directly and as substantially by programs such as the new Family Assistance Plan. . . . It is estimated . . . that more than half of all Indian families would be eligible for Family Assistance benefits and the enactment of this legislation is therefore of critical importance to the American Indian.

The Department of Health, Education, and Welfare and the Treasury Department in their reports urged enactment of family assistance, rather than my bill, S. 2265, and others.

In his message to the Congress, Mr. Nixon articulated the tradition of Federal responsibility for American Indians. He said:

The special relationship between Indians and the Federal government is the result . . . of solemn obligations . . . entered into by the United States Government.

Yet the family assistance proposal makes no special provision for welfare

for Indian people and, indeed, wipes out those in existing law that have made it possible for some States to extend assistance to Indians under categorical programs. The administration offers nothing in place of them by which the affected States may make good the promises in the President's message. The administration acknowledges a special responsibility, promises much and withholds everything. It says Indians would be eligible directly and substantially, but makes no provision for special Federal help.

In 1949, in recognition of the special Federal responsibility for Indian people, the Congress provided in Public Law 474 an 80-percent reimbursement to the States for funds expended in behalf of those Navajo and Hopi Indians who were receiving federally approved old-age assistance, aid to dependent children, and aid to the needy blind. We seek through this amendment to extend to all States 100 percent Federal money and further to reimburse the States for expenditures made in behalf of Indian people in programs enacted since 1949, aid to the permanently and totally disabled and medical assistance. Our amendment would provide a 100-percent Federal payment for categorical aid and 100 percent for supplementary aid to families, according to the formula in the new bill.

H.R. 16311 leaves States without additional funds to extend welfare to Indian people while other provisions of the act, the so-called outreach and case finding stipulations, actually will increase State obligations. The director of public welfare in my State informs me that the lower local share contemplated for Montana for welfare purposes is exaggerated because of the projection rests on the 1968 caseload level. These are facts of arithmetic that are in themselves ample justification for correction. If we go beyond them we find our traditions and a whole body of law holding that the Federal Government, is and should be responsible for Indian affairs. And we have been reminded of this by Mr. Nixon.

It was estimated in 1966 that three-quarters of the Indian families living on reservations earn less than $3,000 annually, and while the off-reservation Indian may earn higher wages because he does not receive the free medical care and other benefits that are available to the reservation Indian, his real income is reduced accordingly. In States in whose boundaries there are large tracts of land set aside as reservations for Indian people, there is an overriding Federal responsibility because the States derive no revenue from these lands.

Deprived of that source of revenue, and realizing precious little in income taxes from a people who earn too little to pay them, the State of Montana and others with large Indian populations are simply not able to handle the burden of welfare assistance.

Since the inception of Office of Economic Opportunity programs and since Federal impact aid for education more Indian children are going to school than before. Economic development programs that are operating and those that are planned on reservations promise much. Yet these are fragile structures that could be brought down if they are not properly supported while they grow.

Without help now for the blind, the disabled, the elderly and for families and without medicaid, the grinding poverty will render helpless yet another generation of Indians who, with help, might well break out of the cycle into the "historic step forward" envisioned by the President in his new Indian policy.

Mr. President, I ask unanimous consent that my amendment be printed in the RECORD following these remarks.

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

The amendment (No. 796) was referred to the Committee on Finance, as follows:

AMENDMENT NO. 796

At the end of the bill, add the following:

"TITLE IV—MISCELLANEOUS AMENDMENTS

"ADDITIONAL FEDERAL PAYMENTS UNDER PUBLIC ASSISTANCE PROGRAMS ON ACCOUNT OF EXPENDITURES FOR AID TO INDIANS, ALEUTS, ESKIMOS, OR OTHER ABORIGINAL PERSONS

"SEC. 401. Title XI of the Social Security Act is amended by adding at the end thereof the following new section:

"'ADDITIONAL FEDERAL PAYMENTS UNDER PUBLIC ASSISTANCE PROGRAMS ON ACCOUNT OF EXPENDITURES FOR AID TO INDIANS, ALEUTS, ESKIMOS, OR OTHER ABORIGINAL PERSONS

"SEC. 1122. (a) In the case of expenditures by a State during any quarter (commencing with the quarter which begins July 1, 1971)—

"'(A) under the plan of the State approved under (i) part A of title IV, (ii) title XVI, or (iii) title XIX, or

"'(B) under an agreement entered into by the State under part E of title IV,

for aid (as defined in subsection (b)) to Indians, Aleuts, Eskimos, or other aboriginal persons, such State shall, in addition to the Federal shares to which it is entitled for such quarter under—

"'(C) in case of a State plan approved under part A of title IV, section 403(a)(1),

"'(D) in case of a State plan approved under title XVI, section 1604 or (if applicable) section 1121(c),

"'(E) in case of a State plan approved under title XIX, section 1903(a)(1), or

"'(F) in case of an agreement entered into by the State under part E of title IV, section 453(a)(1),

be entitled for such quarter to payments (to be made in the same manner and from the same appropriations as are other payments which are made under such sections) equal to 100 per centum of the non-Federal shares (as determined without regard to this section) of such expenditures, but counting only so much of such expenditures as are counted for the purpose of determining the Federal shares under such sections.

"'(b) For purposes of this section, the term "aid" means—

"'(A) foster care (as defined in section 406, when used in referenec to a State plan approved under part A of title IV,

"'(B) aid to the aged, blind, and disabled (when used in reference to a State plan approved under title XVI), and includes (in the case of any such plan which has been modified in accordance with section 1121) benefits in the form of institutional services in intermediate care facilities,

"'(C) medical assistance, when used in reference to a State plan approved under title XIX, and

"'(D) supplementary payments, when used in reference to an agreement entered into by a State under part E of title IV.'"

ANNOUNCEMENT OF HEARING: SENATE COMMITTEE ON AGING

Mr. WILLIAMS of New Jersey. Mr. President, the U.S. Senate Special Committee on Aging—in conjunction with the 93d annual meeting of the American Bar Association—will conduct a hearing in St. Louis, Mo., on "Legal Problems Affecting Older Americans." Members of the ABA Section Committee on Legal Problems of the Aging will participate. Directors of projects under the legal research and services for the elderly, a project sponsored by the National Council of Senior Citizens under an Office of Economic Opportunity grant, have prepared a working paper which will be issued at the ABA meeting. Several LRSE representatives will also participate in the hearing.

Testimony will begin at 2:30 p.m. at the Stouffers Riverfront Inn.

ADDITIONAL STATEMENTS OF SENATORS

RETIRED CIVIL SERVANTS DESERVE CONSIDERATION

Mr. HARTKE. Mr. President, in past months a great deal of attention has been focused on America's senior citizens, who have been among those hardest hit by inflation because they are forced to subsist on fixed incomes. As a member of the Committee on Finance and the Special Committee on Aging, I have been particularly interested in the economic plight of the older Americans and have sponsored legislation to financially aid these people through increased social security and medicare benefits. However, I also serve as chairman of the Committee on Post Office and Civil Service's Subcommittee on Retirement, and I would be negligent if I did not bring to the attention of Senators the financial crisis now faced by those retired Federal employees who are not covered by social security and medicare. With so much emphasis being put on the necessity for increased social security benefits there is a tendency to forget the similar needs of civil service retirees and their survivors.

There is no question that liberalizations in the social security system must be forthcoming, but let us not overlook the need for comparable liberalizations in the civil service retirement system. Of an approximate 997,000 retired Federal employees and survivors, some 276,000 receive annuities of less than $100 per month, and about 515,000 receive less than $200 per month. Using a poverty level income of $3,000 per annum, at present 619,000, or more than 60 percent of these former employees and survivors, are living in poverty.

I intend to hold hearings on legislation to correct this injustice by granting these

civil service annuitants and survivors an overall annuity increase with the largest increase going to those with the smallest annuities. These increases would be as follows: $26 per month if now less than $200 per month; 13 percent if now at least $200 but less than $300; 9 percent if now at least $300 but less than $400; 7 percent if now at least $400 but less than $500; and 5 percent if now more than $500 per month.

I should also like to invite attention to another glaring inequity in the civil service retirement law, which is presenting a special hardship for a number of Federal retirees. The present retirement law provides that a retiree at the time of retirement may elect to take a reduced annuity to provide a survivor annuity for his spouse. Some annuitants who retired many years ago were forced, under law, to take as much as a 25-percent reduction in their annuities to provide for a survivor's annuity. Over the years liberalizing amendments have been adopted and those retiring today take a reduction of 2½ percent on the first $3,600 of annuity and 10 percent on the remainder. The law also states that only one election can be made, and that at the time of retirement.

When a retiree is predeceased by the named spouse he must continue to pay for a survivor's annuity through his reduced annuity as long as he lives, although there will never be anyone who can receive the survivor annuity. Also, if the retiree remarries he cannot name the second spouse as beneficiary.

I believe the present law is inequitable and unjust. The retiree has reduced his own annuity to provide for his spouse, and if this spouse predeceases him and he remarries, though he must still take a reduced annuity each month, he cannot provide any security for the second spouse. One can change a beneficiary on an insurance policy—why not on a survivor annuity, which is in itself a form of insurance an employee elects by taking a reduction in his monthly annuity? I also intend to hold hearings on this legislation to provide for the restoration of full annuity or permit the retiree to name a new spouse as survivor when the originally named survivor predeceases the retiree.

None of us need be reminded that the ever increasing cost of living has steadily reduced the buying power of those on fixed incomes. Though today's retirement computation formula for present employees can provide adequate retirement incomes for the career Federal employee, we must not forget that many thousands of these annuitants retired years ago, when salaries were low and the computation formula not as liberal as today's, and the small annuities their years of service produced are now inadequate to maintain an acceptable standard of living.

It would seem to me that we have a responsibility to these retirees, who dedicated their working years to the Federal Service, to correct some of these injustices, so that they may spend their retirement years free from financial concerns which prevent them from living lives of dignity.

COAL AND MINERAL RESEARCH PROGRAMS

Mr. SCOTT. I wish to congratulate Secretary Hickel for his unequivocal rejection of persistent reports that the Department of the Interior was planning to eliminate or reduce its essential coal and mineral research programs. The Washington rumor mill began to churn after the press obtained copies of a memorandum from the Under Secretary to the Bureau of the Budget calling for the elimination of the Office of Coal Research and a reduction of $23 million in the budget of the Bureau of Mines coal research program by the end of fiscal year 1972. This action would have all but completely emasculated coal research activities at a time when our national energy needs are especially grave.

Coal research activities at the Pittsburgh, Pa., and Morgantown, W. Va., facilities have already begun to pay commercial dividends. New ways to improve the combustion efficiency of low-grade bituminous coal are now being developed. These advances promise further developments that will allow us to utilize our large bituminous coal resources while, at the same time, safeguarding the environment. It is incomprehensible that these programs should be disbanded at a time when science is on the threshold of a major breakthrough.

By 1990, our projected energy needs will be twice what they are today. Even if we succeed in making dramatic advances in the production of energy through harnessed nuclear reaction, more than two and one-half times as much coal will be needed in 1990 to meet our energy demands. Our energy needs and the economy of Pennsylvania require the continuation of the Department of the Interior's coal research activities. I know I join with many other Senators and Representatives from coal-mining States in thanking Secretary Hickel for this prompt and courageous response to our needs.

I ask unanimous consent that Secretary Hickel's letter be printed in the RECORD.

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

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., July 27, 1970.

Hon. HUGH SCOTT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SCOTT: I am aware of your strong concern over the future of coal and mineral research programs.

Let me make it quite clear that this Department is not seeking a reduction or decrease in emphasis in coal research programs. I will personally determine the policy formulation for these important research efforts in the Bureau of Mines.

While the budget for Fiscal Year 1972 is, of course, still in the formative stage, I believe that the continuation and encouragement of coal research is vital toward maintaining and improving both a quality environment and a strong energy position for the Country. I have no intention of decreasing our emphasis or commitment toward programs for coal research.

Sincerely yours,

WALTER J. HICKEL,
Secretary of the Interior.

BLUE LAKE, N. MEX.

Mr. ANDERSON. Mr. President, I have attempted for many years to resolve the Blue Lake issue in New Mexico. As many Senators know, this issue has to do with the protection of the Blue Lake as a religious shrine of the Taos Pueblo Indians in northern New Mexico.

Since 1957, I have been introducing legislation which would guarantee the protection of the shrine. The Taos Indians have a legitimate concern that their place of worship be protected and kept secure from desecration. At the same time, in accomplishing this wholly legitimate aim, we must be exceedingly cautious not to set an undesirable precedent involving public lands and sound conservation practices throughout the United States. My bill, S. 750, would accomplish the goal of protecting Blue Lake without removing an entire 48,000-acre watershed from the national forest.

Recently I received a letter from the Reverend Herman Schripsema, who questions the validity of turning over the entire watershed to the tribe. I ask unanimous consent that his letter be printed in the RECORD.

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

ALBUQUERQUE, N. MEX.

Hon. CLINTON P. ANDERSON,
Senate Office Building,
Washington, D.C.

DEAR HONORABLE SIR: I have watched with interest the reports of your stand in committee on the matter of giving to the Taos Indian Tribe the large tract of land they ask.

I am an ordained minister in the Christian Reformed Church, and have spent the last 25 years of my ministry as missionary to the Indians. During that time conclusions have been formed in my mind that wholly substantiate your position on giving away the 48,000 acres in the Blue Lake area.

That it would set a dangerous precedent is sure, and that is reason enough to deny the request. And, the use to which the Indian Tribe wants to put it will be amply satisfied by the smaller tract that you have been advocating.

I love the Indian people, and my best friends are Navajos, and you will represent us best if you stand steadfast against setting the bad precedent that giving the 48,000 acres would entail.

Thank you.

Sincerely,

HERMAN J. SCHRIPSEMA.

AMERICAN RED CROSS AID FOR EARTHQUAKE VICTIMS

Mr. GRIFFIN. Mr. President, recently, I placed in the RECORD a summary of the assistance made available by the United States to victims of the earthquake which struck Peru on May 31, 1970.

Recently, I was impressed by a report on the actions taken in connection with that disaster by the American Red Cross. I commend the Red Cross for its response to the appeal of the Peruvian Red Cross and ask unanimous consent that the report be printed in the RECORD.

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

AMERICAN RED CROSS ACTIONS TO ASSIST THE PERUVIAN RED CROSS

The first report of the earthquake which hit in the northern section of Peru was re-

ceived at 10:30 p.m., May 31 by Mr. Enso V. Bighinatti, Deputy Director of Disaster Services of the American National Red Cross via a telephone call by radio patch directly from Lima, Peru. The report of the earthquake which had occurred only a few hours earlier also included a request for assistance from the Peruvian Red Cross.

Immediate actions were taken to comply with the request for aid. A ten-man Red Cross team of disaster specialists were dispatched to work with the Peruvian Red Cross. In addition a Red Cross representative went with the U.S. Government Survey Team dispatched from Panama. The Red Cross disaster team was headed by Ralph Mitchell and included: Michael A. Lanigan, Ralph E. Davis, Gabino Carrillo, Rene Carrillo, Edward Hukle, Edward Valenzuela, William Braye, David Claude, Marco Beteta, and Howard Spiegleman. Mr. Mitchell has since returned, however, the rest of the Red Cross team remains on the job in Peru.

Direct assistance rendered thus far includes $35,000 cash contribution from ARC to the Peruvian Red Cross to be used for local purchase of relief supplies. Over 827,000 pounds of relief supplies, valued at close to $500,000, have been shipped or are enroute. These supplies include food, clothing, medicaments, blankets, tents, roofing material, etc. A detailed shipping report is attached.

Immediately following the disaster the avalanche of relief supplies shipped into Peru from many countries throughout the world created serious logistical problems. Our Red Cross team was able to give considerable assistance to the Peruvian Red Cross and other agencies in eliminating these logistical problems by locating and establishing warehouses, and effecting a pipeline for immediate distribution from the ports of entry to the affected areas. In these early stages ARC staff were directly involved in carrying out many of these operational plans. At the present time a very effective organization has been established made up of local paid and volunteer personnel. The American Red Cross team members are therefore now acting in an advisory and training capacity and as soon as the Peruvian Red Cross staff and volunteers are trained and able to carry on their responsibilities our staff will gradually phase out the operation. American Red Cross personnel will stay on the scene in Peru, however, as long as needed. The supplies of food and medicaments are reported to be sufficient to take care of present needs. The operation is now moving into the recovery stage and the ARC is now focusing our assistance toward furnishing rebuilding materials to help with reestabishing homes for the victims. Many of the manufacturers of the roofing materials, etc. have been most cooperative and have made sizable donations of this badly needed material. The American Red Cross will continue rendering support to the Peruvian Red Cross as long as necessary for this earthquake operation.

CRITICAL TEXTILE IMPORT PROGRAM

Mr. TALMADGE. Mr. President, it is becoming increasingly apparent that strong congressional action would be required to remedy the critical textile import problem. Efforts to negotiate agreements have been stymied, and in my judgment no alternative is left but the establishment of reasonable import quotas to protect the American industry.

The Washington Post of Sunday, July 26, contains an excellent editorial column written by Stanley Ruttenberg, a former Assistant Secretary of Labor, that supports the case for textile quota legislation in more compelling terms, especially in terms of how the American textile and apparel industry is virtually having to fight for its economic life and in terms of lost jobs at a time when unemployment has already become perilously high. Mr. Ruttenberg also disposes of the notion that cheap, low-wage imports from countries like Japan benefit the consumer by holding prices down. As he points out, the Consumer Price Index shows that this has not been the case.

I bring this editorial to the attention of the Senate and ask unanimous consent that it be printed in the RECORD.

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

MANY LIBERALS BACK TRADE BILL

(By Stanley Ruttenberg)

(NOTE.—The author of this article, former assistant secretary of Labor, is now a manpower consultant in Washington. One of his clients is the Amalgamated Clothing Workers of America, which supports textile quota legislation.)

It is perhaps a sign of the times that many organizations and individuals normally aligned with advocates of liberal trade policies now find themselves charged with protectionism. They are the target of criticism by erstwhile allies because of their support for H.R. 16920, the bill introduced by Chairman Wilbur Mills of the Ways and Means Committee and 255 other congressmen designed to provide for orderly trade in textile, apparel and leather footwear.

Among analysts and observers who have, for any length of time, been close to the trade scene, none of this should have come as a surprise—not the Mills bill; not the support that it has evoked among those who are truly committed to expanding world trade and certainly not the attacks that have been leveled at both by those who regard themselves as the only true defenders of the faith.

This latter group may reject the idea, but the plain and simple fact is that many of those who have been supporting H.R. 16920 believe as I do that such a posture is not at all inconsistent with advocacy of a liberal trade policy.

The bill that was introduced by Chairman Mills—himself a long-time free trade advocate—is considered by its supporters to be the best way to assure continued expansion of trade between nations. Strangely enough—and to the dismay of the critics who have from the outset viewed the bill as the potential opening salvo of an all-out trade war—liberal trade advocates have lent support to H.R. 16920 in order to forestall the wave of protectionism and the resulting trade war that they feel would be certain to materialize if the ideological rigidity of the critics is permitted to prevail.

In short, supporters of the Mills bill who believe in liberalized trade perceive some very real and urgent problems that require attention.

Opponents of the Mills bill simply refuse to recognize that the period of reconstruction following World War II has long since passed, that this is now 1970, and that the economies of our major trading partners have been rebuilt and are flourishing; and that, despite such changed circumstances, these nations retain a variety of barriers to trade which the critics of the Mills bill tend to brush aside as if they were inconsequential.

For example, the value added tax prevalent in countries of the European Economic Community has the effect of raising prices on imports and reducing prices on exports; Japan not only restricts the free flow of capital; but also maintains import quotas on scores of key commodities; the United Kingdom restricts coal imports; the variable levy and price-support arrangement employed by the EEC for agriculture is its adaptation of the American Selling Price principle; the EEC and the United Kingdom have agreements with textile-producing Asian countries effectively controlling the flow of textiles. And this does not even begin to exhaust the list of "exceptions" to the principles upon which free trade and reciprocity are based.

It is not enough to offer as the rationale for policy, as do the critics of the Mills bill, that the United States should do what is right regardless of the behavior of others. The possible adverse consequences of such a policy—on jobs and income, and in the almost-certain trade war that can ensue—are too great.

The upsurge in textile and apparel imports over the past decade has been tremendous, particularly with respect to products of man-made fiber and especially during the latter part of the decade. By the end of the decade of the 1960s, U.S. imports of textile and apparel products were in excess of $2.1 billion per year—more than double their level in the early part of the decade. So far as products of man-made fiber are concerned, import volume—measured in square yards—rose by more than 200 per cent between 1965 and 1969 alone, while the apparel portion of that import volume grew by 500 per cent.

If the critics of the Mills bill are accurate, this uncontrolled flood of textile and apparel imports should have rebounded to the benefit of American consumers by holding down prices. The available evidence points in the apparel direction.

Price increases of apparel items were responsible for more of the total increase in the Consumer Price Index during the latter part of the decade—when the volume of imports was ballooning—than during the first part of the decade.

It stands to reason that the domestic apparel industry, in which average hourly earnings in 1969 were $2.31, cannot be expected to compete successully with imports produced by labor which is paid as little as the U.S. equivalent of 26 cents per hour (as in Hong Kong) or 39 cents per hour (as in Japan). American producers in this labor-intensive industry simply do not have a countervailing advantage in technology with which to overcome the advantage in labor costs that these kind of wage rates give to foreign competitors.

Critics of the Mills bill have been inclined to reject any suggestion of job losses due to the growth of textile and apparel imports, but they ignore the hundreds of thousands of jobs—more than 200,000 in apparel alone during the 1960s—which would have been created in the absence of the imports.

Without adequate safeguards, imports will continue to grow at an excessively rapid rate, undercutting both jobs and labor standards without necessarily benefitting the consumers. To delay recognition of this reality—and the development of a thoughtful remedy—will not eliminate the problem. Rather, it will assure that the eventual response and reaction—and there will be one—will be that more explosive.

A NEW ACADEMIC YEAR ON AMERICAN CAMPUSES

Mr. FANNIN. Mr. President, it soon will be time for the start of a new academic year on our campuses. This is an appropriate time to review the responsibilities of our citizens and of our stu-

dents to our institutions of higher learning.

It indeed is a sad day when for any reason our institutions of learning are not open for those who are seeking knowledge there.

Where else are we to light the lamp of understanding and seek intellectual guidance for the solution of our problems?

It grieves me that there are students, and even faculty members, who would countenance such closing. When we darken the doors of our colleges and universities we extinguish the eternal flame.

Again, I believe it is timely to review our campus situations in this Nation today because there is a growing support to permit 18-year-olds to vote, a proposition I feel should be considered only through a constitutional amendment.

Certainly today, the first step in exercising responsibilities of citizenship is for our students to make sure that their student representatives really are in fact representative of the student body.

The Arizona Republic of July 19, 1970, has published a discerning editorial on the necessity for responsible students to safeguard their campus organizations.

The editorial notes that the militant president of the student body of a large university was elected by a vote of 1,000 to 300—yet, there were 23,000 students eligible to vote.

The editorial is timely. It reminds the students that the militants take time to vote.

We must be ever vigilant to safeguard our freedoms and our individual rights. We must be ever vigilant that those who speak for us, do so at our choice, and not by our default. This is the first lesson of good citizenship.

And certainly our college youths must remember that the first measure of their citizenship will be by their campus actions. If the militant and outspoken youth leaders on their campus do not represent their views, the students will have only themselves to blame.

Mr. President, I ask unanimous consent that the editorial and the excellent statement of May 18, 1970, by Arizona's great Gov. Jack Williams concerning the policy for State tax-supported educational facilities be printed in the RECORD.

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

WILL YOUNG AMERICA DESTROY ITS HERITAGE?

Although less than 10 percent of American youth has been participating in the violent, senseless protests about their own colleges and universities, there is a growing danger that the noisy, militant leaders of America's young revolutionaries will lure more and more students to their cause.

The vast majority of students are serious-minded young people striving to get an education. They have, so far, refused to enter into the "gory glee" of hell-raising on the campuses. But no leadership among the silent majority of students has arisen to challenge the revolutionaries.

The President of the student body at a large university was elected by a vote of 1,000 to 300. Only 1,300 out of 23,000 students voted in that election. They simply weren't interested in the militant program of the radical leaders. However, the student who was elected president claims that he represents the entire student body, and demands a voice in the Board of Regents' meetings, in spite of the fact that 90 per cent of the students wanted no part of his program.

Unless the students who believe they go to college to get an education rather than to start a revolution begin very shortly to organize and challenge the revolutionaries on the campus, they may find they have sat silent while their precious heritage of freedom and opportunity goes down the drain in a blazing, destructive, senseless revolution led by leaders who don't know what they want or what they would do with it if all their demands were granted. They want a noisy voice in everything, but beyond that they know not what they are shouting about.

A sober observation about America's youth recently came from England, where the editor of the London Daily Telegraph declared that no generation of young people ever had so great a heritage of freedom and opportunity as today's American youth.

Under the caption "Revolt of the Pampered," the editor of the London Daily Telegraph wrote:

"America is the victim of its national myth. It entered history proclaiming the rights of man; its Constitution is aimed at fostering freedom at all costs. Its young have been brought up largely on an educational theory which attaches supreme importance to self-expression. Is it odd that it should lead the world in rebellion or that its volunteer forces should sometimes lack the virtue of unrelenting discipline? Yet one marvel does defy explanation. Why should America's pampered and idolized student youth, living in a country that enjoys freedom and prosperity in unprecedented degrees, turn all its righteous anger, not against the depotisms that rule most of the rest of the world, but against America itself?"

OFFICE OF THE GOVERNOR,
STATE HOUSE,
Phoenix, Ariz., May 18, 1970.

A STATEMENT BY GOVERNOR JACK WILLIAMS

The people of Arizona have clearly demonstrated their intention to support the state's universities as institutions of learning.

The Board of Regents carries the responsibility of answering the expressed concern of our citizens. I suggest we must take appropriate action to:

1. Identify the non-students who advocate violent disruption of accepted university routines, and effectively bar them from the state's campuses.

2. Advise those bonafide students, and those faculty members who have encouraged and supported violent disruptions of the university routines that such disturbances will no longer be tolerated, and

3. Declare our intention to maintain on the college campuses in Arizona a climate which whl be conducive to the welfare of those students who are in earnest in their desire to secure an adequate education.

Peaceful dissent is our heritage, but it must not encroach on the rights and privileges of non-dissenting students to pursue their legitimate purposes at the universities.

The incidents which have disfigured some Arizona campuses in recent weeks were created by a very small minority of the students enrolled at these institutions.

We can be grateful that such disruptions as have occurred have not produced the tragic situations so common in other universities throughout the nation. But we must recognize that unless we take the proper action now the situation may escalate and bring about an intolerable condition.

My office has received petitions bearing the signatures of thousands of Arizona citizens demanding action.

The 29th Legislature has enacted and I have signed into law Senate Bill 174. The purpose of this legislation is clearly stated in Section 1 of the Act:

"It is the purpose of this Act to guarantee to students, faculty and other staff and the public, that tax supported educational facilities will remain accessible and useful at all times for educational and other authorized public purposes in accordance with appropriate rules and regulations established by their governing boards."

We must not equivocate; we must not procrastinate. Our duty is clear. The ambitions of that very small minority to disrupt and destroy and humiliate our institutions at the expense of the vast majority of serious, peaceful students must not be permitted.

FORTIETH ANNIVERSARY OF THE VETERANS' ADMINISTRATION

Mr. CRANSTON. Mr. President, a week ago today, on July 24, the Veterans' Administration celebrated its 40th anniversary. As chairman of the Veterans' Affairs Subcommittee, I wish to congratulate the Administrator of Veterans' Affairs Donald E. Johnson and the 170,000 VA employees working for the welfare of veterans in installations across the country. Over the years, the VA has compiled a record of dedicated and effective service to our Nation's veterans.

On July 24, 1931, President Hoover signed the Executive order creating the VA and thus creating some form and some system to the way our Nation was caring for its veterans. The order combined smaller agencies—and the activities that had been fragmented throughout these agencies—into one organization capable of doing the job that needed to be done for men who had suffered from war and for their dependents.

With the great mood of returning veterans at the end of World War II, the VA's importance grew in a way that had not been foreseen at the time it was formed. But, because it had developed a strong staff and because of the leadership of Gen. Omar N. Bradley, the VA was able to meet the challenge of not only providing for a much larger veteran population but also administering a large array of new veterans' programs.

The number of veterans and the number of programs have continued to grow since that time. But the agency has in the main continued to be blessed with capable administration, loyal, skilled employees—and the unwavering support of the American people.

When President Hoover signed the order creating the Veterans' Administration, there were 4,664,000 living veterans, of whom 4,336,000 were veterans of the First World War. There were still nearly 50,000 Civil War veterans and there were 274,000 Spanish-American War veterans.

It is not a happy thought that events within the last 40 years have added to the number of veterans until there are now nearly 28 million men and women who have served this country in time of peril. But it is comforting to know that their needs are being cared for in an efficient way by one of the largest agencies of the Federal Government. It is good to know that, while in 1930, programs for veterans helped meet only the most basic and minimal needs, today, veterans are

entitled to the benefit of programs to help them meet the greater needs of today's society.

Perhaps one of the greatest developments that has taken place during the VA's 40 years has been the change in philosophy that now directs and compels the agency to go and meet the veteran, to invite him in and to say, "How can we be of help?" This new way of operating means even going to the battlefield to meet the man before he becomes a veteran, trying to help him foresee his needs and plan his civilian future.

This type of service is a development of very recent years. It was an important part of the new veterans' education and training law, Public Law 91-219, that we enacted this past March.

Mr. President, at a time when we are gaining about 1 million new veterans a year, it is well to pause on the VA's birthday to recognize our enormous obligation to those who wage our wars and to rededicate ourselves to insuring that the VA receives all the funds, personnel and general public support it needs to continue its record of good service to our veterans in its many diverse programs. This is the finest and most appropriate birthday present we could give the VA and our 28 million veterans.

EPA: THE PRESIDENT'S PROPOSAL TO COORDINATE ENVIRONMENTAL PROGRAMS

Mr. BOGGS. Mr. President, President Nixon earlier this month sent to Congress his reorganization plan No. 3. This is an important proposal that will consolidate several existing agencies into a new Environmental Protective Agency. President Nixon explained the need for this change in his message to the Congress:

> The Government's environmentally related activities have grown up piecemeal over the years. The time has come to organize them rationally and systematically.

The President is to be commended for his leadership in offering this imaginative proposal. The Ash Council, under the leadership of industrialist Roy Ash, and its environmental group, headed by Amory Bradford, are also to be commended for their efforts in developing the information for the President.

Specifically, reorganization plan No. 3 will bring together into one agency reporting directly to the President nearly a dozen programs now scattered among various departments. The Federal Water Quality Administration and the National Air Pollution Control Administration will be the largest component units of EPA. The reorganization, however, will also combine the pesticide study authorization under the Department of the Interior with the pesticide registration activities now performed by the Agriculture Department and pesticide studies conducted by the Food and Drug Administration. The reorganization plan will take over the Atomic Energy Commission's work on radiation criteria and standard setting, as well as programs on radiological health, solid waste management, and water hygiene from the Department of Health, Education, and Welfare.

The creation should go far toward encouraging a coordinated approach to meet these challenges. As President Nixon stated:

> The environment must be perceived as a single, interrelated system. The new structure of EPA, the President went on to say in his message to Congress, would have the capacity to do research on important pollutants irrespective of the media in which they appear, and on the impact of these pollutants on the total environment.

The form in which a particular form of waste enters the environment and causes an environmental threat is often pure chance. Or it may be product of how vigorously water pollution or air pollution is attacked.

When dust is removed from a factory's smokestack, air pollution is prevented. But accumulated dust either becomes solid waste, or it may be discarded into a nearby river creating water pollution.

By coordinating these programs under a single executive agency, we should be able to insure that the pollutant brings the least possible damage to the total environment.

Although some persons have argued that specific components of the proposed EPA should remain in their existing department, it is my belief that the general concept is sound and should be supported.

In recent months, I have had the honor to cosponsor legislation to create such an agency that was offered by Members on both sides of the aisle. The record that will be made in hearings on EPA today and tomorrow by the Senate Subcommittee on Executive Reorganization will be of great benefit to our understanding of the EPA concept.

A recent editorial in the New York Times discussed another aspect of this proposal. The editorial, in strong support of the President, stated:

> No agency entrusted with promoting the development of an area's natural resources—minerals, seafood, water power—should be entrusted at the same time with protecting the environment against the consequences of that development.

I ask unanimous consent that this editorial be made a part of the RECORD at the conclusion of my remarks.

It is also significant, I believe, that many State governments have perceived this need to coordinate more fully their environmental agencies.

Three days before President Nixon announced his reorganization plan, Gov. Russell W. Peterson, of Delaware, led a discussion on the State's efforts to enhance the environment. This program, in which many Delaware officials participated, was for the benefit of the Southern Regional Environmental Conservation Council, connected with the southern Governors conference.

Governor Peterson made it clear that Delaware, the First State of our Nation, intends to set the example on what can and will be done at the State level to abate pollution and enhance the environment.

Our Nation and our States, Governor Peterson told the officials, must "recognize we have to manage this whole ecological system as one unit." To allow my colleagues an opportunity to understand the significance of the Delaware program, I ask unanimous consent that a copy of Governor Petersons' remarks be printed at the conclusion of my remarks, as well as a copy of a newspaper article concerning these sessions.

The EPA proposal is an important step forward. I applaud the President for the courage and wisdom in presenting it to the Nation.

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

REMARKS BY GOV. RUSSELL W. PETERSON

I appreciate the opportunity for us Delawareans to appear today before your panel to give you our report of what we're trying to do in this very important field, hopefully to stimulate some ideas on your part and we're looking forward to the opportunity to take advantage of the ideas you have caught from other parts of the seventeen southern states you are studying.

I want to welcome you here in Delaware. We are quite proud of our little State. We believe we have many treasures here to safeguard and our history tells us we've had some great treasures which we lost as a result of our failure to take care of our environment. We are out to recruit them as you have heard here today.

Some people refer to Delaware as the "Diamond State." We think it is a jewel among the states and we are going to do our darndest to make it ever better. We have set as a goal to make our State a model for the nation. We pride ourself in our heritage that we were the first state to sign our Constitution and, therefore, we plan that we're the state that started the nation and we can thus become the state that leads the nation. One of the places we're out to lead this nation is in the area we're discussing today of the quality of our environment and the conservation of our natural resources.

Now you no doubt have concluded by now that we have been blowing our horn here today; I hope that you didn't think a single horn. We deliberately have tried to blow a whole variety of horns and string instruments and drums because we want to illustrate the fact that if we're going to solve this problem, we have to be carrying out a whole symphony; a symphony which gives some harmonious actions about the whole community. In fact, one of the problems in the past as we've approached the difficulties with our environment in a piecemeal way—one individual, one organization to cope with a little part of it—not recognizing its effect on other parts.

But now we are in many places in America, and certainly we are here in Delaware, recognizing that we have to manage this whole ecological system as one unit. And we are doing it, but as we go about doing it and as we talk here today, I think it's important for us to keep remembering it's only one part of the environment that we have to keep working on. I'm sure that some young boy in a home in the slums with the many problems in that environment could care less about whether we clean up the beach down in Rehoboth or whether we have pure air and pure water and many other aspects of that immediate environment much more pertinent to his future. And so it goes that children raised in the home of the parents who have no respect or love for the kids, they are stunted in their ability to learn and to develop. So, that kind of environment is extremely important for us to pay attention

to and when somebody's driving down the highway and gets run into by a drunken driver and loses his life or has his family crippled by the accident, he is greatly concerned about that aspect of our environment, too.

So, there are many many things you should keep in mind when you talk about the quality of our environment besides those which we are talking about here today. But, the natural resources, the quality of our air, the quality of our water certainly has not been given adequate attention in the past and is very encouraging and heartening to all of us, I'm sure, to realize the great interest now throughout America and especially through our younger generation.

As you have been told here before today, we this year reorganized the government and the first unit of this new reorganization was our Department of Natural Resources and Environmental Control—the Department where we pulled together all those responsibilities of State government concerned with our natural resources and with the control of the quality of our air and of our water and the disposal of our solid wastes. We've been trying to learn from what's going on around the world what we can do to make our environment truly outstanding and we may come up with some ideas of our own that we are trying to prove. We've heard about the work we've been doing right out in front. The record shows we've been trying to set standards for the quality of our air, to install the most modern and complete monitoring system in the country for air quality, that is, and now right out there on schedule in developing our tentative plans, before long it will be our firm plans, for implementing our air quality standards, at least for two of the contaminants of the air.

We are taking leadership in providing State resources to help in controlling the quality of our water. Fortunately, the State of Delaware is supplying more funds to help local communities with sewage treatment programs than the Federal Government is to the states. We believe that by 1977, we will have our streams of Delaware cleaned up and one of the key bottlenecks here is to get the Delaware River cleaned up and that is dependent primarily upon the City of Philadelphia abiding by the time schedule established by the Delaware River Basin. We are looking for the day when that Delaware Bay will again be thriving with all kinds of recreational spots, tourist spots, as it was some decades ago. We want to make it as attractive along the area to human beings as it now is to the Canada goose in certain parts of our area. You know it's a disadvantage being downstream and it's certainly true when people put food in some rivers. We're about as far downstream in the Delaware River as you can get and so our waters here are dependent upon cooperation of our neighbors to the north and we believe through the Delaware River Basin Commission that we are getting that cooperation, at least we have the mechanisms to insist that we get that cooperation. I am sure that you from the more southern states are concerned about being further downstream when it comes to the Canada goose; because as you can see, we've now made Delaware a very attractive stopping place for the Canada goose and he no longer goes, at least many of them no longer go, as far as North Carolina and some other places, and we tend to make Delaware as attractive as possible for such water fowl.

I am as excited as we saw Bob Berndt was and many others are here in Delaware about our attempt to convert our solid waste into an acid as a raw material for a manufacturing purpose so we can sell products from it and then profit thereby and at the same time get this litter off of our fields and our highways and our beaches.

I was asked when I came here today by the television crew whether I really thought it was desirable for Delaware to get involved with the Seventeen State Group on the study of the quality of our environment, and I said "yes" I thought it was important to join and study the problems and consider what we might do together, but the prime thing we should do is to do the job at home. There is no better way to get the job done than to do it oneself, in his own home, first, in his own back yard, second, his neighborhood, in his economy, in his State, and in his region, and in his nation.

We're out to set an example here in Delaware how we're going to clean up our own back yard. Hopefully, we can learn from you how we can do that job better and we would like to think that maybe we can submit some suggestions to you to help you do the job in your own area. But, by the example of our actions, we do the best job of teaching. We are going to make our little State an example for ourselves first of all.

Now, we recognize when it comes to such things, as I said a few minutes ago, the quality of air and the quality of water, that we have to work in partnership with our neighbors and I've already mentioned the Delaware River Basin Commission as the extremely important organization in the quality of the water in our area. Austin Heller and John Bryson mentioned the Air Quality Control Region, centered around Philadelphia, which I've stated, as a part obviously necessary for us to be concerned about the air in the region involving our neighboring States and certainly we talk about the Delaware Bay and need be concerned about New Jersey and need to work in partnership with New Jersey as we are doing. I know that there are important things that the seventeen states that belong to the Southern Regional States have been working on together just as there are things that all fifty states have been working on together. So, we want to listen to what your proposals will be when you get through with the study to see to what extent to participate with you in that program.

One of the things which is so vital to all of us is to pick out the goals that we want to reach. We managed here in Delaware in about 14 months, from start to finish, to change from a commission form of government of about 144 different agencies and commissions to essentially ten departments. We'll finalize that when we hold our first cabinet meeting on August 5. Now many people told us we couldn't do this; it was ridiculous to think that we could do it; and certainly ridiculous to think that we could do it in that short a length of time But we set the goals and decided that one thing that we knew for sure, we'd never reach that goal unless we set it. And, as the months went by, people were very, very critical of this and said "My Gosh, I think they're going to make it"; and the thing got contagious and they worked harder and harder and did make it.

Now, I cite that as just one of the many examples of the same thing. You can do big things if you set big goals. If we set little goals, we would have a hard time meeting those little goals. So I say to you as we go about studying this and I say to Delawareans, let's set big goals when we start because we can meet them and if we don't set big goals, we never will meet them.

[From the Wilmington (Del.) Evening Journal, July 7, 1970]

ENVIRONMENT GROUP TOLD STATE'S ECOLOGICAL PLAN

(By Wally Judd)

A comprehensive plan for Delaware's environment control was presented to representatives of the Southern Regional Environment Conservation Council yesterday by Gov. Russell Peterson and his top ecology aides.

The council representatives, seeking to find out what 24 states are doing to better the environment, heard Delaware's story in a 2½-hour hearing at Buena Vista.

No special new projects were announced. The state summarized what it is doing and what it has on the drawing board.

The council, which is connected with the Southern Governors Conference is collecting information on the feasibility of "umbrella" agreements between the states and the federal government that would allow separate states to enter separate agreements on interstate environmental problems without federal approval of each case.

Delaware belongs to the Southern Governors Conference and is interested in the council's affairs. Seventeen states are in the association.

"We're interested in what other states are doing and we're going to listen to what this group comes up with. But I'm not terribly excited about the program because we have to deal more with Pennsylvania, New Jersey and New York," Peterson said.

The thrust of the state's message was that "it intends to clean up its own backyard in becoming a model for the nation."

Points covered were:

AIR POLLUTION

The quality of Delaware's air is watched by a computerized monitoring system capable of making more than 500,000 individual determinations per month through four primary and 10 secondary stations.

Delaware is in an air quality region with certain counties of Pennsylvania and New Jersey. Standards governing this region are set by the state and approved by the Secretary of Health, Education and Welfare.

Delaware's own air quality codes include regulations concerning sources having interstate air pollution potential, refuse and salvage operations, smoke emissions from the fuel-burning equipment, ambient air, particulate emissions from fuel-burning equipment, and sulfur dioxide.

"These facts coupled with our philosophy that if each state properly abates its own pollution problems, the need for superagencies operating across many boundaries is often unnecessary," said John Bryson, acting director of the Division of Environmental Control.

WATER POLLUTION

Delaware has developed a method of collecting water samples between tides with a fast boat to give uniform readings when the river is at a state of equilibrium. This technique enables the state to identify polluters after a few samples, according to Bryson.

Tides cause a problem because they bring pollution back after it has flowed away.

Bryson said this technique enabled the state to draw conclusions about the state's rivers in six years while it took the British 50 years to draw similar conclusions about the Thames.

The state has also developed an effective trap for collecting oil from spills. The device uses chicken wire and a lot of straw.

To meet federal standards, the state has not found it necessary to build a primary sewage treatment plant since 1963 but has built 28 industrial and 32 municipal-commercial systems since then to augment the total system.

Peterson said the state spends more on local water treatment plants than the amount for which the federal government compensates the state.

Plans for treatment of more than 90 per cent of the state's sewage are on the drawing board, according to Bryson.

WILDLIFE AND FISH RESOURCES

As a result of a plan to remove physical obstacles to fish passage, shad are passing lower mill dams on the Brandywine Creek, according to Norman G. Wilder, acting director of Division of Fish and Wildlife. Eleven more fish passages are scheduled to be built which should open the Brandywine for saltwater fish spawning in fresh water. The department also protects wetlands from such things as pesticides and regulates fish harvests.

Through the use of protected areas and live decoys, the Canada goose has returned as the state's major waterfowl.

Wilder says he has seen evidence of the bald eagle reproducing since DDT has not been getting into its food supply. And, plans are under way to reintroduce the ruffed grouse to the area after 100 years of absence.

PARKS AND RECREATION

The state recently passed legislation to charge $1 entrance fee per car on state parks and recreation areas. Seasonal permits will cost $5.

The state has allocated $12.1 million for a six-year program to buy parklands, which will double the state's park acreage from 6,000 to 12,000 acres.

SOLID WASTES

Delaware recently authorized $1 million to be spent on the design of a project to reclaim materials from solid wastes and sell them to private industry.

Projections are that the plant will be able to handle 500 tons of solid wastes daily.

This plan was the best received of all the programs mentioned by the State.

"I don't know of any state that has gone this far," said Ralph Pickard, director of the Board of Environmental Health in Kentucky and a member of the task force.

MARINE AND COASTAL AFFAIRS

Dr. James Wakelin Jr. has been hired as a special assistant to Gov. Peterson.

He said the group he heads hopes to evaluate the state's present resources, evaluate the present controls, and make recommendations by the spring of next year.

After the formal presentations which were coordinated by Austin Heller, secretary of the Department of Natural Resources and Environmental Control, Peterson told how he believed the state's programs could be a "model for the nation" and that Delaware's role in the national pollution problem was to clean up its own backyard to serve as an example for others. He cautioned that environmental control means more than pollution.

"We're blowing our horns today," said Peterson. "But to solve the environmental problem, you've got to play the string instruments and the drums—the whole symphony. One boy in the ghetto could care less whether we clean up the air."

[From the New York Times, July 12, 1970]

PLAN FOR THE ENVIRONMENT

President Nixon's proposed reorganization of environmental agencies is a statesmanlike move which could prove to be almost as historic in its own way as the great alphabetical upheavals of the early Roosevelt Administration.

Basically the President's plan rests on two concepts. One, long nurtured by conservationists of all shades, is that no agency entrusted with promoting the development of an area's natural resources—minerals, seafood, water power—should be entrusted at the same time with protecting the environment against the consequences of that development. The two objectives often conflict, and it is almost invariably the organized exploiters who win, the unorganized public that loses.

The second concept of the plan is that problems posing current environmental dangers, calling for quick solution or mitigation—air pollution from automobiles, the pumping of raw waste into streams—are the province of one type of agency; while those long-range problems, calling for study and research—the impact of modern society on the plankton of the seas, the cumulative effect of chemical dischargs on the earth's climate—require different treatment.

The President's approach would take into account the first of these broad principles by assigning to a new Environmental Protection Agency those functions that old-line Cabinet departments and independent commissions have largely failed to perform because of their concentration on stimulating production or aiding particular groups in the population.

Agriculture and the Food and Drug Administration would yield to the new agency their often reluctant and ineffective control over pesticides. The Atomic Energy Commission, bent on producing energy, would lose its authority to set radiation standards. Aspects of water-pollution control would be brought together from Interior and the Department of Health, Welfare and Education, which would likewise lose its function in the field of air pollution.

The second of the two principles would be satisfied by creation of a National Oceanic and Atmospheric Administration. This agency, with an eye on the distant future, would draw its components from old-line agencies where they now exist, for the most part as disconnected bits and pieces of government. But it will be incorporated, unfortunately, in the unimaginative Department of Commerce.

Inevitably the plan will draw criticism—subdued and unofficial in the departments whose empires will be reduced; loud and on the record in Congress, where so great a reorganization is bound to affect those committee chairmen whose power derives from the hold they have on particular departments and agencies. Conservationists in good standing will have questions of their own: why should the Army Corps of Engineers retain any say in the matter of industrial discharges into navigable waters, for example? And why should aircraft noise levels be left to the Department of Transportation, which is sold on the SST?

Everyone can play the game—but it can hardly be helpful. The President's plan offers a major advance in drawing together a great many of the scattered concerns of some 84 Government departments, bureaus, administrations, councils and the like. If nothing else, it would break up the bureaucratic pattern of all too many entrenched, encrusted agencies—some clashing, some overlapping, some moribund.

Congress has sixty days in which to veto the reorganization or let it take place. Along with millions of others, we will watch hopefully for the triumph of imagination over the politics of special interest.

SENATOR NELSON CALLS FOR NEW PRIORITIES IN TRANSPORTATION

Mr. TYDINGS. Mr. President, the Senator from Wisconsin (Mr. NELSON) recently appeared before the Senate Public Works Subcommittee on Roads at the hearings on "all aspects of the national highway program and related activities." His statement was a ringing call for new and more rational priorities in American transportation.

He pointed to the incredibly disproportionate amounts of money this Nation has spent, from Federal taxpayer funds, on highways as compared to other means of transportation. He asked us to imagine how different the country might be today—different and better—if we had spent these immense sums of money in a more balanced and rational way.

Since we cannot now undo the errors of the past, it is at least incumbent upon us to do better in the future, Senator NELSON said. Specifically, he called for an early end to the highway trust fund or, alternatively, for a commitment to use moneys from the highway trust fund for "alternatives to the highway and the automobile" after the 42,500-mile Interstate System is finished. That is the proposal of his bill, S. 3996. The Senator also endorsed my bill, S. 3960, which would permit States to use portions of their Interstate System apportionments from the trust fund for urban mass transit, if they so elect and the Department of Transportation approves the plans.

The irrationality of our present transportation priorities is pointed up by two of the many statistical facts that Senator NELSON included in his speech. He revealed that approximately 84 percent of the 1½ trillion passenger-miles that are traveled every year in this country in automobiles are miles covered on short trips, not on overnight or long-distance travel. Essentially, the Senator said, this means that well over 1 trillion passenger-miles of automobile travel each year is travel "around town." Yet it is in the cities that the automobile poses its greatest threat to the environment and is least satisfactory as transportation.

Senator NELSON called for declaration of a positive national goal of shifting up to one-half billion passenger-miles of travel now accomplished in automobiles into other forms of conveyance. Enactment of both his bill and mine would be important steps toward realization of that goal.

Mr. President, I ask unanimous consent that the text of Senator NELSON'S July 13 statement to the roads subcommittee, omitting the appended tables and exhibits, be printed in the RECORD.

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

STATEMENT OF SENATOR GAYLORD NELSON

Mr. Chairman, you and your committee are facing decisions of literally awesome importance. Before the year is out, the Congress, guided by this subcommittee, might well take actions that will affect not only the quality of transportation but the quality of life in this country for the rest of the century and beyond. Certainly the country can only be encouraged by your first decision in this process: your decision to hold wide-ranging hearings *before* the introduction of a new, omnibus highways bill.

While it is a privilege to have been invited to participate in your deliberations on highway policy as related to total transportation needs and environmental concerns, it is also humbling if only because of the massive dimensions of the challenge. The vast experience of the subcommittee's members is well known. Further, in preparation for this occasion, I have read quite a bit of the testimony presented at the first round of these hearings, and in the hearings before your House counterpart. Some of those statements are "hard acts to follow." In that category could be placed, among others,

Chairman Randolph's June 3 statement on the Senate Floor, announcing these hearings; Senator Proxmire's statement of June 9; and the June 10 testimony of Mr. Slayton of the AIA (American Institute of Architects), in which the American Institute of Planners (AIP) concurred.

Mr. Chairman, this is a rather lengthy prepared statement, including some tabular material that is not very readable—aloud. With your permission, I shall offer it in its entirety for the record and then reverse the usual order of things by stating my conclusions and recommendations at the outset.

CONCLUSION: AMERICA'S TRANSPORTATION PRIORITIES NEED RADICAL CHANGE

It seems quite clear to me, despite the forcefully expressed contrary impressions of many good citizens and good friends in the highway-related industries, that our automobile-highway transportation system has gotten completely out of hand.

It has become too large, too costly, too wasteful and, ironically, falls far short of meeting our transportation needs.

The country has become enmeshed in a vicious cycle: we build more roads because more people are buying cars; then more cars are built and sold because the roads are there and other ways of getting around on the ground are not there.

The resultant problems of mounting accidental deaths, resource consumption, junk disposal, air pollution, noise, traffic jams, human dislocations and disruptions, destruction of city neighborhoods, uglification of both the urban and rural scene, and the decline and fall of mass transit are reaching —and in some places have reached—disaster proportions.

The 1970 Highway Needs Report, like its predecessors, defines "need", unfortunately, in terms of the amount of new pavement required to accommodate projected increases in the population of motor vehicles. Those projected increases are accepted as if carved in stone and beyond human intervention.

Today we have 105 million motor vehicles in the United States. The Department of Transportation tells us that there WILL be 134 million motor vehicles by 1980 and 158 million by 1990, and establishes the requirements for additional highways on those numbers. The required roads, according to the American Association of State Highway Officials (AASHO), will cost $320 billion over the next 15 years. We have no estimate on all the parking lots and garages and other hundreds of thousands of acres of land that must be paved-over and surrendered forever to the automobile and the truck.

There is no reason those increases must be accepted as inevitable.

Instead of asking, "How can we accommodate 'X' millions of additional cars by 'Y' year?", we should be asking ourselves and the experts, "How can this Nation most rationally, efficiently and economically, by a set year, be accommodating a national demand for the trillions of miles of travel, in cities and between cities, by persons and goods?"

Our focus should be, constantly and without flinching, on the *social* need for the best possible transportation for the maximum number of people. We should be distracted if at all only temporarily and always secondarily by considerations of the *economic* needs of particular vested-interest industries.

Another conclusion which it is hoped this subcommittee may share with me is this: the highway related industries are in my judgment mistaken in their insistence that the American motor vehicle owner will rise up in outrage against the State or Federal legislator who dares spend gasoline and other vehicle taxes on something other than roads. There are persuasive indications that the exact reverse is true. The vast majority of vehicle owners will enthusiastically welcome alternative modes of transportation which will lessen congestion on the roads and offer alternatives to driving, thereby presenting the option of reduced physical strain, frustration and vehicular expense.

In fact, unless we develop some alternative, such as efficient inter and intracity ground transportation systems, the dependence on the automobile will continue in its explosive growth until the roads will become so congested that the automobile will be virtually useless.

It is abundantly clear from all the evidence that an urgent social need now exists to make immense improvements and changes in the American transportation system. To make these improvements will require radical changes in America's transportation priorities. Any change in priorities will first require majorities in both houses of Congress who believe that people are ready, willing and anxious to have the improvements and changes made. Unfortunately, it will not be easy to convince the Congress that people will accept efficient methods of ground transportation over the passenger car, even though there is substantial growing evidence that they will.

RECOMMENDATION: THE HIGHWAY TRUST FUND SHOULD BE PERMITTED TO EXPIRE

If the foregoing conclusions about needs and capabilities are accurate, it seems to follow that we must, as soon as practicable without breaking legal or clear moral commitments, terminate the segregation of high way tax moneys in the Federal Treasury.

The highway trust fund is a fairly recent fiscal invention. In all the years before 1956, Congress appropriated moneys for Federal aid to the States for highway building on an annual basis from the general fund. Receipts from highway taxes went into the general fund.

To this day, great social needs, including most of those involving Federal aid to the States, are still financed in that way. Housing does not have a trust fund. Education does not have a trust fund. Rivers and harbors do not have a trust fund. Even national defense is financed without a trust fund, with the Congress thereby retaining complete control of the vast moneys involved.

It is the same with tax receipts. Cigarette taxes, liquor taxes, oil royalties, and—biggest of all—income taxes all go into the general fund of the Treasury, with the most minor, partial exceptions. Only in the case of highway-user excise taxes does segregation occur.

The highway trust fund imposes a tax on a tax. In those years when Congress does not appropriate or the Executive does not expend all the segregated moneys in the fund, interest must be paid to the fund from the general Treasury. In fiscal year 1969, the interest earned by the highway trust fund was $53 million. In the first three quarters of fiscal 1970, the same amount of interest was earned—$53 million. I have not seen the year-end figure, but the Treasury estimated it would reach $102 million for the full 1970 fiscal year. The Treasury's estimated net interest income of the trust fund for future years is $145 million in 1971 and $190 million in 1972.

The time has come to break out of this system. Sound fiscal policy would dictate that Federal-aid highway funds be appropriated in consideration of a total view of national priorities. That total view of priorities will change from time to time.

My recommendation is that the highway trust fund be permitted to expire on the date presently set by statute, October 1, 1972, or within two years thereafter.

It is argued that all user tax funds are needed because the actual, growing highway needs are always much greater than the amounts produced by the highway user excises. That was probably true as a general proposition during the 25-year period of the mid-1930's to the late 1950's, when expansion of the auto and truck population was explosive.

But we went too far. The result of the pressures then was overemphasis on highway transportation. That, in turn:

1) destroyed mass transportation or inhibited its development;

2) degraded the quality of highway transportation by overcrowding the roads as fast as they were built.

It is now time to restore balance, and abolition of the trust-fund concept would be the best way to do it. But I recognize that may be temporarily impossible, in terms of practical politics, vested contractual commitments, or the sincere contrary convictions of this committee and majorities in Congress.

If so, we should take the next-best step. We should earmark some moneys in the highway trust fund for other forms of transportation, including both highway and off-highway urban mass transit systems. That is the purpose of a bill I have introduced (S. 3996). That bill would set a national policy of completing the Interstate Highway System as presently authorized. Then the moneys from the trust fund now going for the Interstates would be earmarked for financing alternatives to the highway and the automobile.

I have offered this bill for your consideration, and asked that it be referred here before its normal referral to the Finance Committee. That was done, not because I think the highway trust fund should be continued, but because it probably will be, whatever my preference. If it is, then the approach of that bill seems to me to be preferable to the creation of a new, general transportation trust fund to supersede the existing highway trust fund. A transportation trust fund would all too soon and too likely become as difficult a fixture to bend to changed social needs, or improved perceptions of old social needs, as the highway trust fund has become. Still, a general transportation trust fund is clearly an improvement over a highway trust fund.

Whether by continuation of trust-fund financing or otherwise, it is also my recommendation that the rural portions of the presently authorized, 42,500-mile Interstate System be pressed to the speediest possible completion. As for the urban portions—especially those that are so hotly disputed in 11 cities—I support Chairman Randolph's statement when he announced the present hearings that, "I have requested that Secretary Volpe contact the governors and mayors concerned to ascertain their views as to the desirability of removing these high-cost, troublesome routes from the designated Interstate System."

With the Chairman, I shall be awaiting the Secretary's report, and hoping that the Congress, in its turn, will let the cities concerned have the last word on whether the costs of the controversial highways too far exceed the benefits to be acceptable.

If we are going to let the cities decide that they don't want such-and-such mileage of urban Interstate Highway, then it seems only reasonable and fair to let them, if they wish, have the same Federal money that would have gone into that urban mileage to build other transportation more to their needs and liking. That, of course, is the policy which would become law if Senator Tydings' bill, S. 3960, were enacted. This seems to me so sensible, and indeed urgently necessary, that I have asked to become a cosponsor of the proposal, and I join the Senator from Maryland in his expressed hope that this committee will include the main ideas of that bill in the omnibus legislation it will soon draft and report.

Even where an urban Interstate segment is desired by the city government concerned, it would seem appropriate for Congress to constantly review and re-review all unstarted portions in the light of increasing costs and possible alternative transit modes. The

Chicago crosstown expressway, now estimated to cost $50 million a mile for 20 miles, is a graphic example.

The remainder of this statement is an elaboration of the previous conclusions and recommendations.

THE AUTOMOBILE-HIGHWAY TRANSPORTATION SYSTEM HAS GROWN TOO LARGE

One trillion miles of driving—"around town."

Sometime in the late '50's, the number of passenger-miles covered by Americans in domestic travel crossed the mark of 1 trillion in a year. This year, Americans in transit (along with visitors to America) will accomplish close to 2 trillion passenger-miles of domestic travel.

The term "passenger-mile" means one person riding one mile, by whatever means of conveyance. It should not be confused with "vehicle-mile," another measurement of travel that is often used. Obviously, a "vehicle-mile" covered by one bus, train, or commercial airplane involves many more "passenger-miles" than a "vehicle-mile" covered by one automobile, or one motorcycle. In this statement, the reference is always to "passenger-miles," the least-common-denominator of the methods of transportation.

Table 1A shows the number of passenger-miles traveled in the four main transportation modes in several recent years. The source of the information is the National Safety Council's annual publication, Accident Facts, for the years shown.

Table 1B shows the number of passenger-miles traveled by Americans on overnight trips out of town, or of 200 miles or more in a day. That information is from a 1967 survey by the Census Bureau.

Table 1C shows the relationship between the 1967 data from the National Safety Council and the 1967 data from the Census Bureau. In other words, it gives a rough idea of the percentage of total travel by car, bus, train and airline that represents local (or "non-trip") travel.

(Note: Tables referred to not included in the RECORD.)

What we see is this: 84 percent of all the passenger-miles traveled in 1967 in automobiles was essentially short-haul, local travel, not travel on trips out-of-town overnight or for long distances. In other words, more than a trillion passenger-miles in automobiles in 1967 were traveled by persons driving back and forth to work, to the store, from farm to town, around town on errands or visits. Our own senses confirm this impression as we look out our car windows at the now-typical rush-hour traffic jams which afflict even our smaller cities—traffic jams generally characterized by one person in one car.

If we can make money available that begins to approach the generosity of Federal spending to encourage highway building, we can create alternative modes of local, short-haul transportation for at least the high and medium-density population areas. If these alternatives are attractive enough to shift even half of the trillion-plus passenger-miles of annual, local automobile travel into other forms of conveyance, the "pill" to check the automobile population explosion that Secretary Hickel recently called for will have been found.

THE DESTRUCTIVE POPULARITY OF THE AUTOMOBILE

As Tables 1A and 1B so clearly show, the automobile is far and away America's favorite mode of travel. The highway lobby argues that, since we elect to accomplish well over 90 percent of our total passenger travel by auto, taxi and bus, to say nothing of the importance of trucking, there is nothing unreasonable about spending 75 percent of Federal transportation outlays for roads. (Federal spending for different modes of transport for the period 1947–1970 is shown in Table 2 not printed in RECORD.)

That argument is no longer valid, if it ever was. Among the more thoughtful of our citizens, at least, mere popularity is no longer an adequate defense for the immense social costs of the automobile.

Those costs to the Nation and to the cities in particular are now familiar to this subcommittee. Most of the costs were listed at the outset of this statement and need not be repeated.

The question that now seems important is, how much of the automobile's popularity is due to overspending for roads and inadequate spending for alternatives instead of—as the vehicle and road builders would have us believe—the other way around?

Suppose that our response to the obvious inadequacy of the Nation's roads for the Nation's mushrooming vehicle population in the mid-fifties had been, not just to build more roads, but to spend for highways *half* the amount of money we then decided to spend, and a like amount for other systems of transportation. How would our country be different today?

No one can ever know now, for certain—but the juxtaposition of a few interesting and significant numbers supports a strong theory that what "might have been" would be significantly better than what was, and is.

The first two numbers to compare are the amount of Federal funds we have spent on the Interstates since 1956 and the amount we have spent in support of both urban and inter-urban rapid rail transportation systems, the latter not beginning until 1965 in anything above a trickle: the Interstates: $32 billion. Rail transit: well under $1 billion.

Here is another interesting comparison. The American Transit Association says the country needs to spend $28.2 billion for mass transit in the next 10 years. By inference, that could be $42.3 billion for 15 years. The American Association of State Highway Officials sees a need for $320 billion for highways over the next 15 years. The highway lobby's ambitions are over seven times bigger than the transit lobby's.

As was pointed out when S. 3996 was introduced, the Metroliner has demonstrated that even small outlays and fairly modest improvements in service can attract large numbers of new riders to inter-urban rail transportation. Since 1965, the Congress has authorized a niggardly $127.4 million for the High Speed Ground Transportation Act and has appropriated an even more niggardly $76 million. Compare that five-year total with the $4 billion of Federal money being spent this year on the Interstates! Out of that $76 million, about $2 million of Federal money with some $60 million of Penn Central corporate money has given the Northeast Corridor traveler the Metroliner. And the Metroliner in its first year, increased the number of rail travelers between Washington and New York by 46 percent. No one who has experienced the New Jersey Turnpike, or Washington National or LaGuardia Airports in a typical late-afternoon crush can doubt that any diversion of traffic from those travel facilities would be of great benefit to those trying to use them. And yet the Metroliner is only a small improvement over the service previously offered, and far, far from what is possible, with existing technology and a little money.

While we are on that $76 million for the High Speed Ground Transportation Act, we could also note that appropriations under the Urban Mass Transportation Act of 1964 have totaled $795 million. We could compare both of those numbers with the $1.3 billion past and projected appropriations of Federal money to get two prototype supersonic transport aircraft into the air, maybe, someday. That last, of course, may not be directly relevant to this subcommitee's present deliberations; but it is interesting as further evidence of the country's truly astonishing transportation priorities and values.

In Tables 2 through 13, appended to this statement,* there are some further statistical data by which governmental aid to the various modes of transportation can be compared in more detail. The tables also include data on highway tax receipts.

The conclusion seems to be inescapable: our spending for highway transportation has so far outweighed our spending for other forms of urban and inter-urban ground transportation that we have not given the other modes a fair chance to prove what drawing power they might have, if developed with even half the monetary generosity that has characterized our development of roads. Since we have not done and cannot do it sooner, we must do it now.

THE POLICY FOCUS: HIGHWAYS VERSUS TRANSPORTATION VERSUS LAND USE

The argument of the highway lobby is that there will be a projected growth in the vehicle population by a set year; therefore there must be a corresponding increase in the highway mileage constructed. This is usually followed by some mention of the economic importance and the political clout of the various industries associated with highway transportation—indisputable both. There is, finally, the assertion that, highway-user taxes having been increased expressly to pay for highways, it would be ethically wrong and politically foolish to spend highway taxes for anything but roads.

Congress has accepted this argument too long. The country is now mature enough politically, and in bad enough shape socially and ecologically, to permit and require that highway planning now give way to total transportation planning, as Chairman Randolph eloquently stated in his announcement of these hearings. The time has come for transportation planning to be viewed as an integral part of over-all land-use planning—as the American Institute of Architects suggested in its statement. The modes and the placement of transportation facilities shape and place limitations on the use of the land. There must be concerted planning and integration of the whole into harmonious, rational balance for environmental protection and for the quality of living.

There is a need to shift at least 500 billion passenger-miles of urban travel a year away from privately-owned, passenger-operated cars. These one-passenger, five-empty-seats, one-and-a-half-ton vehicles must give way to more modern and less wasteful and destructive conveyances. That is a development which the automobile and highway-building industries can and should cooperate in achieving. These are developments the public and, increasingly, the State governors will support.

Item. Strong editorials and articles in the Wall Street Journal, the New York Times, the Washington Post, the Minneapolis Tribune, and the Des Moines Register, among others, have attacked the highway trust fund in recent weeks and have called for shifted transportation priorities. I put the Minneapolis Tribune articles in the Congressional Record on June 3, 1970, page 18062. The others mentioned are appended to this statement.**

Item. On January 11, 1970, National Educational Television's popular Sunday night program, The Advocates, debated the question, "Should half of the Highway Trust Fund be devoted to mass transit?" Chairman Randolph was a guest on that program. As usual, viewers were invited to mail in their "votes" after listening to the arguments pro and con. The response, as of February 3:

*Not included in the CONGRESSIONAL RECORD. See hearing record.

**Omitted from the CONGRESSIONAL RECORD. See hearing record.

out of 1,509 signed "votes" received, from 45 States and the District of Columbia, 92.7 percent favored the proposal, 5 percent were opposed, and 2.3 percent expressed other views.

Item. Two eloquent, angry books have been published recently attacking the disproportionate highway spending of this country, and the high social costs of the automobile-highway transportation system: Road to Ruin by A. Q. Mowbray, and Superhighway—Superhoax by Helen Leavitt. I am aware of no comparable books reflecting an opposite view.

Item. A recent survey by the Federal-State Relations Office of the National Governors' Conference revealed greater willingness by the States to spend highway revenues on nonhighway demands, including mass transit, pollution control, airports, and marine activities.

Item. Secretary Volpe has repeatedly stated his belief that the highway trust fund should give way to a transportation trust fund.

This country has shown remarkable ability to do what it wants to do. In 1941, America's last full pre-war year before World War II, our automobile industry produced close to 3.8 million passenger cars, over 1 million trucks and buses, for a total of 4.8 million motor vehicles. During the war years, 1942–45 inclusive, passenger-car production totaled only 293,143 units, dropping to an annual low of 139 units in 1943. Truck production in the same grim four-year period was 2,911,558 units, total. In 1946, the war over, passenger-car production soared to 2,148,699 units, to over 3.5 million in 1947, and has been climbing every year, with rare exceptions, since.

It is my belief that an industry which can shift so thoroughly and quickly from peacetime to wartime needs, and back to peacetime again, is equally capable of responding to changed national priorities and demands in the numbers and types of vehicles in which we ride, without prolonged or substantial disruptions of either jobs or profits. The magnificently versatile, giant companies that comprise the automobile and truck manufacturing industry can, in short, do what the Nation requires of them. It is my hope that, before too long, our requirements of them will be for a far more rational and less wasteful quality and quantity of vehicular production than at present.

It is also my belief that many companies not now producing ground transportation vehicles and systems have the capability to enter that market. They could introduce not only improvements on the old familiar forms of conveyance—the bus, jitney bus, train, trolley car, subway-elevated cars, highway-median rail cars, and monorails—but many dazzling new forms: single- and dual-mode automated guideway systems, air systems, and assorted other mind-boggling AUTS (advanced urban transportation systems) calculated to make life tomorrow better than today. Some of these are as yet undreamed of, others just dreams but ready to come to reality. May I interject here: how much more useful and sensible it would be for the country and its stockholders if the Boeing Company would only pin its future to some such transportation activities as these, instead of the SST.

TRANSPORTATION FINANCING

The bill I have introduced, S. 3996, assumes that the highway trust fund will continue for some time to come, but with dramatically shifted expenditures following completion of the Interstate System. That bill, let me now explain, was introduced for discussion purposes and referred to this committee at my request because I wanted it to be here for your consideration as a possible compromise solution to the conflicting courses being forcefully urged upon you at these hearings.

At one extreme the American Association of State Highway Officials and the other members of the highway lobby are urging a permanent highway trust fund, untouchable for anything but highways and projects having a direct relationship to highways. At the other are those who believe it is time to terminate the trust fund.

One popular proposed way to compromise these opposite positions would be to change the highway trust fund into a transportation trust fund. As it is usually described, the new transportation trust fund would have provisions for earmarked outlays for each of the modes of transportation, and some further provision for shifts of funds from one mode to another. While I would consider this proposal some considerable improvement over the highway trust fund as it presently stands, I do not advocate it. My position is that we would do better to keep the highway trust fund, with provisions for broader usages of the money therein, as proposed by S. 3996. The reason is that this latter approach to needed reform, in my judgment, would not be as likely to take root and become permanent as would a transportation trust fund. The approach of my bill would contain more hope of getting the country back to general-fund, annual-appropriation financing at an earlier date.

I end where I began: if annual appropriations from the general fund and full, flexible control by the Congress are good enough for national defense, for housing, for education, for rivers and harbors, why are they not good enough for highways and for transportation generally? I say they are—but, if this committee disagrees, then in my judgment, S. 3996 offers a better approach than a new, broadened fund.

CONCLUSION

The national policy for highways should be fully integrated with national policy for transportation generally, which, in turn, should be viewed as a part of total land-use policy.

There should be promulgated and pursued a positive national goal of developing modes of urban transit which will induce a shift of at least 500 billion passenger-miles annually of local, short-haul travel out of private, passenger-operated automobiles and into more efficient, non- or less-polluting, public vehicles, at the earliest possible date.

Transporation systems should be shaped to the travel needs of society, not to, and by, the economic needs of established corporate and bureaucratic interests. Where economic dislocations are involved in the processes of necessary change and improvement, the role of Government should be to help affected industries and companies convert to more socially useful and needed endeavors. Government should not join the industries and businesses in obstructing the socially needed changes and improvements simply because they are economically inconvenient.

MEN PHYSICALLY UNFIT FOR MILITARY DUTY

Mr. SCHWEIKER. Mr. President, in 1968 a Comptroller General investigation made at my request found that for fiscal years 1966 and 1967 the Pentagon enlisted or drafted some 40,000 men physically unfit for military duty at a cost of over $19.6 million for 1967 alone.

I was appalled by this report, and because I am continually receiving letters from servicemen regarding physical defects prior to entering the service I asked for another study on April 10, 1970, to "update" the 1968 report.

I have received the new report and am concerne dby the statistics. A total of 39,400 men during fiscal years 1968 and 1969 have been discharged because of physical defects which existed prior to entering the service. It cost the Pentagon an alarming $17.6 million in fiscal year 1969, a cost, by the way, which does not include training, so the over-all cost to the taxpayer is much higher. I should also point out that for both report periods the ratio of such discharges to total accessions was the same—2.3 percent.

This report shows that we drastically need increased Defense Department attention paid to the quality of inductee physical examinations. The psychological and personal hardships to the men and their families caused by inadequate examinations cannot be tolerated.

The GAO report noted a number of improvements pertaining to examining stations, including specialized training for military medical officers assigned to examining stations, and general upgrading of examining stations facilities.

Development is already underway of "a prototype of an automated medical examination system for use at the station in Philadelphia, Pa." On the other hand, the examining station in Pittsburgh with a capacity of 200 men daily, had a workload in April 1970, ranging from 65 to 350 daily, which alone lends itself to serious concern.

Although I am pleased that improvements in the examining process have been made since I received the 1968 report, the fact that the over-all rate of such discharges has not changed indicates to me that these examinations must be drastically improved.

Mr. President, as a member of the Committee on Armed Services and a longtime advocate of the all-volunteer army, I know that if we are to maintain our high military standards, with the hope of eventually creating an all-volunteer force, we must start at the foundation—the physical examinations. For instance, after complaints of back pains, a man was discharged from the Air Force when an examination revealed the absence of muscles on the left side of his body, including his shoulder, hand, forearm, upper arm, back of left side, and buttock area. The fact that this condition existed at the time of his enlistment is not only shocking, it is inexcusable, and must be corrected immediately.

I ask unanimous consent that the summary of the updated report prepared by the GAO for fiscal years 1968 and 1969 and my own letter requesting the report be printed in the RECORD.

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

COMPTROLLER GENERAL'S REPORT TO HON. RICHARD S. SCHWEIKER, U.S. SENATE

WHY THE REVIEW WAS MADE

By letter of April 10, 1970, Senator Richard S. Schweiker requested the General Accounting Office (GAO) to update its report of March 21, 1968, on discharge of enlisted personnel because of physical defects that existed prior to entrance into military service. (See app. I.)

GAO was requested to examine into the same areas as those covered in the 1968 re-

port and to report on the present status of the activities of the Armed Forces Examining and Entrance Stations and of the Office of the Surgeon, U.S. Army Recruiting Command, which is responsible for the physical examinations given at the examining stations, and to present a current picture of the experience and improvements since the 1968 report period.

Because of limited time (the report was requested in about 60 days), GAO concentrated on obtaining data from responsible officials and from available reports and did not visit the examining stations. GAO has not obtained written comments from the Department of Defense on the matters discussed in this report; however, GAO has notified the Department of the subject matter of the report and the date of its release.

FINDINGS AND CONCLUSIONS

For fiscal years 1968 and 1969, the number of enlisted personnel discharged because of physical defects that existed prior to service exceeded 39,400 compared with about 40,200 for fiscal years 1966 and 1967, the period covered by GAO's 1968 report. For both report periods, the ratio of such discharges to total accessions was the same—2.3 percent. Statistics for the Army and Air Force for the first part of fiscal year 1970 indicate possible increases in their discharge rates. (See pp. 8 to 10 and exhibit A.)

GAO estimates that about $17.9 million was expended during fiscal year 1969 by the military services for pay and allowances, uniforms, and travel of personnel discharged because of preservice physical defects after serving in the military for a year or less. Reviews made by the Surgeon, U.S. Army Recruiting Command, of about 5,000 discharges involving preservice physical defects show that only 13.2 percent should have been detected at the examining stations before entry into service. Information on the length of service of such personnel was not readily available for fiscal year 1969 from which to compute the cost to the Government. Most of those cases would have been discovered shortly after entry into the service; therefore the costs would be relatively low. (See pp. 14 to 16.)

Files of the military services include cases where physical defects should have been detected during the physical examination at the examining station. GAO noted cases involving members who had only one kidney, congenital underdevelopment, poor vision, or one leg shorter than the other. (See pp. 30 to 33.)

Inquiries made of personnel at the Office of the Surgeon, U.S. Army Recruiting Command, and the Office of the Surgeon General, U.S. Army, indicate that—

Although some improvements have been made, not all files for persons discharged for physical defects existing prior to service are being received by the Surgeon, U.S. Army Recruiting Command, for review.

About 35 percent of the files received—the same percentage as in the 1968 report—cannot be graded because they lack the data essential for determining whether or not the physical defect should have been detected during the physical examination at the examining station.

The Tri-Service Regulation, proposed in 1967 to correct irregularities in forwarding discharge files to the Surgeon, U.S. Army Recruiting Command, has not been issued because the regulations of the individual services were deemed by the military departments to be adequate.

In GAO's opinion, controls should be established and implemented to ensure that the Surgeon receives all the records he requires to discharge his responsibilities for reviewing files of persons discharged for physical defects that existed prior to service. (See pp. 17 to 20.)

For many years, scheduling an even daily workload through the examining stations has been a problem. GAO has found indications that the problem still exists. For example, the station at Houston, Texas, has the capacity to examine 150 persons a day. The planned workload for May 1970 showed that the capacity would be exceeded on 17 of the 21 examination days and that the daily workload ranged between 63 and 278. Examining station staffs are augmented with civilian physicians when the workloads exceed station capacities; thus, in the opinion of Department of Defense officials, the overloads should not affect the standard of performing physical examinations. (See pp. 20 to 22.)

GAO has noted the following improvements pertaining to examining stations:

Specialized training for military medical officers assigned to examining stations has been instituted in an effort to reduce discharge rates. (See p. 18.)

A project is under way to develop a prototype of an automated medical examination system for use at the station in Philadelphia, Pennsylvania. (See pp. 23 and 24.)

Progress has been made in upgrading the facilities of some stations, but lack of sufficient funds has held this progress to a slow pace. (See pp. 24 and 25.)

The Surgeon, U.S. Army Recruiting Command, believes that local Selective Service Boards are providing the examining stations with all available medical data. GAO's inquiries indicate that only a few members have been discharged because of physical defects existing prior to service which entitle them to disability retired or disability severance pay, or to benefits administered by the Veterans Administration. (See pp. 26 to 29.)

EXHIBIT A

EPTS CASES AND RATES FOR FISCAL YEARS 1968 AND 1969 BY MILITARY SERVICE

	Fiscal year 1968			Fiscal year 1969			Total for fiscal years 1968 and 1969		
	Accessions	EPTS discharges	EPTS rate	Accessions	EPTS discharges	EPTS rate	Accessions	EPTS discharges	EPTS rate
Army	533,082	10,403	2.0	455,202	6,463	1.4	988,284	16,866	1.7
Navy	143,485	3,484	2.4	165,587	4,542	2.7	309,072	8,026	2.6
Marine Gorps	97,787	3,530	3.6	94,324	4,889	5.2	192,111	8,419	4.4
Air Force	90,248	2,637	2.9	117,325	3,464	3.0	207,573	6,101	2.9
Total	864,602	20,054	2.3	852,438	19,358	2.3	1,697,040	39,412	3.2

Note.—We obtained the above data from reports of military services in generally the same manner as we did for our 1968 report. To develop the estimated EPTS discharge rates, we divided the number of personnel discharged because of EPTS physical defects by the number of accessions. In general, we included as accessions all first enlistments, inductees, and other enlisted personnel taken into the armed services who did not have prior active service. Although the individual services use differing reporting formats, we believe that we have included the bulk of enlisted personnel who received EPTS discharges and also those who entered military service for the first time.

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, D.C., April 10, 1970.

Hon. ELMER B. STAATS,
Comptroller General of the United States, General Accounting Office, Washington, D.C.

DEAR MR. STAATS: During March, 1968, you issued report number B-146986, relating to Enlisted Personnel Discharged because of Physical Defects that Enlisted Prior to Entrance into Military Service. This report was the result of my request to you based on complaints from a significant number of my constituents who had experienced problems in this area. An earlier report on the same subject, had been issued on April 2, 1965.

At this time, I believe it would be most useful to determine the present status of the activities of the AFEEs and the office of the Surgeon, USAREC, and a current picture of the experience and improvements in this area during the time subsequent to the period covered by the statistics in that 1968 report.

Because of the groundwork laid by that report, I would hope that an updated version, including an investigation into the same area, and with particular attention to the current status of the individual services' and the AFEESs' own efforts to make improvements in their procedures (as highlighted in the previous report), could be provided within a period of perhaps 60 days.

My legislative assistant, Mr. Blakeslee, will be available to discuss this matter further with the appropriate individuals in your office. I will greatly appreciate your assistance in initiating action on this matter as soon as possible.

With best regards.

Sincerely,

RICHARD S. SCHWEIKER,
U.S. Senate.

PLIGHT OF THE COTTON FARMERS OF GEORGIA

Mr. TALMADGE. Mr. President, probably no other Government endeavor is so widely misunderstood or the subject of blatant distortion as the farm program. Surely no segment of our society is more maligned than the farmers who receive Government subsidies. The typical newspaper cartoon pictures fat, overstuffed farmers lounging on mountains of taxpayers' money while the needy people of the Nation go hungry. The editorialist usually characterizes farm subsidies as fat profits for rich farmers.

Nothing could be further from the truth. Large farmers, as well as small farmers, are caught in an inexorable cost-price squeeze. At present price levels, the cotton farmers of the Nation have an extremely difficult time in staying solvent—not to speak of making a profit. Moreover, if the cotton farmer is not large enough, he cannot economically produce cotton. Only a large unit can justify the tremendous outlay of funds required to buy the expensive equipment for growing and harvesting cotton.

In my own State, this economic fact of life has resulted in the small farmers leasing their cotton allotments to the few large farmers who are still willing to grow it. A writer for the Atlanta Journal and Constitution Magazine, Andrew

Sparks, has done an excellent job in describing the plight of the cotton farmers of Georgia. Mr. Sparks interviewed the three Georgia farmers who last year received more than $100,000 apiece from the Federal Government. As the writer pointed out, one of these farmers was planting the cotton allotments of 72 different farms, so the $100,000 payment was actually split 72 ways. In addition, the subsidy is used to pay the salaries of five or six farmworkers.

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:

TROUBLE IN THE COTTON FIELD

(By Andrew Sparks)

Three Georgia farmers last year received more than $100,000 apiece from the federal government.

Many a taxpayer, remembering his personal involvement in government programs back at income-tax time, might envy the farmers and dream of having a little place of his own where he "could do nothing and get rich."

But farming is not like that, according to the men who received more than $100,000 in price support payments from Uncle Sam, one in north Georgia, one in middle Georgia, one in south Georgia.

They are cotton farmers, and raising cotton, they say, is the most expensive kind of farming you can do. It is so expensive, they claim nobody in this country could grow cotton without government support.

These top money men—the biggest cotton farmers in the state—were Asbury Wright of Dooly County, who received $123,156 in government payments: Hubert Cheek Jr. of Hart County, $114,065; and Guy H. Shivers of Warren County, $105,031. For them, cotton was no bonanza. One of the men says he lost money on his 1969 cotton crop, even with more than $100,000 in aid from the government. Another, who at times borrowed as much as $200,000 to finance his crop, figures he had a total net profit on his entire farming operation of only $14,000. The son of the third says, "We didn't make the laws, and everybody farms the way he does trying to come out with the most money."

Hubert Cheek, who lives in a tiny north Georgia town called Bowersville, seven miles from the county seat at Hartwell, grows cotton on 72 different farms. All but one of them are somebody else's. The only farm he owned he has now sold to a south Florida cattleman who will take it over in 1972. Mr. Cheek's operation is so far flung he has to mark the sites on county maps and carry a list in his pocket to keep up with where he is planting, plowing, spraying and picking. Without him, and maybe a dozen smaller farmers who operate the same way, the bulk of the cotton in Hart County would not be planted.

Mr. Cheek rents land and rents cotton allotments and grows his crop in scattered patches over an area 10 miles square. He says if limitations are set on future crops and the amount of federal payments one farmer could collect in one year is restricted to $20,000 he could simply let each of the 71 farm owners collect the government payment and hire him to produce the crop. Twenty-four of the farms he plants are owned by widows ("It's kind of a sob story," Mr. Cheek says) and few of them could grow cotton themselves.

Many of the owners—widowed, retired or gone to work at industrial or city jobs—would get no income at all from their farms without Mr. Cheek's help. His rent money often pays the owner's taxes, which have risen considerably under Hart County's tax reevaluation, and part of the owner's living expenses as well. Mr. Cheek's crop also keeps the cotton allotment on the farm. If unused, the allotment would revert to someone else, and if not used in Georgia would go to another state.

Bud Cheek's base of operations is a range of brick buildings facing the railroad tracks in Bowersville. His father, and his grandfather before that, operated a farm supply business in the big brick stores, back when Bowersville was a prosperous town and every little Hart County farm supported at least one family. The big buildings are now used as shops for repairing farm machinery. There's so much of it, inside and out, the place looks like an equipment dealer's display yard for second-hand tractors, pickers and sprayers. All the equipment is Mr. Cheek's—thousands and thousands of dollars' worth.

"Farming has got to where a man can't own both land and machinery," he said. "All over the United States the bulk of farming is now done by people who lease other people's land. All of the farms I work used to support one or two families. Now they won't support any.

"I didn't intend to do all this cotton farming, but my neighbors came and begged me to work their land. I turned down 1,000 acres of cotton this year. I couldn't get to it, and the owners couldn't get anybody else to do it.

"Mine is just a one-man operation. No partners. No corporation. Just me. I usually have five or six workers. We use all modern equipment, like sprayers to put out weed and insect control. I have 15 tractors, including late model highboys. Here's the first tractor I ever bought—in 1949," he said, walking around the corner of his shop to point out an old machine that had been retired to the shade of an ancient oak. "This tractor cast $2,500 back when we were getting 45 cents a pound for cotton. Today, when the market for cotton is down to 20 cents, that same tractor costs $8,000. Fertilizer and labor are up—we pay all the wage increases across the board. A cotton picker costs between $20,000 and $25,000, and I have three. It's not economical to use them in a lot of little scattered fields, but I do."

Most men are sensitive about the public exposure of their private finances, and Mr. Cheek was understandably riled when newspapers started publicizing how much he received each year from the government. Rep. Paul Findley, a Republican from Illinois, supplies Congress with an annual list of every farmer who receives more than $5,000 as part of the Findley campaign to limit farm subsidies to $20,000 per individual. Mr. Cheek's payments have increased from $60,000 to $80,000 to $114,000 over the last three years as he has upped his cotton acreage. The figures have been reported in state and local papers.

"Folks have tried to sell me everything but the Brooklyn Bridge since the stories started coming out," Mr. Cheek said. "It used to make me mad as hell. I could have stopped it. I could have let the money come to the people who own the land and let them pay me for growing the cotton. It never would have been noticed. But I believe this way is better. I have to pay income taxes on it anyway. But the publicity got rough before I began to sway with it.

"In the last four years, 50 people have been here to see me. They've come from as far away as Washington and California. I'm just not that large. I've got a friend in California the government pays $2 million to. My operation is just like a handful of marbles.

"Basically, the government is paying farmers what it used to pay the textile mills. For years and years we had a two-price system on cotton. Cotton brought about 22 cents a pound on the world market, but it sold for around 32 cents a pound here. The government paid the mills the difference between the world market price and what they had to pay to buy cotton in this country. It was a rebate to the mills. If a mill bought a million dollars' worth of cotton they'd be rebated between $300,000 and $400,000 in a direct payment from the government. That was never mentioned. Then the mills got scared of possible publicity, and the government gave the money to the farmers. Farmers have been getting the money for four years."

Georgia Sen. Herman Talmadge sponsored the 1965 Agriculture Bill which brought about the change.

Most of the big money payments in Georgia are for cotton. Mr. Cheek says cotton is responsible for 99 per cent of his. Three crops have a price support—cotton, wheat and feed grains, which are corn, barley and grain sorghum.

Wheat and feed grains are "diversion" programs, in which a farmer can divert some acreage to something else, or leave some acres idle, and receive a payment. But in cotton—unless he has less than a 10-acre allotment—he's got to grow it to get it. He is paid on the basis of his projected yield, determined by the past history of the farm. And he can draw a payment—currently 16.8 cents a pound—for only a certain part of his allotment, set each year by the secretary of agriculture. This year it is 65 per cent.

"What this money is doing, like any money the government puts out, is getting people to cooperate in something," says Paul Holmes, state executive director of the Agricultural Stabilization and Conservation Service, which handles the payments and allotments. "The government is asking farmers to participate in orderly production, asking them to leave land idle—as in the grain program—and to limit the cotton production to what we think we need.

"Our program is available to everyone. When it was designed, it was never intended that anyone would get $100,000. What these big farmers have done is buy up land, rent farms, lease allotments—agriculture is no different from radio or any other business; you're always going to have the J. B. Fuquas and the Coxes. When you hear about a farmer who has received $100,000, you know he's gone out and exposed himself. What I feel for him is not envy or jealously but compassion."

Mr. Cheek agrees. "It's no bed of roses," he said. "With what I borrowed, I could have made more money in any other kind of business. Not many individuals would be crazy enough to go out on a limb for that kind of money.

"If the government reduces supports, I'll reduce my crops, reduce the land I work, the allotments I lease, the workers I hire. If I go plum out, I've got to think about a diversion to something else. I could get a job, but there are not many things I could do on account of my disability. I can't get on a tractor."

Mr. Cheek came home from World War II with some souvenirs. He has two bullets, one in his heart tissue and one in a bronchial tube, and a silver plate in his head. After the Battle of the Bulge, he spent two and a half years in hospitals. He went back to Clemson and graduated, with a degree in animal husbandry. Now the oldest of his three children is a son at the University of Georgia, majoring in business administration, which is what Mr. Cheek figures a farmer most needs to know today.

"I'll probably continue growing cotton as long as it's feasible and I can make a living for the boys who work for me and make some money for the landowners, but when it gets to the point I can't, I'm going to get out.

"The way I look at it, 72 people drew the $114,000 that was paid me. Down in Dooly County, 28 people drew $1.1 million. Dooly County is the seat of the big producers."

Asbury Wright, "Bury" to his friends, is the biggest cotton farmer in the state. The 40-year-old south Georgian lives near Pinehurst, Ga., eight miles north of the Dooly County seat at Vienna. He and his wife and four children, ages 8 to 18, live in a modern red-brick ranch house built in 1950. There's a new blue swimming pool in the yard, and nearby rows and rows of cotton wagons and tractors are neatly parked under long red-stained open sheds.

Mr. Wright's office, set on blocks in a thick stand of coastal bermuda, is a blue and green, three-room house trailer, air-conditioned, carpeted wall to wall, and equipped with two telephones and two secretaries, all busy. One of the secretaries is Mr. Wright's. The other works for the Pinehurst Dusting Service, which does aerial dusting for farmers in Georgia and Florida. Mr. Wright is one of five men who own the business.

"If I had to depend on this farm to feed me, I'd be out of luck," Mr. Wright said when he arrived at his trailer office. He wore pointy-toed boots, an alligator belt, pants cut Western style with horizontal pocket openings on the front, and a wide-brimmed Panama. He has the kind of sunburn typical of farmers who wear hats—brown cheeks beneath a pale white forehead. "I was in a tax meeting all morning, trying to find out what to do about the property tax on these airplanes."

The Pinehurst Dusting Service operates in Georgia in summer and Florida in winter, and both states want to tax the company's five airplanes. Mr. Wright and his secretary, who had gone to the tax meeting in Vienna with him, had evidently missed lunch, and, when they had a break, kept nibbling on Tom's Peanut Butter Logs from a glass apothecary jar on the desk. "Allen Fullford, the county agent, is coming out," Mr. Wright said in a momentary lull between phone calls about trucks and airplanes and herbicides that hadn't killed what they were supposed to.

Dooly is Georgia's No. 1 county in cotton production, and has been for the past seven years, the county agent said when he got there.

"The practices our farmers carry out are responsible," he explained. "We don't have the highest cotton allotment in the state, but by leasing allotments from other counties we are up close to the top. The biggest reason our folks are No. 1 in production is because of improved practices—getting a good stand, planting on beds, preparing land, proper fertilizing and liming. Where they succeed more than anywhere else is in insect control.

"Dooly County has the highest projected yield in the state—it's been more than 600 pounds per acre for three years.

"I'd say 85 or 90 percent of the farmers growing cotton here plant it on their own land and on rented acres. We have farmers renting a tremendous amount of land. Economic pressure brought this about. Farmers must have large units to be able to afford the equipment necessary to grow cotton and to be efficient enough to stay in business. A man with 15 or 20 acres can't grow cotton. He couldn't buy the necessary equipment. He's got to rent his land out."

Mr. Fullford estimated that most farmers in Dooly County pay between $40 and $50 an acre to rent land with a cotton allotment. This is twice as much as Mr. Cheek pays for his scattered fields in north Georgia.

"I pay $50 an acre," said Mr. Wright, who grows cotton in nine different locations. He has a 1,000-acre farm of his own and rents five others. Last year, but not this, he also grew some cotton in Sumter County, for which he received around $5,000 in price support payments, a sum that was not included in the published figure of $123,156. This year he has 1,456 acres of cotton.

"During a break in the tax meeting this morning, I tried to figure what it costs me to grow an acre of cotton—I never had broken it down before," he said. "It's almost $220. I'd have shot myself if I'd known it cost that much. I never figured it before."

He pulled his penciled tabulation out of his pocket. Taxes, $2.20. Preparing land (mowing old stalks and harrowing twice), $10. Seed, $6.80. Planting, $2. Herbicides, $7.10. Insecticides, $72. ("That's outrageous—last year I sprayed till November. My bill for insecticide was $66,000.") Application of sprays, $19.80. Cultivating, $6. Harvesting, $42.60. Fertilizer, $23.20. Lime, $8.20. Interest on borrowed money, $14 per acre.

Mr. Fullford says his office figures it costs the average farmer 27 cents to raise a pound of cotton—six or seven cents more than the world price.

"This comes to almost $170 per acre," he said. "A farmer gets about $100 per acre for his cotton, plus $95 from the government, and he should have a profit of $25 or $30. If Bury's $220 figure is right—it probably is; I checked him once for the Bale-and-a-Half Cotton Club and his expenses did go over $200—he may have lost $25 per acre. If so, he went $38,000 in the hole.

"Before farmers received direct payments, they were able to put cotton in the loan, to borrow money on it. They never redeemed these loans. The public was subsidizing farmers by loaning them money, plus storage costs, plus giving a direct subsidy to the mills. The present set-up costs the taxpayers a lot less and opens up free channels of trade for all the cotton produced."

Would Mr. Wright quit if the support program was ended?

"Right!" he exclaimed.

Is cotton on the way out in the Southeast?

"It depends on what Congress does," Mr. Fullford responded. "There have been repeated attempts by many smart men to write a farm program. I don't think anybody's written one yet that suits everybody.

"This we know: practically all elements of our economy are subsidized one way or another. Certainly the farmer needs subsidies of some kind. I'm not smart enough to say what it should be. I don't know the answers."

Mr. Wright started farming when he was 13, renting land and growing cotton on it. At 14 he quit school and got out on his own. He's been farming ever since. He grows more corn now than anything else and makes more on both peanuts and soybeans than cotton, last year anyway.

"We mopped up on soybeans—50 bushels to the acre," he said. "If you make soybeans you don't make cotton. We had a good cotton crop last year on August 1. Then it started to rain and all our bottom cotton rotted. All we could do then was raise a top crop—and keep spraying. That's why I sprayed till November.

"Farming's not all I do. I'm in the trucking business—that's where the money comes from. There's money in trucking. One of my daughters says when she grows up she's going to be a truck driver. These children know where the money is. We move anything you can put in a truck, and we run in every state.

"If Congress limited payments, I'd cut down drastically on cotton. I'd hate to be in the congressmen's places and have to decide which way to travel."

The third Georgia farmer to top the $100,000 mark in farm payments in Guy H. Shrivers, Jr. of Barnett in Warren County. He was in partnership with his father, Guy H. Shrivers, Sr., until Mr. Shrivers' accidental death last November when an old shotgun he carried in his truck went off in the backyard and killed him instantly. The $105,031 farm payment was the total they both received. Dividing the payment by two puts the Shivers men into a much bigger category. Thirty other Georgia farmers last year received more than $50,000 each. Since his father's death, Guy, Jr., who is 44, has taken over the operation of the whole farm—4,000 acres which he and his mother own together. Guy graduated from the University of Georgia with a major in dairying in 1949, after a 26-month interruption for military service.

"What I intended to do was have a dairy, but beef prices were high and we were already in beef cattle," he said. "We sold cattle higher then than we ever have since. Then I got off into this cotton business."

Mr. Shrivers was helping workmen load some reluctant cattle into a truck for the weekly auction sale in Washington, Ga. A friend watching him work, as he pushed and shoved with a cattle stick in his hand, said, "You won't get him to stay still long enough to make a picture."

He wore rumpled khakis, with a hole in his pants, and bigtoed high shoes. A mat of gray hair protruded at the open neck of his shirt, and the dark hair on his head was cropped in a crew cut. He and his wife, who have two children, a boy at Middle Georgia last year and a girl who will be a freshman at Brenau this fall, live in a handsome white frame ranch house on Highway 287; it sits in a shady landscaped island surrounded by cotton fields.

The base of the farm operations is at his mother's house, a one-story structure enveloped on three sides by a screen porch, that traditional Georgia way to combat the summer heat which cotton thrives on. Farm equipment and shops cover a couple of acres behind the house. Between the shops and the house is the office, a little one-room trailer.

"We plant about 1,400 acres of cotton," Mr. Shrivers said above the hum of the air-conditioner in the dark, cool retreat from the heat outside, "and we have to lease allotments to plant that much. Only 400 acres of it is on the home farm.. I also have a farm and plant 100 acres there. The rest is planted on land we rent, including 250 acres on Cox Woodlands land. We make a payment to Cox Woodlands of about $9,000, part rent payment, part cotton payment.

"Two or three farmers draw the government payment themselves and pay us for growing the cotton. We feel $25 an acre is the minimum we can get by with. We also get the cotton, but the cotton doesn't bring much. Farmers can't grow cotton at the world price. We aren't paying the world price for anything else. Insects are the big problem—we spray every five days beginning the last of June. If we could get rid of insects we might be able to produce cotton at the world price.

"Without price supports, we couldn't even plant cotton. The farmer is not the only one to benefit from the payment. When you take row crops out of an area, you pretty well take a lot of business out of the area—fertilizer, chemicals and equipment aren't used as much and that hurts business. Our payments for cotton last year were around $80,000 and ouor chemical and fertilizer bill was $70,000. There's not as much business when the fields go to pasture. Yet, I don't see how taxpayers can subsidize farmers to keep small communities alive. (The Barnetts, the Bowersvilles, the Pinehursts.) Maybe they'll have to let them die.

"In the farm program, everytime they find a solution to one problem, they create another one. It gets more complicated, and more misunderstood.

"We farm and try to do the best we can. We didn't make the laws or the rules. Everybody farms the way he does trying to come out with the most money. Sometimes you try to maximize your payments. Sometimes you don't.

"You can cut down on your corn, and plant just half, and get the same payment as if you planted it all. That's what I call maximizing. If you have a 100-acre cotton allotment, you get a payment for only 65. So you only plant 65. That's maximizing.

"In Congress, they say they're going to put limits on payments. Some congressmen want to wipe out the farm program. It is bad that you have to depend on a government subsidy to operate. I'd rather not have it that way, but farming's not the only one.

"If they put a maximum on payments, we'd have to cut out the farms we're renting. We'd get into a position where we wouldn't suffer a cut in payments by going over a specified amount. We don't know what that is—they're talking about $25,000. We'd probably just plant 300 acres of cotton on our own farm—not 1,400.

"It takes a lot of money to grow cotton. And cotton has a way of being disappointing. At harvest time you don't have as much cotton as you think you have. It doesn't grade as good. The price drops. It's not as sure as some crops."

Is it on the way out?

"I wish I knew."

Meanwhile, back in the patch, weevils are working. And farmers are working to get the weevils, to kill the weeds, to pick the lint. Taxpayers are working to earn enough to pay the government enough to support the farmers, the sprayers and pickers, so the farmers can get cotton to the mills cheap enough to compete with cheap cotton and cheap labor of other countries. Mills complain that they need tariff protection which, in effect, is what the farmers already have.

Cotton is the most expensive crop you can grow and the most troublesome, and the expensive crop is in trouble.

Any way you look at it, cotton is trouble.

PROPOSED LONGSHORE SAFETY RULES

Mr. FONG. Mr. President, the Department of Labor published its proposal for new safety rules covering longshoremen in the Federal Register on June 26. The new safeguards deal with crane and container operations, and also have provisions on eye and head protection.

With the rapid development of new techniques on docks, especially in the field of containerization, the need for revised and tightened safety rules is plain. The proposals put forth by the longshore safety branch of the Bureau of Labor Standards meet this need.

Overloading of containers, the cause of several recent accidents, should be reduced drastically by the requirement for a load-indicating device on cranes, as well as certification of container gross weights by BLS-approved weighing stations.

Other sections calling for protective glasses and hard hats on certain jobs will also cut the wasteful and tragic toll of job injuries.

Mr. President, I believe the Department of Labor has proposed a sound and necessary reform in safety rules, and I hope that the new standards will shortly be adopted as final and put into operation.

I ask unanimous consent that a description of the proposed longshore safety rules from the July 1 edition of the Dispatcher, published by the International Longshoremen's and Warehousemen's Union, be printed in the RECORD.

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

WASHINGTON, D.C.—Proposed new longshore safety rules, approved by outgoing Secretary of Labor George Shultz, were published in the Federal Register on June 26. The proposals cover crane and container operations, with additional language on eye and head protection.

According to Edward P. March, chief of the longshore safety branch of the Bureau of Labor Standards, the new rules "will insure that we know what we are picking up and will avoid container and crane failures due to overloaded containers."

Several recent accidents, including a fatal one in New York, were suspected to be due to container overloading by shipping firms seeking unfair competitive advantages.

A summary of the proposals follows:

Every crane used to load or discharge cargo shall be fitted with a working load indicating device, excepting certain bulk, liquid or magnetic crane operations. This would allow crane operators to know instantly if a load is too heavy for the crane.

All cargo containers shall be permanently marked with the weight of the empty container, a maximum intended cargo weight, and the sum of these two weights.

No container shall be loaded or discharged by means of hoisting unless its actual gross weight has been certified by a BLS-approved weighing station.

No container shall be hoisted if the certified weight exceeds the maximum intended weight, or if it exceeds the capacity of the crane or other hoisting device.

All outbound containers shall be inspected for visible defects; inbound containers to be inspected where practicable. Visible structural defects will prevent loading until corrected on outbound containers; inbounds to be emptied or discharged by means insuring safety.

Employees facing eye hazards from flying particles or heavy dust must be provided with eye protection meeting specific standards.

Employees handling loose scrap metal, bulk ores or other chunky commodities, and those loading or discharging lift-on lift-off containerships, must wear approved protective hats.

RESTRICTION OF TEXTILE AND SHOE IMPORTS — THE LIST GROWS EVERY DAY

Mr. McINTYRE. Mr. President, almost every day, now, we read in our newspapers about the continued debate over the bill introduced by Representative MILLS in the House and by me in the Senate to restrict textile and shoe imports. In almost all instances the issues are cast in political and economic terms. We hear about a possible trade war, about balance of payments, about wage differentials, and so on. This is highly informative, but there is one side of this controversy which is too often lost in the rush of complex economic arguments: It is the human side—the men and women who have spent years in the shoe mills, only now to be thrown out of work with no place to go for reemployment.

Yesterday, I received a touching reminder of how severe the problem really is. Agnes Strob, of Derry, N.H., wrote me the following letter:

DEAR SENATOR MCINTYRE:

This is a list of the people who are working at Stage Door, Inc., when they were forced to close their doors, due to the import of shoes. Do sincerely hope this will in some small way help.

Isbel Pare, Carol Patrick, Cincy Riel, Jacqueline Griffin, Elaine Glover, Ada Witham, Beatrice Bodwell, June Hurteau, Ruby Neil, Nellie Healey.

Doris Robinson, Beatrice Metevier, Caroline Modis, Mary St. John, Edna Berry, Elizabeth Desilets, Irene Pettiner, Marianna Witham, Mildred Henry, Gladys Barnard.

Myrna Dudley, Doris McGowen, Alberta Hanson, Ruby Witham, Doris Bunker, Mildred Robinson, John Dudley, Charlotte Fife, Helen Dudley, Lois Markwith.

Della Bishop, Bertha Twombly, Alma Demyanovich, Hazel Little, Elsie Porter, Mary Favour, Lorna Chase, Elizabeth Thibeault, Edith Emery, Rose Tisus.

Mary Mandile, Una Heywood, Ruby Underhill, Jeanne Dmers, Marianna Goodwin, Julia Hill, Annette Quintal, Virginia Emery, Marie Brown, Audry Pitkin.

Grace Rollins, Freida Burritt, Martha Waterman, Gertrude Eaton, Alice Waldron, Jane Karpinski, Eva Ryan, Eva Clark, Lois Spear, Theresa Taylor, Caroline Severance.

Muriel Proulx, Hazel Strandell, Donna Margaritis, Jeanette Baker, Esther Freitos, Irma Hanson, Gertrude Gagnon, Evelyn Lodge, Deborah Wilbur, David King.

Jane Szybiak, Joanne Wallace, Bessie Plant, Florence McLaughlin, Marie Guyette, Lillian Cooley, Shirley McPherson, Kenneth Witham, Mary O'Neil, Elmer Leach.

Martha Woodhead, Betty Platts, Virginia Leach, Mary Elgin, Alice Meader, Lorraine Smart, Irene Wilson, Alice Bouley, Theresa Stevens, Phyllis Kurkier.

Catherine Healey, Grace Barnes, Blanche Tong, Janet Fields, Ruth Huchins, Norma Raymond, Annie Stevens, Amy Guyette, Aura Beers, Lora Witham.

Harry LaCouture, Ola Plante, John Wallace, George Edwards, Everett Babb, Emile Quintal, John Cassier, Charles Dudley, Mary Baker, Joseph Quintal.

Norma Kenniston, Norman Ouilette, Richard Hartford, Frank Pelky, Frank Cleveland, E. P. Camier, Gerald Foster, Paul Smart, Paul Cunningham, Hebert Denoncoeur, Theodore Barnard.

Burton Strout, Lewis Nowe, Harold Barnes, Walter Ricker, Lemma Rollins, Martha Tibbetts, Kenneth Neptune, Marjorie Neptune, George Robinson, George Wilson.

Robert Riel, Cornelius Smart, Wilder Bemis, Ernest Quintal, Clifton Latimer, William Reynolds, Loretta Neilson, Lucy Downing, Francis St. John, Alberta Shepard.

Roger Woodhead, Ruth Hanson, Richard Hammerstrom, Joseph Veve, Beulah Adams, Robert Johnson, Dennis Currier, John Miller, Elsie Linehan, Sylvia Bemis.

Patricia McCusker, Alfred Eaton, Alan Fenstermaker, John Smalley, Everett Wilbur, Harlan Hutchinson, Jr., Virginia Smith, Kenneth Frost, John DeGuire, John Broman.

Roger Carron, John Markiewicz, Lucien Glidden, James Currier, Leota Glidden, Robert Fields, Mark Wallace, Lawrence Chase, Jr., Paul Clement, John Eastman.

Fred Wallace, Austin Campbell, John Witham, Gregory McIntosh, Joan Nowe, Helen Nowe, Jerry Riel, Frederick Plant, Robert Rothwell, Mike Daley, John Tilton.

Tasker Cheney, Beverley Witham, Roland Lagasse, Maurine Paquette, Howard Rollins, Andy Senechel, Marguerite Quintal, Grover Eaton, Roland Croteau, David Ricci.

David Nowe, Harlan Pitkin, Bernard Wallace, Audry Shepard, Harriett French, Joseph Kominsky, Jack Haley, Clarence Pettengill, Julian Vive, Nettie Valley.

Linda Gilson, Norah Levesque, Irene Lafond, Polly Quintal, Colleen Quintal, Iris Richards, Francine Demyanovich, Angelina Desjardin, Katherine Merrill, Edith Merchant.

Helen Gauthier, Yvonne McGovern, Rita Clark, Rene Broman, Betty Jean DeLorn,

Emily Yeaton, Bonnie Eaton, Harriet Margaritis, Joyce Hyre, Marilyn Perkins.

Lenore Cole, Marion Chasse, Melverda Smith, Vera Crooker, Elizabeth Davies, Florence Currier, Rollande Bartholomi, Elizabeth Strout, Alice Adams, Margaret Vehey.

Rosanna Porter, Janice Smalley, Everett Wilbur, Florence Campbell, Darlene Wladron, Nancy Rollins, Diane St. John, Betty Cheney, Lucille O'Brien.

Gloria Maynard, Jeanne Stilkey, Helen McIntosh, Patrick McCusker, Anastasia Guyette, Kathy Richards, Dorothy Smith, Pauline Miller, Rury Henderson, Nancy Margaritis.

Constance Richardson, Winifred Hartford, Charles Proul, Louise Abbott, Claire Dube, Beverley Quintal, Irene Markiewicz, Jean Sweeney, Ruby Mullin, Agnes Strob.

Mildred Souter, Doris Comstock, Pearl Rollins, Ella Mae Donovan, Etta Margaritis, Myrtle Sinclair, Marjorie Richards, Rachel Richardson, Linda Croteau, Edith Wallace.

Polly Ann Mataragas, Ellen Watts, Althea Davis, Georgia Bolduc, Virginia Collins, Lila Marcotte, Bonnie Griffin, Paris Stilkey, Elva Ferry, Mary Cheney, Pasty Brown, Jean Downing, Elaine Marcotte.

The above is a list of Shoe Workers which formally were employed at the Stage Door, Inc., Raymond, N.H.

UNITED SHOE WORKERS OF AMERICA, AFL–CIO, CLC, LOCAL 106, RAYMOND, N.H.

JOHN TILTON, *Secretary-Treasurer.*

It is my hope that Senators will glance at this list and try to think what a layoff like this can mean to a small town. This mill was at the heart of the economic life of the town; now it is gone. This is going to occur again and again across our Nation unless action is taken soon by the House and Senate to slow down the influx of cheaply made foreign shoes.

MARTIN MARIETTA'S COST UNDERRUN ON PERSHING MISSILE

Mr. GOLDWATER. Mr. President, needless to say, we hear a great deal of complaint in the Senate these days about cost overruns, especially in the Department of Defense. For example, my friend the Senator from Wisconsin (Mr. PROXMIRE) just a few days ago gave the latest figures on cost rises for weapons systems during the past 9 months.

It is very seldom, however, that anyone gives credit to any part of the so-called military-industrial complex for a cost underrun. I suggest, Mr. President, that costs underruns are important too. In this connection, I wish to place in the RECORD an information sheet concerning Martin Marietta's financial performance on the Pershing missile system over a 13-year period. It will be noted that this system which has proved highly successful as the U.S. Army's longest range and most powerful weapon has accumulated a cost underrun of $30 million.

I ask unanimous consent that the Martin Marietta information be printed in the RECORD.

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

PERSHING MISSILE PROGRAM NETS $30 MILLION UNDERRUN

The Pershing missile system, which has proven to be singularly successful as the U.S. Army's longest-range and most powerful weapon, has another distinction.

Instead of an overrun, the Pershing project, managed by the U.S. Army Missile Command, Redstone Arsenal, Ala., has accumulated an *underrun* of just under $30 million over its 13-year existence.

The result is the saving of that much taxpayer money by the Army and Martin Marietta Corporation, prime contractor for the Pershing system.

The overrun amounts to 2.49 percent of the $1.2 billion spent to date on development, production, deployment and improvements for the 400-mile-range, surface-to-surface ballistic system.

Included is a series of 59 major contracts between the Missile Command and Martin Marietta dating back to March, 1958, when the nuclear-tipped Pershing was conceived as a replacement for the Redstone missile.

One $225-million contract for initial production of Pershing equipment, awarded in 1961, resulted in a $9 million underrun—or 4 percent under target. The remainder of the underrun resulted from other of the 58 major contracts.

There have been overruns, however. The largest was a 2.1 percent overrun on a $67.2 million research and development contract awarded in 1966. This overrun amounted to $1.4 million above original estimates. But in the overall program, the limited overruns were overshadowed by the underruns which make up the $30 million figure.

One factor credited with contributing to the price hold down on the Pershing program is the orderly progression in the types of contracts used by the Army Missile Command which changed in parallel with development of the system.

Starting with the original R&D effort, the contract was a Cost Plus Fixed Fee agreement.

The next contracts were Cost Plus Incentive Fee, followed by Firm Fixed Price agreements through most of the production phase, placing the risks more upon the contractor than the government.

With the Pershing 1–A improvement work, a Cost Plus Incentive Fee contract was again employed, giving multiple incentive on cost, schedule and technology. In the subsequent production phase, Fixed Price Incentives were used, with the incentive based on cost only. In such contracts, the contractor stands to share in the cost savings or is penalized for poor performance.

More recently, the missile command awarded a Cost Plus Award Fee contract for engineering services to be performed by Martin Marietta. Under this agreement, the contractor is assured of only 3 percent but, depending upon the efficiency with which the work is performed, can be awarded up to 7 percent more on the judgment of the contracting agency.

Another factor contributing to lower costs at the Orlando Division of Martin Marietta—where the Pershing work is done—is an extensive cost reduction program emphasized by Martin Marietta management.

Under this program, which embraces other projects in addition to Pershing, the Orlando Division last year set a goal of $13.6 million as a cost reduction target. At year's end, net savings and cost avoidance amounted to over $16 million, or 18 percent above the projected goal.

Of that amount, the Pershing program contributed $2.8 million.

NATIONAL DEFENSE REQUIRES GREAT FALLS-BROWNING TRANSMISSION LINE

Mr. METCALF. Mr. President, last week a delegation of military officers briefed me regarding the Safeguard ABM system programed for Montana in the area between Great Falls and Browning. Thirteen thousand persons will be moving to the sparsely settled area centered at Conrad.

The Safeguard impact will be substantial on various community facilities—schools, sewers, water systems, hospitals, communications, and power. I shall report to the Senate on these matters in due course. I deal today only with the electric power aspects, inasmuch as certain actions must be taken very soon by Congress in order to provide reliable electric service in an area vitally important to the national defense.

In 1968, prior to the decision to put Safeguard in the area, engineers of the Bureau of Reclamation and the Montana Power Co. agreed that new transmission facilities, beyond the 115-kilovolt line recently constructed by the company, would be needed by 1972.

The Defense Department will provide, as in previous situations, onsite generation for mission requirements. This onsite generation is independent of commercial power. This does not mean that the Defense mission is impervious to the operation of commercial power systems. When a hunter's bullet caused a blackout lasting several hours and covering several thousand square miles in Montana last year, the efficiency of the Minuteman system was impaired, because of a shutdown of onsite power at one of the sites during the period when the blackout occurred. Similarly, serious voltage fluctuations in the line serving Opheim Air Force Station in Montana damaged equipment and impaired defense capability. Reliable commercial power will back up on-site generating capacity.

Safeguard will also create substantial increments in power use in the area immediately adjacent to the ABM sites. Thousands of persons, those connected with the mission or with service industries, and their families, will be dependent on commercial power in an area which, as I pointed out previously, transmission deficiencies were forecast even before Safeguard was planned for the area.

The existing Montana Power 115-kilovolt transmission line is inadequate to meet the needs of the early seventies. The line does not provide reliable loop service. It leaves a substantial area dependent on one-line radial service. A single outage, not even at peak load, could result in voltage reductions that would damage the electrical equipment of thousands of Montanans throughout the area.

Indeed, the Bureau of Reclamation advised the Senate Interior Committee last month that the existing transmission system will not meet minimum reliability criteria established by the Western Systems Coordinating Council, even in the years immediately ahead.

Mr. President, last Friday the Department of the Interior instructed its agent in Montana to sign a wheeling contract with the Montana Power Co. regarding transmission service from the Montana Power 115-kilovolt line. The Department of the Interior did not allow Senator MANSFIELD and me an opportunity to review the contract prior to its signing, as we had requested. The De-

partment did not permit the rural electric cooperatives most directly concerned to review the contract.

The Department of the Interior did not consult with the Rural Electric Administration nor with the REA cooperatives immediately involved. Bonneville Power Administration, whose jurisdiction covers all of Montana, was not consulted.

Nor did it share the contract with the Senate Interior Committee, which conducted a hearing on this matter in April.

In his summary of those hearings, Chairman JACKSON on behalf of the Committee on Interior and Insular Affairs concluded that the proposed wheeling agreement, into which the Department of Interior entered Friday, "will result in a system of questionable short-term reliability." On the other hand, Chairman JACKSON concluded that Federal construction of a 161-kilovolt line, which would provide loop service, would provide long-term reliability, and would possibly be cheaper in the long run than the small radial line constructed by Montana Power.

The needed 161-kilovolt Federal transmission line to which Chairman JACKSON referred was included in both the Johnson and Nixon budgets. Last year both the Senate and House Appropriations Committees voted funds to initiate its construction. However, the appropriations committees stated that the money should not be spent if a wheeling contract, providing substantially the same benefits as a Federal line, could be negotiated.

We now have a wheeling contract. It does not meet the standards of reliability and adequacy set forth by the appropriations Committees. Chairman JACKSON has found for long-term reliability through the 161-kilovolt Federal loop line, and against the questionable short-term reliability available through the 115-kilovolt radial line constructed by the private company, the approaching impact of Safeguard and the inadequacies of the wheeling contract underscore the need for construction of the Federal line as soon as possible. The line is needed to improve reliability and provide adequate power for Safeguard and its complement, as well as the indigenous population.

The money to begin construction has been appropriated. Needed now is release of the funds by direction of the appropriations committee to the Department of the Interior. The Department must be told to proceed with construction of the 161-kilovolt line.

I urge members of the appropriations committee to include such direction in their report on the Public Works Appropriation bill.

ONLY THROUGH STRENGTH

Mr. HANSEN of Idaho. Mr. President, John L. Frisbee, the senior editor for plans and policy of the magazine Air Force and Space Digest makes a point that is as old as man, but is too often forgotten by some men—that in this world only strength can insure both peace and freedom.

Today we are in an era reminiscent of the 1930's, when some believe that good intentions and sincerity of purpose will suffice. Many a nation that thought that no longer exists. Others exist only because the United States was available to rescue them or protect them.

Mr. President, nobody is around to rescue or protect the United States. It is imperative that we do that ourselves; that we be not misled by the well-intentioned blind.

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

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

"SHOW AND TELL"

(By John L. Frisbee)

Twenty-five years ago this month, mushroom-shaped clouds rose over Hiroshima and Nagasaki. They marked the end of World War II and the beginning of a new era in international affairs.

It is quite conceivable that nuclear weapons will never again be used directly in war. But whether they are or not, the turn of events and the fate of nations are—and for a very long time will continue to be—affected by their shadowy presence.

Twice in the last sixteen years, events of major importance have been resolved in favor of the side of that possessed nuclear superiority. In 1956, the Hungarian Revolution, which could have triggered the destruction of the Soviet empire, was squelched by the USSR's localized superiority in nuclear weapons. At that time, the US had no nuclear-armed missiles that were operational, and our strategic bombers weren't truly global in range. Our allies, threatened by a few Soviet missiles of limited range and by nuclear-capable Soviet bombers, declined to provide either military assistance for the Hungarians or bases for US deterrent forces. Our nuclear bargaining power was neutralized and Soviet tanks rolled into Hungary. A crack in the iron wall of Soviet hegemony was sealed.

In October 1962, the tables were turned. A small force of US ICBMs and our much larger, by-now global, bomber fleet were decisive in forcing the Soviets to withdraw offensive missiles from Cuba.

Neither in 1956 nor in 1962 was a shot—nuclear or conventional—exchanged between the two super-powers, but in each case the outcome was decided by nuclear weapons at the ready.

The US was prepared in 1962 because we took seriously the erroneous forecast of a missile gap, made in 1959 and 1960. The forecasts, based on the best intelligence information then available, turned out to be exaggerated. But if we had not heeded them, it is doubtful that the US would have launched a crash program to put missiles in the ground and to enlarge and improve our bomber force. Without the fairly wide margin of nuclear superiority we had in the fall of 1962, the Cuban crisis might well have culminated in a shooting war.

Now, Soviet expansionism is again on the move. A crisis, at least comparable in gravity to the Soviet missile presence in Cuba, is developing in the Middle East and the Mediterranean basin. Elsewhere in this issue of AIR FORCE Magazine, that increasingly perilous situation is discussed (see page 16 and page 40). The USSR has moved ominously toward a centuries-old Russian objective, shared by Czars and commissars alike, of dominating an area that is of great strategic importance, both in itself and as a way-station to further expansion.

Underlying the Soviet drive into the Middle East is a major shift in the nuclear balance. Between 1968 and the summer of 1970, the US nuclear superiority of about 4 to 1 over the Soviets has evaporated. Rapid deployment by the Soviets of a variety of ballistic and orbital weapons, including the giant SS-9 missile, their construction of an ABM system, and the USSR's emergence as a major maritime nation have combined to virtually neutralize US strategic power except as a deterrent to a direct Soviet attack on the United States.

It was ironic that we met the earlier Soviet challenge, in 1962, because we heeded inaccurate warnings of a Soviet drive for nuclear superiority. It is doubly ironic that *unequivocal* evidence of the USSR's race for nuclear superiority now is either ignored or discounted as self-serving propaganda. The result: Today the Middle East and the Mediterranean hang in precarious balance. Tomorrow—what?

In a recent address to Associated Press editors Secretary of Defense Melvin Laird revealed considerable hitherto classified information on the Soviet strategic buildup. He told his audience: ". . . the information I am presenting to you is based on our own observations of what the Soviets are doing," not on Soviet discussions of their strategic forces. The Secretary had to be referring to satellite reconnaissance photogaphs, highly refined electronic intelligence, and other sources of information that didn't even exist in 1960.

Today's public skepticism about the realities of Soviet nuclear power, and its intended uses, is somewhat reminiscent of the skepticism that existed in the fall of 1962, concerning allegations of Soviet missilesite construction in Cuba. That earlier skepticism disappeared when photos of the Cuban missile sites, taken from high-flying U–2 aircraft, were made public. The American people, almost without exception, rallied behind the President.

We are reliably informed that one of this country's highest-ranking officials recently asked: "What does it take to awaken the American people to the seriousness of the Soviet threat?"

We don't claim to have a comprehensive answer. But one way might be to release some of the satellite photography on which US analysis of the threat is based. That was pretty effective in the case of Cuba.

The old grammar school game of "Show and Tell" isn't just for kids. It works for grownups, too.

JIM LUCAS

Mr. BELLMON. Mr. President, the death of Pulitzer Prizewinning correspondent Jim Lucas last week saddens me as it does others who knew and admired this fearless and faithful reporter. Jim Lucas was a native Oklahoman and came to be one of the most illustrious sons of the Sooner State.

I first knew Jim Lucas as a war correspondent on Iwo Jima. Throughout that operation he worked with the 4th Marine Division and in some of the most intense combat in the history of the war. He was always on the scene to give an accurate, factual account of the events, and more particularly, personal insights into the men who were making history.

Jim Lucas began his career as a reporter in Oklahoma as a writer for the Muskogee Daily Phoenix and the Tulsa Tribune. Throughout his life he maintained his roots in our States and frequently returned for personal visits or for assignments. In 1965, during the time I served as Governor, Jim came to Okla-

homa to investigate and report on an alleged scandal in the Air National Guard. After digging into the story for many weeks, Jim found that the allegations were not well founded; and to his everlasting credit he had the grace and honesty to say as much. In my judgment, this was in the highest tradition of the fourth estate.

The death of Jim Lucas leaves a great void in the ranks of combat correspondents. However, the record he made and the tradition of integrity, incisiveness, and fairness he contributed to the journalism profession will serve to guide many who follow in his footsteps.

I extend my deepest sympathy to the members of his family.

WHERE FEDERAL MONEY GOES

Mr. GOLDWATER. Mr. President, in the past few days, the President has been extremely critical of Congress for authorizing expenditures of a mandatory nature which make it impossible to place a ceiling upon Federal spending. He pointed out that he recently signed a bill fixing a ceiling on Federal spending for the current year—fiscal year 1971. He said he intended to live by that ceiling, but that Congress has made a travesty of it.

Quite naturally, the Chief Executive's remarks were immediately challenged by the majority leader and by the Senator from Wisconsin (Mr. PROXMIRE). In view of this, I think the Senate would be interested to read an exceptionally fine article written by Mr. David Lawrence which tells exactly where the money goes and why the President is correct in his assertions.

I ask unanimous consent that Mr. Lawrence's article be printed in the RECORD.

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

WHERE DOES FEDERAL MONEY GO?

(By David Lawrence)

The federal government spends more than $200 billion a year nowadays, and Congress must authorize the appropriation of every penny of it. But how many of the approximately 120 million eligible voters are really familiar with the merits of the legislative measures involving large sums?

The purposes of some of the current allocations of funds can be summed up briefly:

1. The House has approved a $4.4 billion measure for the Office of Education. This is $453.3 million above the President's request.

2. The House has approved a bill, which now is before the Senate, to extend unemployment compensation to an additional 4.4 million workers, increase the tax on employers, and provide that, beginning in 1972, jobless benefits could be extended an extra 13 weeks in periods of high unemployment. The House voted down a move to put an estimated 275,000 farm workers under the coverage.

3. The House Agriculture Committee has approved a three-year price-support program with a limit of $55,000 a year on payments to individual farmers growing cotton, wheat and feed grains. The Senate has voted to make it a $20,000 ceiling.

4. The House Agriculture Committee has endorsed a measure providing that able-bodied individuals must sign up for work before they can be eligible to receive food stamps. The restriction would modify a bill already passed by the Senate, which plans to furnish $2.5 billion annually in food stamps by 1972.

5. The House has passed and sent to the Senate bills to authorize $775 million over three years for new air purity standards and $511 million to find new ways of disposing of or re-using solid waste materials.

6. The House has passed and sent to the Senate a plan supported by the President for a minimum annual income for poor families. A minimum of $1,600 a year would be given a family of four, and its income could go as high as $3,920 before the $1,600 subsidy would be eliminated.

7. The House adopted a $20 billion measure for military procurement. This includes authorization for an expansion of what is known as the Safeguard antimissile system and the purchase of equipment for another nuclear aircraft carrier and a new manned bomber. A Senate committee has approved the plan.

8. The Senate has approved a $3.1 billion financing program for mass transit projects. A similar program, which would permit localities to make contracts totaling $5 billion over the next year for urban transit projects, has been approved by the House Banking Committee.

9. The President vetoed a measure authorizing a three-year continuation of the hospital construction program because it was $350 million over his request. But both houses overrode the veto and authorized $2.79 billion to be spent.

10. President Nixon has proposed that the national government return to the states a portion of the federal tax revenue "with no strings attached" so it could be used by the states and local governments on their own projects. The measure has not been acted upon by either house.

But where does the biggest part of the $200 billion in the budget go? Much of it is spent for the Vietnam war, and only $2.2 billion is expended for economic and military aid to the smaller countries of the world.

Many of the authorizations for the use of government funds concern matters wholly unfamiliar to the vast majority of the citizens, so the American people have to rely on their representatives in Congress to act wisely in their behalf. Whether Congress overspends or not is not easy for outsiders to judge. Undoubtedly the members of both houses are influenced by political factors. The pressure for government appropriations is constant. The committees are in reality the groups that make the important judgements. If both parties therein concur, the chances of support in the two houses are good, but if it's a partisanly sponsored measure, a controversy usually ensues.

The public as a whole, however, gets to know very little about all the aspects of the spending problem. Even though many billions of dollars are involved, most newspapers would consider it dry news to print the technical details of all the appropriations bills. So the taxpayers have no choice but to depend on their representatives in Congress and the President for an efficient handling of the public money.

UNITED NATIONS LINEUP FOR HUMAN RIGHTS

Mr. PROXMIRE. Mr. President, I thought it would be appropriate for us to take a look today at some of the reasons given by other nations for supporting international treaties for the preservation of human rights for all of mankind. The following is a sample lineup provided by the World Federalist, May/June 1970:

Norway: "A deliberate transfer of executive, judicial and even legislative power to international bodies becomes more and more a common feature in State practice. Norway regards such a transfer of power in no way as a violation but merely as an expression of national sovereignty."

Sweden: "The Swedish Government has strongly given voice to the view that human rights questions transcend the boundaries of nations and that therefore, in this field, States should not . . . cling to the principle of sovereignty in order to block an effective examination."

Netherlands: "The duty of the [Human Rights] Commission was to defend the rights and freedoms of individuals; however, at the present the Commission did not have the power to protect individuals, and this was most regrettable . . ."

Yugoslavia: ". . . one could see two opposing opinions; each had some right on its side. However, the developing countries had shown little interest in the matter; and the proposal could only be settled when the developing countries could see that they could benefit from it."

These nations are only a sample of the more than 75 members of the United Nations that have taken the initiative for human rights for all of mankind. Our absence, Mr. President, is both conspicuous and embarrassing.

The time is now. The Genocide Convention is under active consideration in the Senate for the first time in 20 years. I hope the Senate will not let this opportunity pass by.

BUILDING OUR AMERICAN COMMUNITIES

Mr. BELLMON. Mr. President, as a farmer and one who is vitally interested in the rural areas of our country, I have long been impressed by the Future Farmers of America. My admiration for this organization continues to grow as I observe the many contributions it makes in the development of young Americans and the communities in which they live.

The most recent undertaking of this group of young leaders is one of which I am especially proud. Last week, the national FFA president, Harry Birdwell, of Fletcher, Okla., was in Washington to announce the initiation of a new program which is designed to get young people involved constructively in helping to make their communities more attractive places in which to live and work. The theme of this program is "Building Our American Communities."

It was my pleasure to visit with the State president of the Future Farmers of America, Teddy Shaw, of Ninnekah, Okla., last week concerning this program, and I was impressed again by the imagination and enthusiasm that was evident in the goals that were set forth. The FFA is to be commended, along with the Farmers Home Administration, which assisted in the development of this positive and forward-looking program.

Smaller communities and rural areas all over the country, the real backbone of American life, will benefit greatly from the efforts of these dedicated young Americans as they seek to build toward a better future for their country.

Mr. President, in order that Senators may be fully informed about this program, I ask unanimous consent that Harry Birdwell's announcement of the program be printed in the RECORD.

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

BETTER DAYS THROUGH BETTER WAYS

(Announcement of FFA "Building Our American Communities" by Harry Birdwell, national FFA president)

In the opening paragraph of the FFA Creed members of our organization are reminded that better days are the result of better ways. As we reflect upon the critical problems of 1970, it is quickly obvious that our challenge has become one of solving America's problems while maintaining America's strengths. That seems to indicate that not only the Future Farmers of America, but all of America, is seeking *better days through better ways.*

From every sector of America young people are saying, "Let's play an active role in America's future". For the most part young people have correctly analyzed the obstacles which our nation must overcome, and as we view the energy and ambition of constructive, well-meaning youths—what things can provide them with opportunities for meaningful participation? Unfortunately the opportunities for millions of this nation's youth to become involved with adults and to participate in worthwhile community efforts are limited. For this reason it is and will continue to be the aim of the Future Farmers of America to provide our members with the knowledge of community problems and to undertake noteworthy community service and community improvement projects.

In keeping with that objective I am proud to formally announce an innovative community action program, . . . *Building Our American Communities.*

The new national effort was conceived eighteen months ago by staff members of the Farmers' Home Administration, an agency of the United States Department of Agriculture. As the USDA and FFA view America's future, it becomes more evident that rural America must, of necessity, offer a solution to many problems of congested urban centers. This over crowding of our population can be reduced provided that sufficent jobs, adequate housing and municipal facilities can be secured in rural and semi-rural areas. As FFA has worked jointly with the Farmers' Home Administration, we have decided that a program involving both study and action will be the most effective means of involving our membership. Instructional units will be made available to 12,000 teachers of Vocational Agriculture, and beginning with the 1970–1971 high school year this information will be taught in Vocational Agriculture classrooms in 9,000 American communities. Vocational Agriculture students will devote a portion of their class time to discussion of the problems of their local communities. In addition to the instructional phase, FFA members will be involved in actual community improvement projects dealing with *seven* rural problem areas:

1. Making efficient use of community resources.
2. Conducting job surveys and rural job development.
3. Becoming involved in environmental clean-up and control of water, air and solid waste.
4. Leading community beautification drives.
5. Developing recreational programs and facilities.
6. Surveying and developing community housing.
7. Encouraging community safety and aiding in the development of rural health facilities.

We realize this seems to be quite an undertaking, however, we anticipate that many other organizations will become actively involved in community projects as a result of the FFA effort to help coordinate rural development efforts. We challenge other youth and adult organizations, civic clubs and city governments to join hands with a half million FFA members as we set out to build rural America.

To this point the response to this effort has been excellent. Young and old alike are excited about the prospects for improved communities through this "youth pioneer" approach to community problem solving. President Nixon has sanctioned our program and has indicated that it satisfies the desire of his administration both to get youth involved in solution finding and to strengthen rural America.

If constructive youth involvement and further development of rural American communities seem to be important priorities for the decade ahead, then I solicit your enthusiastic support for *Building Our American Communities.* To those of you assembled here today, and to every American who shall see the results of this effort, I say this . . . FFA members have not fallen subject to a spirit of pessimism and impending doom. On the contrary we believe that *better days* are ahead for America if we will search for *better ways* to solve our problems and employ our creativity. Though troubles beset America, though controversy divides America, 450,000 Future Farmers of America join with me in saying to you that as we further build our American communities we have much to build with and God knows everything to build for.

HABITS OF AMERICAN YOUTH

Mr. GOLDWATER. Mr. President, all of us, I am sure, are concerned today with the performance and habits of American youth. I, for one, believe that American youth is far from lost. In fact, I would say that the vast majority of our young people today are exceptional, responsible, and intelligent. Of course, we do have the 5 percent or less that participates in violence and senseless protests and draws a greatly overrated measure of attention from the Nation's communication media.

Regardless, I believe the warning contained in an editorial published in the Arizona Republic is pertinent at this time. I wish to thank publisher Eugene C. Pulliam for writing it. I ask unanimous consent that it be printed in the RECORD.

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

WILL YOUNG AMERICA DESTROY ITS HERITAGE?

Although less than 10 per cent of American youth has been participating in the violent, senseless protests about their own colleges and universities, there is a growing danger that the noisy, militant leaders of America's young revolutionaries will lure more and more students to their cause.

The vast majority of students are serious-minded young people striving to get an education. They have, so far, refused to enter into the "gory glee" of hell-raising on the campuses. But no leadership among the silent majority of students has arisen to challenge the revolutionaries.

The president of the student body at a large university was elected by a vote of 1,000 to 300. Only 1,300 out of 23,000 students voted in that election. They simply weren't interested in the militant program of the radical leaders. However, the student who was elected president claims that he represents the entire student body, and demands a voice in the Board of Regents' meetings, in spite of the fact that 90 per cent of the students wanted no part of his program.

Unless the students who believe they go to college to get an education rather than to start a revolution begin very shortly to organize and challenge the revolutionaries on the campus, they may find they have sat silent while their precious heritage of freedom and opportunity goes down the drain in a blazing, destructive, senseless revolution led by leaders who don't know what they want or what they would do with it if all their demands were granted. They want a noisy voice in everything, but beyond that they know not what they are shouting about.

A sober observation about America's youth recently came from England, where the editor of the London Daily Telegraph declared that no generation of young people ever had so great a heritage of freedom and opportunity as today's American youth.

Under the caption "Revolt of the Pampered," the editor of the London Daily Telegraph wrote:

"America is the victim of its national myth. It entered history proclaiming the rights of man; its Constitution is aimed at fostering freedom at all costs. Its young have been brought up largely on an educational theory which attaches supreme importance to self-expression. Is it odd that it should lead the world in rebellion or that its volunteer forces should sometimes lack the virtue of unrelenting discipline? Yet one marvel does defy explanation. Why should America's pampered and idolized student youth, living in a country that enjoys freedom and prosperity in unprecedented degrees, turn all its righteous anger, not against the despotisms that rule most of the rest of the world, but against America itself?"

SEWER PROBLEMS IN ROGUE RIVER, OREG.

Mr. HATFIELD. Mr. President, when we were debating the 1971 Agriculture Appropriations Act, I gave my full support to the amendment to increase funding for the FHA rural water and sewer grants and loans. My statement in support of the amendment appears on page 23294 of the July 8, 1970, CONGRESSIONAL RECORD.

In those remarks, I mentioned the situation in Rogue River, Oreg., and the problems that small towns in Oregon face in providing adequate sewer systems.

Mr. President, I ask unanimous consent that the portion of my remarks on July 8, 1970, describing the situation in Rogue River be printed in the RECORD.

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

Mr. President, I would like to comment on the experience of one small town in Oregon and its problems in this area. I quote from a letter to me from Mr. Wayne Richards, community development specialist of the Jackson County Community Action Council. That letter states in part:

"Representative Don Stathos advised writing to you in regard to pollution of the Rogue River. The City of Rogue River is in the embarrassing position of being partly responsible for polluting its famous namesake. After taking a routine water sample for its swimming classes in August of 1969, the Jackson County Parks and Recreation Department decided to bus the participants into Medford, 21 miles away. Evans Creek, which empties into the Rogue River at the townsite, has been officially posted as being polluted. The entire population of Rogue River (700) now uses septic tanks. Because they are in such close proximity to each

other, several of the businesses share the same tank. Engineering surveys indicate clay subsoil which is very poor for proper drainage of septic tanks.

I call attention to the following paragraph; for it goes to the heart of the problem:

"The City of Rogue River has repeatedly attempted to bond itself and pay for its sewer system. These bond issues have been unsuccessful because of the excessive financial burden placed on the tax payers. Two thirds of the inhabitants of Rogue River are over age 65 and living on fixed incomes. 538 social security checks were mailed to zip code 97537 of which Rogue River is the major part; these checks averaged $71.46. The last bond issue presented before the voters in November of 1966 was for $360,000.00—$30,000.000 of which was a Farmers Home Administration Grant. That is 8% federal assistance."

I ask my colleagues to pay particular attention to this section of Mr. Richard's letter:

"Inability to pay is clearly as much of a problem here as is the pollution of the river. The City of Rogue River is once again preparing an application to federal funding sources for grants to help pay for a sewer system. Is the national concern about pollution genuine? What kind of support need we solicit to obtain 50% to 80% federal grant participation?"

In closing, Mr. President, I would note that the problems of Rogue River, Oreg., are not unique. Similar statements could be expressed by many mayors and county commissioners in small Oregon communities. It is for this reason, Mr. President, that I urge passage of the Goodell amendment.

Mr. HATFIELD. Mr. President, recently I have been sent a copy of the Federal application for financial assistance for a sewage system, which was submitted by the town of Rogue River. The application has been sent to the Economic Development Administration, the Farmers Home Administration, and the Federal Water Pollution Control Authority.

When I read this application, it dramatized to me the need for increased Federal assistance to our rural areas. The problems they face are different from those in our urban centers, and we must not lose sight of the special needs of small towns and rural regions across the United States.

We in the Senate have spent much time discussing the growing urbanization of our country and its effects on all facets of our society. Much debate has centered on the results of urbanization, but not as much has been focused on the causes. In my opinion, this application could serve as a case study of reasons that many of our small towns are stagnating today.

Our young people should be able to choose a city life or a rural life, and not be pushed into city or suburban living because no jobs are available in rural areas and small towns. We must help give our rural areas a new economic lift.

Mr. President, because I believe this situation in Rogue River, Oreg., sets out so well the problems facing many small towns, I ask unanimous consent that the application be printed at the end of these remarks.

I ask Senators to read these comments, for they could be those of any small town suffering from a severe financial squeeze. These people across America deserve our assistance. We need to move now to help them, or the decline of our small towns and the attendant urbanization will only multiply the all too familiar problems brought on by urbanization.

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

APPLICATION FOR FEDERAL ASSISTANCE FOR CITY OF ROGUE RIVER SEWER SYSTEM

Cities, towns, or areas: Rogue River.

County: Jackson.

Population: 1960, 520; Current (Est.) 700; to be served by project, 2,000.—Design for expansion to 2,000.

Description: To construct a modern sewage treatment plant, interceptor sewer, main lines and house laterals for the entire city of Rogue River.

Public interest and necessity: Narrative and supporting data attached hereto.

METHOD OF FINANCING

[In thousands of dollars]

Source of funds	Waste components		Total
	Treatment	Collection	
Federal grant requested	56,250	143,750	200,000
Federal loan requested			
Other Federal contribution			
State contribution	33,750	86,250	120,000
Applicant contribution	22,500	57,500	80,000
Estimated total project cost	112,500	287,500	400,000

OTHER FEDERAL ASSISTANCE—PREVIOUS OR PENDING

Name of agency	Type of assistance	Indebtedness outstanding, if any
Housing and Home Finance Agency	Sewer planning grant	$1,500

Preliminary cost estimate for proposed Rogue River sewer bond issue

Interceptor:	
3,000 linear feet at $6	$18,000
800 linear feet at $10	8,000
8-inch street mains (20,000 linear feet at $6)	120,000
4-inch house laterals (5,000 linear feet at $3)	15,000
Manholes (60 units at $250)	15,000
Creek crossing	5,000
Repaving:	
40,000 square feet at $0.10	4,000
40,000 square feet at $0.30	12,000
Pump station	25,000
Right-of-way acquisition	5,000
Subtotal	227,000
Contingencies, engineering, legal and financing charges (all at 25 percent)	57,000
Total; interceptors and distribution system	284,000
Treatment plant (2,000 population equivalent)	90,000
Contingencies, engineering, legal and financing charges (all at 25 percent)	23,000
Total treatment plant	113,000
Repay planning grant	1,500
Grand total	398,500
Recommended bond issue	400,000

PUBLIC INTEREST AND NECESSITY

Statistics over a period of time indicate that not only is there poverty in the Rogue River area, but that it is increasing. This particular project is one of the few that promises to change not only the poverty situation but also the increasing poverty level. A sewer system for Rogue River would provide basic human sanitation and give a basis for rational economic growth. This grant application represents ten years of preplanning activity in attempts to get a sewer system built for the Rogue River area.

I. Contribute to health and living standards: The health report committee of the 1968 Jackson County Long-Range Planning Conference stated ". . . the most serious unmet health needs in the County . . . (are) adequate sewage disposal system . . ." The same paragraph from which this statement was taken also indicates another serious unmet health need as ". . . better housing for the elderly," which, of course, cannot be built in the City of Rogue River until the sewage problem is taken care of.

No adequate housing can be provided for any age group until adequate sewerage is provided. Neither the county wide leased housing program nor the rehabilitation housing program can operate in Rogue River because the available existing houses do not meet minimum Federal standards. Older houses are not being replaced because builders hesitate to accept septic systems as economically feasible when building new houses.

II. Prevent or abate pollution: The City of Rogue River has the dubious distinction of being a polluter of the River of its own namesake. Individual septic tank and drainfield systems presently serve the area within the Rogue River city limits. Black clay underlay prevents proper drainage of effluent from the septic tanks. The clay soil condition coupled with increased population density in the downtown area, have long ago rendered inadequate the current disposal system.

In August, 1969, the Jackson County Parks and Recreation Department took a routine water sample from the Rogue River at the Rogue River townsite, and from the negative results decided to bus its annual swimming classes into Medford, twenty-one miles away.

Evans Creek, which empties into the Rogue River at the townsite, was officially posted as polluted by the Jackson County Court during the summer of 1969. In July, 1970 a concerned citizen of Rogue River telephoned the Rogue River Neighborhood Center, telling them of the negative results obtained from two water samples taken from Evans Creek near her home. She felt that parents of children swimming in Evans Creek should be notified of its high pollution content. She called the County Sanitation Officer, who went on the radio that evening to inform the public of the situation.

A sewage system would clearly abate present pollution and prevent its occurrence in the future from the Rogue River population. Sufficient reserve capacity will be provided (the design presented before the voters will be for a maximum of two thousand people) to serve the ultimate development of the city and surrounding area.

III. Assist in the creation of long term employment: Lack of a sewage collection system and treatment facility has seriously hindered the growth and development of Rogue River and the surrounding area. (See attached letters.)

Prospective businesses have approached the local real estate brokers and our local banker, as testified in their accompanying letters of support. It is easy to see why restaurant or motel interests would find it inadvisable to locate in a city which has no sewage facilities. The most pressing need of the Rogue River area is adequate housing and new jobs, neither of which is possible without a sewer system. The City of Rogue River's excellent location on the legendary river itself makes it potentially ideal for further development of tourism and recrea-

tional facilities. One of the largest public camping facilities in Southern Oregon is located less than one mile from the city limits of Rogue River. Valley of the Rogue State Park provides one hundred and fifty overnight camping sites. In 1967 there were 605,248 visitors to this park.

IV. Primarily benefit long time unemployed and members of low-income families: Construction of the needed sewage facilities without Federal assistance would involve an extraordinary and excessive financial burden on the city in relation to its financial resources. The City of Rogue River has been trying to get a sewer for ten years. A preliminary engineering survey was completed in 1960. Bond issues have been defeated because the taxpayers could not bear the full cost of such a system.

A survey taken four years ago and forwarded to Congressman John Dellenback indicated that two-thirds of the inhabitants of Rogue River (population 700) are over age sixty-five and living on fixed incomes. As of January, 1968 monthly Social Security checks mailed to Zip code 97537, of which Rogue River is the only incorporated area, numbered 538. These checks average $71.46.

Rogue River School District #35 (enrollment: 1,000 students) has its main school buildings within the city limits, which presents additional financial burdens to the city. Less than 100 students enrolled in Rogue River schools live within the city limits of Rogue River. For example: already unpaved, ill-graded, improperly surfaced, sub-standard streets are periodically rutted out due to frequent and heavy school bus traffic. The schools' sewage disposal is also handled completely by septic tank. Also indicative of the economic need of this area is the fact that the Rogue River schools are eligible for and do participate in the Federal free school lunch program. Rogue River School District is identified by the Oregon Board of Education as being one with a "high concentration of students from low-income families." The District is able to document that over 20% of its enrollment is under OEO poverty threshold guidelines.

The last bond issue presented before the voters for a sewage system in 1966 would have cost approximately $600 per typical household (100 x 100 foot lot) for the sewer hookup. These sewer rates are unreasonable, especially to the elderly, whose priority expenses are such things as food, eyeglasses, taxes, hearing aids, etc. Using the $71.46 average monthly Social Security check mentioned previously, this $600 cost per homeowner would be in many cases almost three-fourths (12×$71.46 equals $857.52) of the entire yearly income of pensioners.

The City of Rogue River has been identified by the Economic Development Administration of the Department of Commerce as being located in one of their designated areas. The principal requirements for this designation are high unemployment and low family income. Rogue River has been declared eligible for participation in Economic Development Administration programs. Jackson County is an economically distressed area described by the U.S. Department of Labor as having "chronic and persistent unemployment." Without a sewer system the City of Rogue River lacks the foundation required for economic growth. The historical lack of growth Rogue River has experienced (1950 census: 590 persons; 1960 census: 520 persons) has local citizens concerned stemming the flow of youth migration from this rural area to urban areas. Teenagers are moving out as fast as they graduate from high school because there are no job opportunities. The people of Rogue River are aware that their greatest investment is the youth of this area.

1969 average unemployment percentage rate for the City of Grants Pass, (population 13,000) nearest "large" city to Rogue River, was 10.6%. 12.7% was the percentage for the first week of May, 1970, 15.5% for March, and 17% for February. Unemployment for the area is above the state average.

The following is a breakdown of results obtained from a questionnaire administered through the mail to all 250 households situated within the City of Rogue River. There were 55 replies answering anonymously "How many people live in your household?" And "How much is your monthly household income?"

Household income per month	Number of households	Total number of people living in households
Less than $150	17	26
$150 to $250	6	13
$251 to $350	15	34
$351 to $450	9	21
Above $600	8	22

MAY 18, 1970.

TO WHOM IT MAY CONCERN: There are no job opportunities in Rogue River so when I graduate Wednesday, May 20, I will leave here to seek other means of better employment opportunities. Also, our river and creeks are so polluted swimming is almost impossible.

Respectfully submitted,

RENA L. BAKER.

ROGUE RIVER, ORE.,

DEAR SIR: I am 76 years old and a home owner in Rogue River. I think we need a sewer, but living on a limited income I could not afford to pay for it. It is necessary in our town, but the people like myself can't do it without a gov. grant. I am also a widow and living alone.

LOIS I. HART.

MAY 19, 1970.

DEAR SIR: Do to the financial circumstances of the city and the people living in Rogue River. It seems impossible to finance a sewer system here. We are very much in need of one. My husband 58 years old does odd jobs, myself 56 takes care of elderly people for our low income, less than $3,000 per year. We do need one badly and hope the government will help us get one.

Sincerely,

Mr. and Mrs. L. A. MAILANEN.

MAY 19, 1970.

DEAR SIR: I am a widow, 83 yr. old living in Rogue River. I feel that a sewer would be necessary for health & economic reasons, but living on a limited income, I cannot afford to pay for it in taxes. Rogue River is not financially able to pay for it—we need government help to put in our sewer.

Sincerely,

EDA B. FULTON.

APPLETON REALTY CO.,
Rogue River, Oreg., April 13, 1970.

Mr. WAYNE RICHARDS,
Community Action Center,
Rogue River, Oreg.

DEAR MR. RICHARDS: The current effort being enlisted by your group on behalf of this community and directed towards a satisfactory installation of a sewage disposal system for the City of Rogue River is greatly appreciated by myself as well as many others in the community.

As you may know, various beneficial developments have been thwarted in past years due to the fact that sewers were not readily available.

I would like to cite a few examples for you, the first of which is a syndicate of a group from Portland which was desirous of locating a motel within the city limits of Rogue River. This complex, as planned, called for the development of a motel unit, as well as a good quality restaurant and cocktail lounge facility, keyed not only to tourist traffic in this area but it was hoped it would help to round out the business community greatly. A complex such as this, it was estimated, would have employed as many as 15 people on a regular basis which, in itself, would have been a sizable contribution to the community.

One other phase of development which has been stymied by the lack of a sewer system is the development of an adequate mobile home park unit in and near this community. The cost of installing self-contained sewage disposal units apparently is prohibitive to the private developer attempting to develop a park of this nature. Estimates of the manpower needed to operate a facility of this type are difficult to make, however, I cannot help but feel that if a sizable park were developed, it would require the services of many people to continue adequate maintenance.

The multiple dwelling or apartment type development is very much a need in this area but again has been postponed due to this same critical situation. The construction and development of multiple dwelling units in this area as well as the continued maintenance of same naturally would contribute to the over-all economy as well as provide work for additional people.

I have cited some of the frustrations that have occurred due to the lack of sewage disposal in the City of Rogue River and do not mean to overlook the fact that, in my estimation, we are probably now in a critical stage relative to over-saturation of affluence in this area. This alone serves as a deterrent to any man in business who is thinking of locating in this area and this phase of the problem should not be overlooked.

Again I want to thank you personally for the effort you have extended, and I am sure you will continue in this direction, and I will offer my services in any way possible to aid you in your efforts.

Sincerely,

GRANT APPLETON,
Broker.

ROGUE RIVER, OREG.,
March 27, 1970.

Mr. WAYNE RICHARDS,
Community Action Center,
Rogue River, Oreg.

DEAR MR. RICHARDS: It is my understanding that you are requesting information from various individuals who had planned construction projects within the City of Rogue River but have been unable to because of the lack of a community sewer system.

As for myself—I had intended to construct a 4-unit apartment building or additional office complex to the rear of my present location, but cannot until such time as a sewer system is installed.

My father-in-law owns a lot adjacent to the bank and is presently considering a medical-dental ocmplex, but is holding off until such time as a sewer system is installed.

As a professional engineer, I have had to turn down numerous clients who were contemplating construction of apartments, motels, restaurants and commercial projects but again were thwarted because of the lack of sewers.

If you have any further questions, please call or write.

Sincerely,

BRYCE W. TOWNLEY.

ROGUE RIVER, OREG.,
April 2, 1970.

TO WHOM IT MAY CONCERN: The city of Rogue River has been in need of a sewer system for a very long time.

Because of the high percentage of elderly low income people within the city and the high property taxes to which they are already subjected, it is financially impossible for the residents of Rogue River to bond themselves for such a system.

Therefore Federal assistance is mandatory if this situation is to be corrected in the forseeable future.

Respectfully,

R. J. CAMDEN.

GOLD HILL, OREG.,
May 13, 1970.

The STUDY COMMITTEE FOR THE DEVELOPMENT OF A SEWER SYSTEM IN ROGUE RIVER,
Rogue River, Oreg.:

For ten years I have owned seventeen acres of undeveloped land located within the city limits of Rogue River. This property is ideally suited for and was originally purchased for housing and it has been and still is my desire to construct a one hundred unit condominium for the elderly there. This letter is to testify that this housing project has been held up for ten years due to the lack of a sewer system. My construction would begin when and if there is a sewer system built in Rogue River. I understand that because of the high percentage of elderly low-income people living within the city limits it is financially confiscatory and prohibitive for them to bond themselves for such a system. However in the event that a bond issue is passed it is easy to see the enormous amounts of additional taxes that would be available to help pay for the sewer from my investment alone. There is a very severe lack of adequate housing in this area which can be verified by the Jackson County Housing Authority.

In summary I would like to point out and emphasize that (1) Rogue River has needed a sewer for a very long time, (2) the lack of a sewer has adversely affected the availability of adequate housing, (3) the materials and labor for constructing the units would certainly boost the economy in this economically distressed area, (4) maintenance of the units would create jobs, (5) all of this is and has been for ten years contingent on a sewer system in Rogue River.

Sincerely yours,

E. F. BOLT.

HOME OWNER PURCHASING ENTERPRISES INC.,
Medford, Oreg., July 10, 1970.

Mr. WAYNE RICHARDS,
Medford, Oreg.

DEAR MR. RICHARDS: In regards to Home Owners Purchasing Enterprises, Inc. doing rehabilitation of homes in Rogue River. We find it not feasible to do because of no adequate sewer system.

Several families have asked our office to consider a certain house they wished to buy. F.H.A. is very stiff about issuing a 30 Year loan on a private sewer system and more so if same property is on private water system.

We earnestly hope your efforts will work out the problem for the citizens of Rogue River.

Sincerely,

MARY A. DUTTON,
Executive Director.

HOUSING AUTHORITY OF JACKSON COUNTY,
Medford, Oreg., May 26, 1970.

Mr. WAYNE RICHARDS,
Study Committee for the Development of a Sewer System in Rogue River, Medford, Oreg.

GENTLEMEN: With regards to the development of a sewer system in Rogue River it is the opinion of the undersigned that such a system is desperately needed in the Rogue River area.

We have all heard of the high pollution factor of the Rogue River that eminates from the immediate Rogue River area, but more importantly, the lack of an adequate sewage disposal system prevents any significant development in the area.

Our experience has indicated that it is extremely difficult, if not impossible, for the Housing Authority to obtain units in the Rogue River area. New development is stifled and existing units are not capable of economic rehabilitation or repair due to the fact that in the final analysis adequate sewage disposal is just not available in the majority of cases.

We wish to commend you on your efforts and it is our earnest hope that your committee will lead to the solution of the sewage disposal problem in Rogue River.

Very truly yours,

RALPH B. EATON,
Executive Director.

OREGON EMPLOYMENT DIVISION,
Medford, Oreg., July 9, 1970.

Mr. WAYNE RICHARDS,
Jackson County Community Action,
Medford, Oreg.

DEAR MR. RICHARDS: Pursuant to your request for some of the possible employment impact which the installation of sewerage system would have on the City of Rogue River, I submit the following possibilities:

1. Expansion of tourist oriented industries. Accepting the general consensus used in studying the impact of the recreation and vacation travel industry, there are 10 industries which contribute practically all of the seasonal swing between February and August. These 2 months have been established by study of travel data as the low and high months of tourist mileage. The 10 marked by seasonal industries were:

Industry:	*SIC code*
Eating and drinking places	581
Hotels, tourist courts, motels	701
Gasoline service stations	554
Sports, promotion, recreational services	794
Retail stores N.F.C	599
Motion picture theaters	783
Theatrical producers, etc	793
Rooming and boarding houses	702
Laundries	721
Trailer parks and camps	703

All of these industries appear to be below the expectation of such an excellent location on a river well adapted to recreational uses and its near proximity to a heavily used state park. It must be concluded that lack of development has been, at least partially, the lack of an adequate sewerage system.

It would seem reasonable that with the installation of an adequate system, that several motels, eating-drinking places, service centers, such as gas and laundries would add between 60 and 80 job opportunities.

2. Development of retirement condiminiums: The high liveability of the Rogue Valley is well accepted, yet there has been no announced permanent year-round jobs.

3. Health center could become a very worthwhile project for recuperative patients who need to remain in the area close to the special treatment facilities, such as the cobalt center, but who prefer to be in a smaller community.

Therefore, in summary, I would anticipate that a considerable number of jobs would result from the proposed sewerage system.

Respectfully submitted.

STEARNS CUSHING,
Labor Economist.

ROGUE RIVER LIONS CLUB,
Rogue River, Oreg., April 21, 1970.

To: The study committee for the development of a sewer system in Rogue River:

The Lions Club of Rogue River believe that a sewer system would greatly benefit the City of Rogue River and its people, while at the same time aiding in the elimination of the Rogue River waters pollution.

The downtown section of Rogue River City is comprised of many businesses which are sharing the few septic tanks available. These are operated to the maximum limit most of the time and thus restrict any new business use. The size required of a drain field prohibits any new septic tank installation because of the building density of the area. Therefore, the City's growth has stagnated. Resulting in no new revenue to offset the rising costs of operating the city with which the taxpayers are now being burdened.

With a sewer system there would also be a treatment plant which would process the waste and return it to the soil in a near pure state which would not contaminate the river and the city water system.

The Lion's Club considers the installation of a sewer system to be a great asset to the City of Rogue River.

Sincerely,

LELAND SOUTHERN,
Secretary.

ROGUE RIVER JAYCEES,
Rogue River, Oreg., April 16, 1970.

Hon. WARREN BROTHERTON,
Mayor, City of Rogue River,
Rogue River, Oreg.

DEAR MAYOR BROTHERTON AND MEMBERS OF THE CITY COUNCIL: The Rogue River Jaycees are very aware of the need for a sewer system in the City of Rogue River. We feel this is the time for a study of the problem and strongly urge the creation of a committee to study the development of a sewer system.

The entire county is aware of the pollution problem and the need to solve it. More federal funds are now available than ever before for projects such as this.

In order for the City of Rogue River to prosper and expand, a sewer system is needed so new homes, motels, small industries and other businesses can locate in the area. Once a sewer system is completed, it would be possible to extend the city limits.

In a short time there will be a sanitation problem with the use of septic tanks throughout the city, and the City of Rogue River should act now before the problem becomes acute and the State Board of Health demands a solution.

Very truly yours,

CLIFFORD E. BIGHAM,
President.

VALLEY OF THE ROGUE BANK,
Rogue River, Oreg., April 24, 1970.

STUDY COMMITTEE FOR DEVELOPMENT OF A SEWER SYSTEM FOR ROGUE RIVER,
Rogue River, Oreg.

GENTLEMEN: As your local banker, I was delighted to hear that you are making a determined effort in the direction of a sanitary sewage system for our City. You have my complete cooperation.

In the three years in which I have been involved in the community affairs, I can not think of a single item which would do more for the progress of the community than the subject at hand.

In the past we have had several inquiries concerning the possibility of a medium-sized motel, cafe combination. Interest dwindled rapidly when it was learned that there was no existing sewage disposal system.

The institution of an acceptable system, in my opinion, would bring into the community several small businesses which would create employment and enhance our local economy. The property which is now zoned commercial and is occupied by old "shanties" would be purchased very rapidly for immediate and future commercial building sites.

I know personally of several projects which are pending, and will be instituted when and if there is an established sewage system within the limits of our City.

Very truly yours,

CLYDE THOMPSON,
President.

ROGUE RIVER, OREG.,
May 7, 1970.

Mr. WAYNE RICHARDS,
Community Center,
Rogue River, Oreg.

DEAR MR. RICHARDS: I would like to take this opportunity to tell you that I am def-

initely in favor of the proposed sewer project in Rogue River. I believe that this would be a definite asset to every person living in the Rogue River area.

First, it would increase the resale value of city property. Second, it would be the foundation for future growth as far as business establishments and income enterprises. Third, it would be an attraction for new residences and city expansion which would benefit us all.

I hope that all of us in the Rogue River area will take pride in our community and vote in favor of the proposed sewer project. Let us remember what President John Kennedy once said, "It is not what our country can do for us but what we can do for our country."

Yours truly,

H. W. HAWKINS, D.O.

SEWER SYSTEM BOND ELECTION MAY BE HELD IN SEPTEMBER

ROGUE RIVER.—A bond election to see whether or not residents of Rogue River will approve financing for a city sewer system may be held early in September, according to Councilman Chester Willsey.

Willsey is Rogue River's commissioner of sanitation and he is chairman of the Sewer Study Committee that was appointed by the council in April.

Financing is something that must be approved before the community can apply for federal assistance, hopefully a grant to cover 50 per cent or more of the cost.

"The difficulty is," Willsey explains, "that we must hold the bond election for the full amount—and we are talking in terms of $350,000 to $400,000—before we can apply for the federal grant that will offset part of it. The committee hopes to include a stipulation in the election that will guarantee the people that nothing will be done, no money will be spent, unless we can receive at least a 50 per cent grant.

SOMETHING WE CAN HANDLE

"We want to call for a vote on the bond issue, but we want to make it plain that unless we can get the local cost down to around $175,000 to $200,000, something we can handle, we will not proceed."

As it is planned, the local share of the bond issue could be paid off through sewer construction fees, monthly service charges, and the levy assessed for the sewer lines as they run adjacent to each piece of property served. (This amount could be figured either on a property frontage foot basis or on a square foot basis.) Individual property owners would be responsible for the cost of the line joining their homes to the main system.

The county assessor has said there would be no increase in taxes because property in Rogue River is already assessed at a value allowing for septic tanks and the difference between reassessing it with a sewer system would be negligible, except in the case of vacant properties, Willsey said.

SYSTEM IS NEEDED

Most of Rogue River's citizens (population about 700) agree that a city sewer system is needed, Willsey said.

The community is now served by septic tanks, some of which don't perform adequately, and city wells. There have been complaints about the amount of chlorine necessary to keep the drinking water safe.

The problem is, how to keep the cost down on what is needed, and this is what the Sewer Study Committee is trying to work out. Meetings have been held weekly since April.

"We are trying to benefit as many as possible at the lowest cost," Willsey said.

Along with Willsey, members of the committee include Warren Brotherton, mayor; Bob Nelson, businessman; Bryce Townley, engineer; Mrs. Elizabeth Sheffield, businesswoman; Mrs. Anna Classik, librarian; Ed Bolt, landowner; and Wayne Richards, community development specialist with the Community Action Center. Dr. Henry Hunt represented the school district until he left to assume the superintendency in Winston-Dillard.

TENTATIVE MAPS

Two tentative maps have been drawn and the committee is compiling cost figures.

Ways of financing a bond issue to the best advantage, and the possibility of state assistance are things to be considered, "but we haven't quite reached that stage yet," he added.

A public meeting was held several weeks ago at the Live Oak Grange and there were many questions concerning the sewer system proposal. Willsey said the committee felt that 90 per cent of the approximately 50 persons present seemed to agree that if the plan outlined could be worked out, they would support it.

Saturday, June 13, Congressman John Dellenback met with the committee and interested persons and told them that Rogue River's chances for getting federal assistance were good, but that there are always many bids made for federal dollars. He said that as soon as the local move is made (approval of a bond issue) his office will assist. No time schedule was given, but each request must go through six or eight offices, he reminded.

NO MORE PERMITS

The Jackson County Health Department is issuing no more permits for dry wells (to supplement septic tank systems where needed) in Rogue River and will not issue septic tank permits until the soil has been thoroughly tested.

The community is growing—the high school is being enlarged—and there is more demand daily on diffusing soils, Willsey continued.

One property owner wants to develop a condominium for the elderly, but is being held up because there is no sewer system. There is a severe shortage of adequate housing in the community and the Housing Authority of Jackson County has permission to lease there, but there is difficulty in finding rentals that meet standards because of the sewage problem.

Willsey explained that if Rogue River can't arrive at a way to solve its problem through careful, intelligent planning, it may be forced to take action, and soon.

"We could be told that we must put in a sewer system—to work it out the best way we can," he said. "The committee feels this would not allow us the opportunity to take into consideration the most economical use of the dollar."

HEALTH SERVICES AND MOUNTING COSTS

Mr. HARRIS. Mr. President, on July 8, 1970, I held an important public hearing in Tulsa, Okla., on the subject of the delivery of health services and mounting medical costs. The testimony I received at that time was thoughtful and worthwhile, and I believe that Senators and relevant committees can benefit from a consideration of it. Accordingly, I ask unanimous consent that the second additional portion of that testimony be printed in the RECORD.

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

PUBLIC HEARING ON HEALTH DELIVERY AND COSTS, TULSA, OKLA., JULY 21, 1970—II

Senator HARRIS. Thank you, Jack. Like you, I believe that our system can and will work if we get together, and that's the basic idea of this hearing. I appreciate very much what you've had to say.

Arthur Berkey is Area Director of the United Steelworkers of America. Arthur, we're glad you're here, and we'd be pleased to hear from you at this time.

TESTIMONY OF MR. ARTHUR BERKEY, AREA DIRECTOR FOR THE UNITED STEELWORKERS OF AMERICA, AFL–CIO–CLC, TULSA, OKLA.

I'm real privileged to present some of our viewpoints on this most important field.

I am Arthur K. Berkey, Area Director for the United Steelworkers of America, AFL–CIO–CLC; our Oklahoma Staff Office is at 124 So. Denver, Tulsa, Oklahoma 74103.

At present, we have approximately 5,500 members employed in 25 companies, covered by 19 Local Unions. One group is covered by a national contract. The others, although in some instances a branch of a national company, are covered by separate contract agreements. All provide for some method of life, medical and hospital coverage. Some are jointly financed by employees and employer though the majority are 100% financed by the employer as a part of fringe benefits negotiated into our contracts.

Workers are located principally in N.E. Oklahoma. The general area is Tulsa, Oklahoma City, Enid-Ponca City area and until recently in the Henryetta, Okmulgee area, not now in existence due to the closing of the Eagle-Picher Company Zinc Smelter at that location.

Inasmuch as we have had considerable experience in a wide-range of the State and due to the detailed involvement of negotiations for medical and hospital benefits, our members are concerned about the increased cost of benefits, which continues to climb at an alarming rate.

We have a wide range of programs, some are basic providing for as low as $12 to $15 per day for hospital benefits and $200 surgical schedules, on up through the Armco Steel (basic National Steel Agreement) providing for 100% coverage for daily room benefits and surgical fees on a customary and regular fee basis.

The majority of underwriters is Blue Cross-Blue Shield. The remainder are nationally-known insurance carriers, such as Metropolitan, Equitable Life and so forth.

Within the past few years, the cost of continuation of existing plans has been so inflated as to make it impossible to absorb this cost within the amounts we feel the employer can justifiably pay. Normally one would think that a wage earner in the $2.50 to $4.50 bracket should not find difficulty in meeting normal health and surgical cost, but this is not so. We daily receive reports of charges above the allowed cost of a plan negotiated a year or two ago, that was at the time of negotiations providing nearly 100% coverage. Now the individual is billed for upwards of 50% more than a similar sickness or operation cost two years ago.

The carriers, especially Blue Cross-Blue Shield, have been helpful in reviewing single cases on our behalf due to the availability of records that are not normally available to either the employee or his union representative.

We recognize that medical costs have risen due to necessary improvements and normal wage adjustments but we feel that the degree of increases is not justifiable and even if it were justified, medical services and hospital benefits are priced beyond the ability of the wage earner to afford. From members of our members families, we have reports that parents and relations who have

been retired cannot afford even the meager base necessities of proper medical care. From the experience we have had with our own members retirement, where a continuation of medical and hospital benefits were not provided in the pension plan, many have been unable to provide for such care out of S.S. and pension income. Medicare and medicaid have assisted this group.

I have attached a copy of the rates charged per day within various communities in Oklahoma that was recently published in the Tulsa newspaper, showing the wide range of per day cost by hospitals. We feel that certainly there will be some difference between any similar operating facility but we seriously question the justification in such a wide range. Surely it is not basic wages paid for services since these now come under minimum wage provisions of the Fair Labor Standards Act. And we do not find this degree of variance in wage rates in comparative operating properties that we have under contracts within the State.

I would point out within this Article in response to the question, "Why the disparity?" The best one official could come up with, "I guess they figure Tulsa can afford it."

But Senator, even if Tulsa could afford it, which we raise question, there are thousands of Oklahomans and millions of Americans that cannot afford to become sick or undergo a badly needed operation. We have some suggestions to offer:

1. We believe the whole area of medical and hospital services should be investigated with Congressional and Senatorial Committees for the purpose of seeking ways and means of improving services to the general public. This naturally must be a long range and continued program.

2. Immediate legislation should be passed providing for a fair pricing of medical services and hospitalization benefits, based on an in-depth study of fees charged by doctors and hospitals.

3. Expansion of medicare or a program of national health care to provide a cushion for cases where the individual cannot himself provide for needed medical care.

4. Investigation of high cost medical and hospital services in areas such as Tulsa to determine if such costs are justifiable or as the newspaper article would indicate, "because Tulsa can afford it."

5. Committees such as this to request assistance by all national carriers of hospital and medical insurance programs to make available its records revealing the number of cases referred to hospitals by doctors and the range of fees charged by both doctors and hospitals for similar services.

6. Some immediate relief be granted through tax allowances for excessive medical and hospital cost.

7. Enactment of re-insurance or an overall national health insurance program to pay for excessive cost for long term and intensive care medical and hospital services.

The average wage earner is seriously concerned with this additional cost burden especially in fact of other inflated costs, increasing unemployment or underemployment. He found it difficult with a full pay check and a part of the medical cost provided through employer and employee pre-paid plans, but now it is all but impossible for him to continue to meet this cost.

We're saying here, Senator, that we've simply arrived at a point where it is not fair or justifiable to continue to pass this excessive cost on to the employer.

Thank you for this opportunity to appear on behalf of our members of the United Steelworkers of America but more important, on behalf of those thousands of wage earners in Oklahoma who do not have union representation but must look towards you and your Committee for assistance in this great need.

I brought with me a copy of a plan that we have in existence here in the Tulsa area to give you an example of these increases in cost. This plan went into effect—it is a standard Blue Cross-Blue Shield plan—in December 1967. At that time we made a detailed, in-depth study of the hospital charges and the cost of medical service in the Tulsa area. It cost the individual employee $8.30 a month; for an employee with a family it cost $9.10.

We have had two increases; we're now confronted with a third. With the addition of that third, those costs will now be—I remind you, Senator, that this is since December 1967—it would cost to pay for the single person, $15.20; for the family group, $34.40. You can see here how that's a doubling. This is going up now at an annual rate of 15.8%, or it will double in approximately 5¾ years. We talk about the concern about the population explosion—we're doubling hospital costs about ten times the rate we're doubling the population. So, we should have some concern there. I want to say this on behalf of this particular carrier which is Blue Cross-Blue Shield: of the total costs in this period, of $13,892.30, they paid back $11,629.27. But the employees, in addition to the costs of buying the insurance, paid out an additional $3,381.55. So we continue to see great resistance on the part of our membership to continuation of hospitalization programs and plans. Anytime we can be of further service to you, we'll be privileged to come and appear.

Senator HARRIS. Thank you Arthur for a very comprehensive and very useful statement.

I'd like to call, now, on the President-elect of the Tulsa County Medical Society, Dr. C. S. Lewis. Dr. Lewis, we appreciate very much your coming here, and we will be pleased to hear from you at this time.

TESTIMONY OF C. S. LEWIS, JR., M. D., PRESIDENT-ELECT OF THE TULSA COUNTY MEDICAL SOCIETY

Thank you, sir. Senator Harris and friends.

We, in Tulsa, appreciate your time and interest in the problems of medical care for the people of the United States. We too are interested in these problems and are seeking ways of solving them. We appreciate this opportunity to visit with you, our senior senator, in regard to methods of handling health care problems of our country.

I am C. S. Lewis, Jr., M.D., President-Elect of the Tulsa County Medical Society. I am a Board Certified Internist and am engaged in the private practice of Internal Medicine in Tulsa. By way of credentials, I also serve on the Medical Advisory Committee of the Tulsa Area Health and Hospital Planning Council, am a member of the Clinical Faculty of the University of Oklahoma Medical School, and President-Elect of the Oklahoma Society of Internal Medicine. I serve the American Heart Association on state, regional, and national committees at present, and am a past member of the Board of Directors of that organization. I also serve as Chairman of the Joint Committee on Health Affairs of the United Presbyterian Church in the U.S.A. Among other duties, this policy-making committee has the responsibility for 56 mission hospitals in 23 developing countries around the world.

After discussion with appropriate committees of the Tulsa County Medical Society, we feel that the following statement of Richard S. Wilbur, M.D., Assistant Executive Vice-President of the AMA, reflects the feeling of the majority of physicians in this area, and I would like to read this statement at this time:

"I am not here simply to defend our present health care system. But we have heard so often and so vehemently about its problems, that I come here to set the record straight by praising it for the many outstanding strengths which it has. Frankly, I have heard enough from labor leaders, politicians, college teachers, newspaper columnists, television commentators and a few physicians, particularly the non-practicing ones, who berate the medical profession for many things over which it has no control, while ignoring all of the good things which we do every day.

I am still waiting for a government leader, a union president, or an editor to make a nationally covered speech about the millions and millions of people who were cured of disease, relieved of pain, or put back together after serious accidents last year and the year before, and the year before that.

All of these critics are fond of statistics. Fine, let them turn their computers to some of the positive facts. How many million successful operations were performed last year; how many million men returned to their jobs after being cured of some disease; how many million children went back to school after treatment; how many broken bones were set and healed perfectly; how many early cancers detected and cured; how many people who would have died 20 years ago were cured by advances in medicine pioneered in this country?

These figures have had no notice. Instead, the people who are looking for headlines and the people who are writing them look for something else entirely. They pick out the statistics for the most unfortunate people in the country—those who never had an education; those who have no jobs because they lack training or have not been able to get into union apprenticeship programs; or because industry has been automated beyond the need for unskilled, uneducated laborers.

They find people who live in unspeakable slums owned by absentee landlords who are under no legally enforced obligation to provide heat, running water, sanitation, paint, or pest-control. And then, they blame the medical profession and the system, or as they call it "non-system", of medical and health care for the fact that these unhappy, unfortunate, neglected people are not healthy.

They quote the statistics of infant mortality in these areas and imply that it is the fault of the medical care system that the mortality rates are high. They do not quote any rates for infant mortality among those christian scientists who live in the relatively well-to-do middle class areas with good housing, with good plumbing, with good nutrition, and with a good education, but without medical care of any type.

The critics also abandon all logic in seeking reasons for criticism. They point to physicians who move to suburbs instead of staying in the slums as though they were criminals—ignoring the fact that millions of people who live in the suburbs also need medical attention—and then, as the crowning blow of all, when they find those hundreds of physicians who have remained behind in the slums to devote all or a major part of their practices to caring for the poor, they do not congratulate them. They point the finger of scorn and accuse them of profiteering by accepting payment for the care they had rendered under Medicaid.

Although the medical profession pointed out the multiple deficiencies of this program, the very people who urged it on Congress are doing the complaining and are accusing the slum area physicians of graft and corruption for accepting payments from programs which they never sought.

The medical profession is more intimately involved in the problems of giving good medical care than is anyone else. But friends and critics alike must realize as we do that the problems are not caused solely by today's medical care system. Ignorance, unemployment, poverty, and aging are not medical problems alone.

They are social and economic as well. Although we in the medical profession try to do all we can as good citizens to alleviate

them, they are not solely or even chiefly our responsibility and no tinkering with the health care system will remove them.

While there are these many problems which are not purely medical, there are others which just as clearly do lie within our province, and we are working upon them. In the field of health manpower, we have joined with the Student American Medical Association and the American Association of Medical Colleges in a statement to Congress advocating increased support to medical students. We are encouraging innovation in improving the medical school curriculum and in more rapidly training physicians to make them productive in a shorter time. We are trying to find ways to attract more young people from minority groups into medicine and the allied health fields.

We are seeking innovations and new efficencies in medical and health care delivery to take care of more patients. The use of computers, automated multiphasic health testing facilities and even efficiencies in the way each of us practices in his office. We are seeking better ways of financing care, both for those who can afford private insurance and for those who need government help.

The AMA was the first organization to present a plan for national health insurance to Congress. We are deeply concerned with planning and coordination of health care delivery while avoiding the pitfalls of a rigid system such as our ill-fated postal system. We are doing all this while attempting to preserve that which is good in our present methods of delivery, such as the individual care by which a patient has the same personal physician at home, in the office, and in the hospital—which is unlike the usual European arrangement We are working hard through our accreditation committees to continue the high level of quality of our physicians who continue to compare more than favorably with the average foreign medical graduate.

We cannot do the whole job of improving the nation alone. We cannot alone overcome ignorance. It will take the nation's entire educational system to do that. We cannot overcome unemployment; it will take the employers and the unions of the nation to do that. We cannot provide the decent housing, efficient plumbing regular garbage pickup, or transportation for whole communities and neighborhoods, which is so desperately needed. This will take city, state and federal government plus all the citizens who are involved.

What we can do is to continue all of the things we have mentioned above. We can continue to give a high level of care to the vast majority of the people of our nation. We can, continue the world's greatest scientific advancement, unsurpassed anywhere. We can, and we must continue giving the kind of high quality care we have always given to all of the people who can be reached or who come to us for help. We can continue and increase our efforts to develop more health manpower and to expand facilities so that more people can be reached more easily and more effectively. We can also be proud of what medicine has accomplished. If we are not willing to speak of our past successes, why shouldn't the press, the Congress and the people believe the extreme statements of our detractors—that everything must be changed—abruptly and drastically."

That ends the formal statement of Dr. Wilbur.

There are four main points that we would like to emphasize at this particular time: First, most people agree, I believe, that the medically indigent segment of our society should be cared for by tax dollars collected on a broad base. It is quite important, however, to point out that one of the major problems for our hospitals at present is the failure of government programs, county, state, and federal, to bear their full share of the cost. It seems only right and fair that those persons covered under government programs should have their hospital bill paid in full, rather than being paid only in part and transferring therefor the rest of the cost to the non-indigent sick middle Americans in the communities and to their insurance carriers.

Secondly, the area of health manpower is a critical area that needs very significant support at present. Medical schools need funds for expansion in order to train more medical and paramedical students. The medical and paramedical students need help in many instances, in the form of scholarships, grants-in-aid, and so on. No system of financing health care can possibly get the job done if we do not have the medical manpower, trained and available, to do the job.

Thirdly, greater emphasis, rather than retrenchment, in the field of support of medical research seems to us to be of high priority. It is certainly true that new methods of treatment and new cures are useful only when applied to the patient who needs help. It is equally true, however, that those patients with diseases such as certain forms of heart disease, cancer, stroke, and others, for which definitive cures are not available, will not be cured until significant advances are made and new knowledge obtained through medical research. Failure to pursue our potential in research will, in my opinion, fail to carry out our obligation to our children and grandchildren for many years to come.

Finally, I feel that multiple systems of health care will be needed to meet all the various challenges and problems in our country. Health care problems are somewhat similar to the farm problems in that they are different from one region to another, and a program that works well in rural Oklahoma very likely will not fit ghetto areas of New York. Some programs such as the OEO programs with adequate health education and motivation activities are essential in deprived areas, even though they are exceedingly costly programs. We have only begun to scratch the surface in experimentation with new means of delivery of health care, and further pilot studies are essential before we can hope to pick out the best system. Again, it seems unlikely that a single system would be able to satisfy the needs of all areas of our country.

Thank you very much for this opportunity to appear at this hearing.

Senator HARRIS. Thank you very much for a very useful statement. I appreciate your coming here to give it. You make an extremely good point when you say that one basic barrier to good health is lack of income. That's a point that I've also tried to make over and over and is the reason for my particular interest in income maintenance, jobs and training, education, minimum wages, and so forth. I appreciate that point being made, and I appreciate the other suggestions that you have made. Thank you very much.

Robert Bickel is District Director of OCAW International Union. Robert, we're grateful you're here and we'll be pleased to hear from you.

TESTIMONY OF MR. ROBERT BICKEL, DISTRICT DIRECTOR, OIL CHEMICAL AND ATOMIC WORKERS INTERNATIONAL UNION, TULSA, OKLA.

Thank you, Senator. I want to emphasize one point that the Doctor made regarding the lack of people training to become doctors in this country. At present we have some one physician for each 3,100 individuals—a family physician for each 3,100 individuals in the United States. This is grossly inadequate. No doctor can take care of that many people.

I am District Director for the Oil, Chemical and Atomic Workers International Union. The District of which I am Director is composed of the States of Oklahoma, Kansas, Missouri and Arkansas.

My office has been here in Tulsa for the past eight years and I am most familiar with the problems concerning health care here in Oklahoma. However, in assisting with negotiations of labor agreements throughout the District, I am aware of the problems faced by the members of our Union in the four-State area.

Only a few years ago—in 1965, I had both my wife and my daughter in one of our leading hospitals in Tulsa. At that time the charge for a semi-private room was $17.00 per day. Today that same room is $47.11, an increase of some 280%. In the other hospitals here the increases have been the same. In other cities in this District—St. Louis, Kansas City, Wichita and Oklahoma City, the story is the same but in some cases, the prices are substantially higher. In some cases when patients are in intensive care units, a cost of $100 per day is not unheard of.

Again going back to my own personal experiences, several months ago I had my annual checkup in my Doctor's office, it included a chest X-ray and a cardiogram. I was in his office about 45 minutes. The bill was a little over $100. I was pretty unhappy about it and checked to see what that same Doctor charged me before. My last physical was done in 1968 and the cost for the same examinations was $57.00.

Now, while I didn't like what happened to me, there are many, many people in this area who just simply are not getting proper medical care. To nearly a third of our population, good comprehensive medical care is not available—for some because of the price and for some because it just isn't available. I believe that no one will dispute that a large segment of those living on the North side of Tulsa are not adequately cared for.

In my work we negotiate health care programs—insurance—for members in our Union. In the oil industry we do have some good hospital-medical insurance plans but here in nearly all cases, the Company pays around $15,000 per month of the cost while the employee pays the balance—often between $20 and $30 per month. Most of our contracts expire every two years and we just haven't been able to keep up with the increases.

Many of the members of our Union live in small towns in the "Oil Patch." Many of these members cannot obtain satisfactory medical help because it simply isn't available. In many cases there isn't even a doctor in the town. I know some of you doctors sitting here have heard about the cry of oilmen trying to get a doctor out there. They have the facilities and clinic for him to work in but they haven't found a doctor, or they hadn't the last time I heard. And this is prevalent where many, many members of our union work. Again, regarding the Doctor's point about training people in the medical profession—I think we need government help in this. I know we're getting some already but not nearly enough.

It's our firm conviction, Senator, that the only answer to the overall problem is a national health insurance program financed through taxing of workers and the people who will receive the benefits, together with their employers. I will tell you that at the bargaining table we have met real resistance from the employers when we try to improve our medical plans. Many of these plans, as Mr. Berkey pointed out, cover only a small part—in some cases cover only a part—of the total medical expense incurred when one of our members is sick. We will try this Fall to offer to the oil industry a comprehensive plan that will cover all of the normal and usual costs of an illness.

I want to tell you that the cost of such a plan now is around $44 a month. That plan only a few years ago, where we had those comprehensive plans, cost around $20 a month. We'll be talking to the oil industry this Fall when we go into negotiations on

new contracts about something around twenty cents an hour for the hospitalization benefits, medical benefits, in addition to the amount of wage increase. And at the bargaining table you're talking about pennies; every single penny counts at the bargaining table. And here because of the substantial increase in these services we'll be bargaining for a pretty substantial increase in medical costs to the companies because of the substantial increase in those costs. I thank you for the opportunity to be here Senator. I have a list of the semi-private costs in all of the hospitals in the Tulsa area which I'll submit with my testimony.

Hospital:	ASP Charges [1]	MSP Charges [2]
Children's Medical Center	$40.00	$40.00
Doctors Hospital	41.30	44.95
Hillcrest Medical Center	40.00	44.75
Oklahoma Osteopathic Hospital	43.17	44.00
St. Francis Hospital	47.11	47.50
St. John's Hospital	43.88	46.00

[1] Average semi-private.
[2] Maximum semi-private.

Senator HARRIS. Robert, thank you very much. Your statement on behalf of the Oil, Chemical and Atomic Workers has been very helpful to us.

Henry Likes who is President of the State AFL–CIO is here. Henry, we appreciate your coming and we'll be very pleased to hear your statement.

TESTIMONY OF MR. HENRY LIKES, PRESIDENT, OKLAHOMA STATE AFL–CIO

Thank you, Senator. I appreciate the opportunity to appear here. Ladies and gentlemen. We're concerned in the seventies—we were concerned in the sixties—about health care. The problem is compounded now in the seventies and I think something should be done. We made a stab in the sixties and the question of health for our members and their families is something the labor movement has been concerned with for a long time.

We are not doctors and we don't pretend to be. We are perfectly willing to leave the treatment of illness to the members of the medical profession. That's their business—that's what they are trained to do. While medical treatment is the doctor's business, the health of Americans is the Nation's business—and more specifically, the health of workers is a major concern of the trade union movement. We are mainly interested in three things: *To prevent unnecessary illness; to have the best treatment for workers and their families* (and for all Americans for that matter)—when they are sick so that they will recover quickly and completely; *to keep the cost of medical care at a reasonable level* so that people are not denied needed care simply because they cannot afford it.

You will often hear it said that the United States has the best medical care in the world. Well, *we ought to have the best because we are paying the most for it.* We are now paying more than $60 billion a year for health care. This is, of course, a lot of money.

Let's see how our health record compares with other countries. There are certain figures that are usually cited to make this comparison and frankly, we don't look too good. In infant mortality the United States ranked sixth in the world in 1950; by 1960, we had fallen to 11th and according to the latest figures, we have dropped to 18th. From 1959 to 1965 we dropped from 13th to 22nd place in life expectancy for males. Women did a little better; their life expectancy compared with other countries dropped from 7th to 10th place.

So, compared with other countries, our record is getting worse instead of better. Yet we are devoting to health care more money and a larger proportion of our resources than any other country. This is something that bothers us in the AFL–CIO. We don't like the idea of paying a tremendous amount of money for less than adequate health care.

When union people have a problem, they try to deal with it through collective bargaining. For 20 years or more now, we have been trying to meet the health and care need of our members through negotiated health care and welfare plans. Some unions have done very well, but many have not.

In fact, many unions have found that they have been on a sort of treadmill. Most of you know only too well what has been happening. Just as fast as we could negotiate money to provide more and better health services for our members, the doctors raised their fees and the hospitals boosted their charges. This means that our members were still paying after we had negotiated for more health care funds, just as much or even more out of their own pockets as they had before. A survey of Local Unions in our own area indicates the following: An increase of $9.58 per month from December, 1967 to December, 1969; increase in one Local each year without any increase in coverage; one Local reports no increase in rates but coverage is reduced; another Local has been advised of an increase in rates, but no definite amount as yet; one Organization reported an increase of $27.40 per month and found it necessary to cancel their coverage; another, no increase in rates, but less coverage.

People covered by health programs have experienced drastic reductions in coverage or increase of cost of present coverage and some have suffered both.

Our members have been priced out of the medical care market by the sky-high ever-mounting charges of doctors, hospitals and other providers of medical care. Medical costs have been going up faster than any other item in the Consumers Price Index. You all know that the cost of a visit to a doctor has doubled and even tripled in many cases, in the past few years. Hospital care is the most expensive medical care. That's why it costs a lot less money to prevent illness or to treat it before it becomes serious than to have to cure the patient after he gets into a hospital. Hospital charges have been rising so fast it's hard to keep track of them. Daily hospital rates have been soaring at 15% or more a year. According to the American Hospital Association, which certainly ought to know, hospital charges will soon average $100 a day. They are already at that figure in some of the better hospitals in large metropolitan areas.

Hospital bills are now largely paid by so-called "third party"—private organizations such as insurance companies, government programs such as Medicare and Medicaid. These third party organizations generally pay the hospitals on the cost-plus basis that we remember from WW II. The hospitals figure out what their costs are and then they are paid something over that. You can see that under this cost-plus system, the hospitals haven't the slightest incentive to increase their efficiency or to hold down their costs.

Most doctors are paid on another basis which isn't good from the consumer's viewpoint. This is the fee-for-service system. Under this system, the doctor gets a certain amount for every office visit or other type of treatment. This is a piece-rate system in which the doctor determines the number of pieces of service as well as the price per piece.

Now, we have no objection to people making a decent income—doctors or anyone else. This is the very purpose of the labor movement to try to obtain decent incomes for as many people as possible. So, we think that doctors deserve to get an adequate income. But, we think there is something indecent about a small group of people making a lot of money out of the misery of other people. The escalation of medical costs is depriving millions of Americans of the health care they need.

There is an answer—National Health Insurance, a program that would provide health care for every American. This program would provide preventive services, all types of physicians' services, hospital and nursing home care, home health service, rehabilitation—in fact, complete health care. It would be financed like Social Security, on social insurance principles but with a government contribution, as we are now advocating for Social Security. Since we think that every American is entitled to decent health care, the poor should be exempt from any payment but should be eligible for the same services as anyone else. The AFL–CIO is convinced that with National Health Insurance, Americans would have the best health care in the world. The American people deserves no less.

National Health Care is not a new idea. It was once endorsed by the American Medical Association, although that was retracted in 1920. It is not an extension of such programs as medicare or medicaid, since they are designed for particular groups. Coverage under National Health Insurance would be universal bringing the same benefits to rich and poor, to unemployed and employed. It is not designed to abolish the private practice of medicine.

The AFL–CIO plan for National Health Insurance is intentionally flexible; What is suggested is that the present 'non-system' has got to be coordinated into a rational plan. We have reached the point that two of every three doctors today are specialists of some type due to the inability of doctors in solo practice to keep up with the constantly expanding medical knowledge which demands more specialization.

The profiteering by the providers of medical care has had its worst effects in Medicare and Medicaid. Labor fought hard for the establishment of these two programs—to provide needed medical care to people who cannot afford to pay for it themselves. Some doctors and other health practitioners have pounced on these programs as if they had been legislated as get-rich-quick schemes for the medical profession—and instead of controls being placed on fees and charges paid under these programs, the burden has fallen on the disadvantaged people the programs were supposed to help.

Senator, we appreciate the opportunity to appear here. We hope if we can be of any further assistance on this particular problem the AFL–CIO, both home and national, is ready and willing to work with any group. We realize this is a very serious problem throughout our nation.

Senator HARRIS. Thank you, Henry. You certainly have as an organization made a contribution here this morning.

Is Mr. Lowell Quillman here? I'd like to have the record show that you're here, Lowell, representing the United Auto Workers. I understand that Mr. George Dowler of the United Auto Workers had to leave, and I do appreciate your staying on and being here.

Senator HARRIS. State Representative Wiley Sparkman is Chairman of the Legislative Council Committee on Health and Welfare. Is there anything you want to say at this time?

State Representative SPARKMAN. I appreciate it very much. It's almost lunch time and I will be very brief. Let me address myself to H.R. 17550, Section 225, of which we have informed the Congressional delegation, both Senators and the entire delegation, and, of course, your committee.

Let me say this to the public because it hasn't had very much say. For your information Section 225 stops, after 90 days, a third of the pay in the nursing homes. For your information, in this state we have 17,000

people in the nursing homes at this time and 4,500 of them have been taken out of your mental health institutions. We're not criticizing the Congress for voting for it because I know when you get driven up in one of those cracks you have to vote for it. (Laughter). The paper took it lightly. They talk about the 5 percent social security raise. Now we're depending on the Senator here, and I know if he can do it he's going to take it out.

Let me tell you people something; when we put those people in the nursing home we get one dollar of state money and we get two of federal to keep them in there. The day that we take that 4,500 out of there you're coming straight down the line with your dollar to take care of them. And we don't have the institutions in the state of Oklahoma for your benefit. They're crowded now. We have one of the best all around programs and welfare programs to take care of the old people and the senile of any state in the Union. I've been looking at it a little myself. I'll tell you what we have in our sister states over here. Walk over there and walk in their mental institutions. You talk about filth and squalor and people who are living in bad conditions. Come to Oklahoma and look. You're doing a good job of it. Now I had about all I can take of that welfare in six or eight years that I want and I care for because the fiscal policy of this nation is based on the welfare program. We have twelve institutions in this state under the program. We're taking one dollar of the state and two of the federal and putting it all in. We've got back $164 million of federal money in the last fiscal year to support it. Take Hissom Home out here. I helped institute Hissom Home and I voted to bring it to Tulsa. It's one of the greatest things and I'm proud of it.

Stand up and be for something. The man who is whispering to do something about the welfare program—he doesn't know what the hell he is talking about. That's just exactly right. I've worked in it 18 years down there and Mr. Rader and I have worked together. Get down on your knees and thank that you have a man with his ability to handle the thing. And Senator I know you're going to take it out because there are 4,500 that I know who will be pitched right back out. The nursing homes can't take care of them. They won't have the money; they can't pay them; and they will be right back in your lap.

It's a pleasure to be with you. I know everybody else will lean on these other things—the hospitals, the doctors, and everything else. And I wanted to address myself to this. I represent the House on the Advisory Committee of the Welfare Department and we meet tomorrow. This is serious because it is serious money. We want to use our money the way we want to use it.

Senator HARRIS. Wiley Sparkman has spoken of a provision in the Social Security bill that would reduce the federal contribution in regard to nursing homes. They didn't get a chance in the House to vote on that section. They had to vote either for or against the whole bill, which includes several other things, needed things, such as a benefits increase. Fortunately, we, in committee and in the Senate, will have a chance to separate those issues. We're going to knock out that provision, I think. I hope we will. I'm going to try to do that myself in the Senate Finance Committee. I believe that we'll do it because, as Wiley made so very clear, either we're going to put a lot of old persons out of nursing homes with no other place to go, or else the terribly overburdened states are going to have to come up somehow with the extra money. And, then, we have another problem that Wiley mentioned and that I have discussed at some length with Dr. Hayden Donahue. That is the excellent job we have done with our mental institutions in this state. A lot of people were in mental institutions way back before we knew a lot of things we know about today, particularly with the improvement in new drugs and chemicals. They, primarily, need custodial care which is being given in nursing homes, and those people, if the provision is passed as it was in the House, will have to go back into the mental institutions. Somehow, the state will have to come up with that extra money, here and around the country. So, I am very hopeful that we will knock that provision out of that bill, passed by the House. I appreciate what Wiley said here, and I think it is a very important point to be made in these hearings.

Dr. A. B. Colyar, Commissioner of the Oklahoma Department of Health, is here. We'd be pleased to hear from you now. Dr. Colyar was very helpful when we overrode the President's veto of the extended Hill-Burton program which Reid Hutchens mentioned earlier here today.

TESTIMONY OF A. B. COLYAR, M.D., COMMISSIONER, OKLAHOMA DEPARTMENT OF HEALTH

The State Health Department is, to put this in context, part of the state health system comprised of the central department and some sixty of the local health departments, which provide nursing services, sanitation and environmental services, and so forth. Our particular concern with health care has to do with preventive services primarily; and with helping to assist local communities in providing a healthful environment, eliminating environmental hazards to health. But more specifically, as concerns health services or medical services, we're concerned because of two or three things. One, we are the agency in the state which administers the Hill-Burton program—construction of hospitals, health centers, rehabilitation centers, nursing homes, and we have been for the last twenty-some years. Also the Department administers by contract with the Social Security Administration the Medicare program for Oklahoma. We have to do with the standards, certification, and so forth of the providers—that is, hospitals, nursing homes, rehabilitation services, and extended care facilities. More recently we have arranged with the Department of Welfare at their request by contract to provide certain services that have to do with the certification of facilities and providers of services under Title 19. So we're involved, therefore, in Title 18 and Title 19 with regard to facilities primarily but also very significantly with the services provided through facilities as contrasted to services provided out of physicians' offices.

We're concerned as you all are about increasing costs. I think an interesting statistic is that in Oklahoma we receive federal funds equivalent to 44% of our Gross State Product—if you can compare the Gross State Product with the Gross National Product—we receive 44% of that in federal funds. That is a very significant thing. So whatever the federal government does about its allocation of federal funds is extremely important for Oklahoma and has a great impact in Oklahoma.

We are concerned about ways to finance medical care. Despite the good intentions of those who passed Medicare and Medicaid, we find that certain groups still cannot afford the medical care they need. The low-income family with the husband in the home—making perhaps $2,800 a year—cannot get help from Medicaid. The uneducated find it hard to understand these programs. The poor, the Black, and the Indian still find prejudice and discrimination. And finally, even the middle-income, white American is finding himself pinched by the pressures, the long waits, the inconveniences, and the high costs of getting medical care.

Medicare and Medicaid have contributed greatly to the inflation in medical costs of the past few years. These programs simply prove that putting extra money into a system will not necessarily buy services, but it certainly will buy inflation.

Federal money will not buy a hospital bed if there is no hospital in town. Federal money will not buy a visit to the doctor if there is no doctor available. Federal money will not buy a quick visit to the Emergency Room if the Emergency Room is so crowded that you cannot get in. Federal money will not solve our health problems if it is poured down the same pipeline that has fueled the inflationary fires of the past five years.

In short, money will not guarantee that the people will receive services. Federal financing—whatever method is adopted—should not be seen as an end in itself.

Federal financing should be used as a *lever* to effect desirable changes in the quality, quantity, and method of delivery of health care. Such financing could be used to reduce the rural-to-urban migration, to encourage regionalization of health care programs, to stimulate the development of group practice, and to develop cooperation with and participation in comprehensive health planning.

It has been aptly said that, in health, the Federal Government has all the money, the State has all the authority (through its licensing of doctors, health facilities, and insurance companies)—and the local people have all the problems! I would like to use the Hill-Burton Health Facility Construction Program as an example of how we have been able to help the local people solve some of their problems.

Hill-Burton, as one of the Federal Government's first major programs to improve health services, has done a thorough job in providing facilities within the reach of most people. After twenty-three years, very few Oklahomans are more than thirty minutes away from a hospital or health center. Yet the demand for more facilities and more modern facilities is greater than ever. In Oklahoma alone, assistance has been requested in projects whose total construction cost will exceed $100 million.

For the most part, construction assistance has been requested for projects which will be merely a continuation of existing methods for delivering health care. But now, with the passage of the 1970 Hill-Burton Amendments, priorities and finances have been reordered to provide incentives for innovative development of systematic delivery of health care.

To be effective, health care delivery systems must be responsive and relevant to the continuing health needs of the people, rather than to only their episodic medical needs. The maintenance of health and disease prevention should be the primary focus, rather than treatment and management of disease processes.

The system should be so structured as to provide access to quality health care for all persons, regardless of their economic status, geographic location, or other variables. This is not to imply that every city, town, or hamlet should have a hospital. It does imply, however, the recognition of the complete health needs of all persons within any given area and the provision of rational methods to serve those needs.

The new Hill-Burton Program contains provisions emphasizing the importance of comprehensive health care. Applicants will be required to provide or participate in a planned continuum of care. Out-patient services are emphasized, as are improved emergency care, convalescent services, and rehabilitation. The development of State plans for health facility construction will be based on services, rather than hospital beds. In short, the new law provides the authority for assistance in meeting the changing needs of our society. To carry out the challenge and the charge, the program must be financed adequately.

The new law encourages us to meet our health needs by developing an organized sys-

tem of *services*, rather than through building facilities. At present, in Oklahoma we have 154 licensed hospitals. Of these, only about thirty have more than 100 beds. More than sixty hospitals have less than fifty beds. Many of these small hospitals across the State will gradually falter and die because they will not be able to attract the doctors, nurses, and other medical staff that they need.

Our major hospitals need to develop cooperative agreements with these smaller hospitals. Several small hospitals could serve as primary field stations or satellites of a major hospital. These small hospitals would continue to serve as institutions that are sensitive to community needs, while increasing the services available to those who desire and need them. These would provide opportunities for exchange of staff, continuing education, and a strengthening of the small hospital with relief of the crowding at the large hospital.

The development of hospital facilities is only one of the problems we face in Oklahoma. Many of our problems are similar to those that Senator Ribicoff found nationally two years ago, in his hearings on "Health Care in America." I would like to outline briefly some of our major problems. Parenthetically, I will point out that not one of these problems would be solved by a program of National Health Insurance.

1. For many people, there is no M.D. available when they need one. Many of our more rural counties have only one doctor per 2,000 or 3,000 people. These family physicians are growing older. Many are retiring or moving away—and they are not being replaced.

2. There is a maldistribution of the medical people we have. For instance, Oklahoma and Tulsa Counties have more doctors in proportion to the population than ninety-five per cent of the counties in the United States. But many other counties in Oklahoma have shortages of medical people. In other words, doctors seem to prefer the large cities even though those cities already have plenty of doctors.

3. Our present hospitals are crowded, and they are having problems financing new construction and modernization.

4. Our Emergency Rooms are crowded. After regular office hours, many patients come to the Emergency Rooms who would more appropriately be seen in a doctor's office.

5. We are not training enough doctors, nurses, and other medical people to meet our needs. This is one situation which could be improved by providing Federal funds directly to Medical Centers, but those funds are being cut back instead of being increased.

6. Some population groups have very few medical services available to them. These include people living in urban ghettoes, the rural poor, and minority groups. For instance, Indians in Oklahoma City may have to travel to Lawton for hospitalization, since last year the Indian Health Service eliminated contract medical services in the Oklahoma City area.

7. There is evidence of excessive use of inpatient hospital facilities for certain procedures, when these could well be handled in an out-patient facility if such facility were available and third-party payment could be authorized for such out-patient services.

8. Current programs do not emphasize prevention. It is far cheaper to prevent a medical problem than to try to care for it after it occurs. Similarly, it is cheaper to care for an illness in the early stage than in the late stage. Walter McNerney, of the National Office of the Blue Cross Association, has recently declared:

"If our society's concern were truly with health (that is, postponement of death and preservation of maximum function), we could achieve gains much more effectively than by pouring more money into the health-care system. We would develop as national goals, for example, the following: elimination of cigarette smoking or development of a nonhazardous substitute; development and promotion of foods low in sucrose and saturated animal fats and regulation of diet to keep body fat low; regular, vigorous physican-supervised exercise for all age groups; production of motor vehicles capable of withstanding 35 g or better decelerative forces; and better control of air pollution. Institution of these measures would surely decrease disability and death among adults. That we do not choose to pursue these achievable goals but continue to focus on health services, as presently given, suggests that this commitment is not based on logic and scientific knowledge but on complex psychosocial and economic needs and demands."

A strong and viable State Department of Health is essential in the development of programs of prevention.

9. We are not doing an acceptable job of communicating medical advances to private physicians. In many areas, physicians do not have the opportunity to discuss their problems with medical specialists. The University of Oklahoma has made an outstanding approach to this problem, but is restricted by the lack of funds to finance such a project.

10. Faulty and inadequate nutrition is widespread throughout our people, especially in vulnerable groups such as school children and the poor. Our present food and nutrition programs are not adequate to meet the need. One exception is the outstanding School Lunch Program we have in Oklahoma, but even this program is restricted by finances from doing the job that it is capable of doing.

11. The general public is not knowledgeable about health. Our schools need strengthened programs of health education, drug education, nutrition education, and family life education. Health departments need support for and assistance in developing adult and community education programs in these and related areas.

12. There is an inadequate use of physician assistants and other new professionals. Nationally, we are seeing an explosion of interest in developing additional people to assist the physician, but this has hardly touched us in Oklahoma.

13. Mental health services in Oklahoma, despite the extensive program of Public Health Guidance Centers, are still not sufficient to serve the needs of the State. Mental health is an integral part of health services and family care. Mental health does not consist of the alleviation of mental illness, the salvation of juvenile delinquents, or the counseling of unwed mothers, although it should include these services. Rather, mental health means creating a family environment so that these problems are less likely to arise. Mental health is a positive concept, not simply the absence of disease. Mental health means the integration of mental health into other health activities, the prevention of mental illness, the promotion of positive mental well-being, and the education of the public as to what constitutes mental health

4. We need to develop new programs to deliver health care at low cost. An example would be chronic disease screening. The Oklahoma State Department of Health has demonstrated that a patient can be checked for chronic disease through our screening for far less cost than in his own doctor's office. Oklahoma physicians have endorsed and supported this program across the State. Again, its operation is limited by available funds and the redirection of Federal priorities into other areas.

15. We lack an adequate health information system, particularly concerning the health status of the general population. The Oklahoma State Department of Health cooperated with the State Health Planning Agency in developing a preliminary survey, but this is only a start. One possibility would be to utilize the data we have from our chronic disease survey. This, plus additional data that could be collected by volunteers, could be fed into a computer bank. This would allow us to generate estimate of the arameters of health and disease in the State as a whole. It would, essentially, give us the population data necessary to devise a program of health maintenance.

These are essentially some of the problems we face in Oklahoma. The solutions are not simple. Support is needed for health programs (as opposed to "sickness" programs), for medical education, for health facility construction and modernization, and for attention to acute and chronic problems of certain groups.

Any program financed by the Government should encourage new methods of delivery of health care. This is essential. Attention should be given to the encouragement of out-patient departments, free-standing emergency rooms not physically in the hospital, prevention and rehabilitation centers, maternal and child care units, and ambulatory care units outside the confines of a hospital. Some of these services may need to be provided on a regional basis

In addition, we need to regionalize other services. We cannot attract physician and other highly-educated people to areas that do not contain opportunities for education—for their children, as well as for themselves. Regionalization can provide a broader base, both tax and population, for the support of our educational, health, cultural, and social services. Only by improving the opportunities in the under-populated areas can we attract people away from the over-populated areas.

We need to maintain professional standards and practice across the State. A citizen who lives in a small town is entitled to the same standard of medical care as a citizen who lives in a metropolitan area. This simply echoes the need for expanded educational programs of medical education.

We need to develop alternate methods of treatment. At present, the physician does not actually give every injection, every drug, every medical treatment himself. This is delegated to nurses and, in some cases, even to nurses' aides. How can this delegation be expanded, while preserving quality of care? What other medical functions can the physician appropriately and legally delegate? Just how much supervision is necessary for a service to be considered under the "direct supervision" of a physician, as required by our State law? The Oklahoma State Department of Health has been working on approaches to these problems through the development of a program of health supervision by nurses.

The culmination of these ideas would be to develop a regional or district health department in which a physician health officer supervises physician assistants in several counties and towns, providing medical care to an area which would not otherwise receive such services.

Such a system would allow the physician to emphasize a program of health maintenance. The goal would be to assist the patient in reaching and maintaining a state of positive good health. The focus would be upon prevention and rehabilitation, instead of emphasizing episodic care only when the patient is ill. The emphasis would be upon health rather than sickness.

This program would include the many elements we have discussed, such as health education, new health manpower, regionalization, and lower medical costs. In addition, the patient would benefit because he would be healthier more often and sick less often than he is now.

I want to make one final point. We feel that we have powerful legislative tools and programs on the books operative in our hands now for improving health services and for controlling costs—I won't say reducing costs. And I mean Medicaid (Title 19), Medicare (Title 18), Partnership for Health, Comprehensive Health Planning and block grants for health services, the Regional Medical Programs, the Hill-Burton program and particularly the *new* Hill-Burton program and the McClellan Infant Care, that is Title 5. Among these six we feel that there is sufficient legislation on the books—that with adequate financing and with federal requirements tying these programs together we could construct an effective health care system. But as you know, there is very little relationship or correlation between 18 and 19; between R.M.P. and Comprehensive Health Planning; and Hill-Burton and any of these.

So that each of us, and I'm talking about on a federal and state level, in our bureaus and agencies, we're doing everything we can administratively to maintain things as they are. And we're going to insist that those folks who are responsible for Title 18 continue to run it and those responsible for Title 19 continue to run it. Now we are making some progress in developing a correlation among 18 and 19. And the same progress in health planning and RMP. There is a wonderful opportunity now to tie our health facilities construction under the new Hill-Burton Act and to comprehensive health planning, 18 and 19, and Title 5.

I don't have specific suggestions to make regarding legislation along this line but I feel that states will never be able to correlate among these programs without rather direct federal guidelines that require correlation among these programs if we are to take advantage of federal funds available through them. So I feel that any financing plan must be correlated with systems development among these very important federal legislative acts including prevention and education for health, if we are to construct an effective health care system.

Dr. WALTER ATKINS. Doctor, may I ask if you are going to include among that group of legislative acts Neighborhood Health Centers?

Dr. COLYAR. I think that is very important—the O.E.O. work in health. It has made us look at new ways of doing things.

Senator HARRIS. Thank you very much, Dr. Colyar. I appreciate very much your interesting statement.

NEW YORK'S BLACK COMMUNITY FIGHTS DRUG ABUSE

Mr. JAVITS. Mr. President, I invite the attention of Senators to the aggressive antidrug campaign being waged by radio station WWRL, which is located in Woodside, Queens, and is much a part of the black community of more than 2 million in Greater New York. WWRL's public-spirited efforts to erase the drug problem from the streets of Harlem and other ghetto areas could serve as a model for communities large and small, white and nonwhite, throughout the United States.

In November 1969, WWRL's advisory committee suggested that drugs were the largest problem facing the black community. The station decided to go all out in making the drug campaign its major public service effort for the calendar year 1970.

The station has mounted a massive campaign on a daily, round-the-clock basis, designed to work on three aspects of the problem: prevention, aimed at youth; rehabilitation for those already addicted; and, education to convince citizens to turn in narcotics peddlers to the police.

The backbone of the campaign is a series of 10,000 spot announcements being heard throughout the year which range from expressions of support by prominent people in all fields, to announcements giving a special police department narcotics bureau telephone number which citizens may call anonymously to inform about drug pushers.

In addition, WWRL editorializes on a weekly basis on various aspects of the drug scene in Greater New York. The station's weekly "Tell It Like It Is" telephone talk show, reported to be very popular during its Sunday afternoon time slot, features a special segment each week in which drug addicts call anonymously and "tell it like it really is."

The station is deeply involved in community efforts to help stamp out drug addiction and has participated in rallies in both Washington, D.C., and New York City. An extensive printed advertising campaign was mounted to back up and emphasize the station's dedication to solving this major problem.

By now, 40,000 "Help a Junkie—Bust a Pusher" lapel buttons have been distributed, thousands of special kits aimed at preventing addiction among the young have been placed in various schools, and most encouraging of all, the New York City Police Department reports arrests of suspected pushers made as a direct result of the station's campaign.

WWRL deserves every commendation for its work in combating the mammoth problems of drug pushing and abuse.

Also, I would like to direct the attention of the Congress to an article in the June issue of Ebony magazine, "Blacks Declare War on Dope," which provides a survey of antidrug programs by the black community in the New York metropolitan area, including that of WWRL.

I ask unanimous consent that the text of three WWRL's radio editorials and two of its printed advertisements, as well as the article in Ebony magazine, be printed in the RECORD.

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

"JUNKIE'S PRAYER"

Our Editorial today, takes the form of the "Junkie's Prayer". Is it *your* prayer?

King Heroin is my shepherd, I shall always want, he maketh me to lie down in the gutters. He leadeth me beside the troubled waters. He destroyeth my soul. He leadeth me in the paths of wickedness for the effort's sake. Yea, I shall walk through the valley of poverty and will fear all evil for thou, heroin, art with me. Thy needle and capsule try to comfort me. Thou strippest the table of groceries in the presence of my family. Thou robbest my head of reason. My cup of sorrow runneth over. Surely heroin addiction shall stalk me all the days of my life and I will dwell in the house of the damned forever.

IT BECAME A REALITY

Richard Mason, at 24, was a fine actor with a bright future.

His first role, five years ago, was that of a heroin addict in a mobilization for youth street theater play called "DOPE".

Recently, he had a role in the movie "Up the Down Staircase."

Mr. Mason died, the other day, in his upper West Side Apartment. The medical examiner's office said it was the result of an acute reaction of heroin.

Five days earlier, Manuel Vasquez, 19, also died from what was described as the same cause. He, too, had played the addict hero in the Soul And Latin Theater production of "DOPE."

In each case, the tragedy of make-believe became a reality.

WWRL feels that the loss of such talented people points up the urgent need to rout the pushers from our neighborhoods.

As always, we stand ready to do our part.

If you know of a pusher, pick up the telephone and bust him—by calling 344–9430.

Do it in memory of Richard Mason and Manuel Vasquez. Do it for the life of your loved ones, and yourself.

JOINING THE GOOD FIGHT

WWRL is delighted that the Reverend Wyatt Tee Walker, Pastor of the Canaan Baptist Church, In Harlem, has joined the battle to get rid of narcotics pushers in New York City.

We have been in the same struggle for a long while now, although not as long as the Reverend O. D. Dempsey. And we intend to keep hammering away until the battle is won.

The Minister recently preached his sermon through a bullhorn while standing on the trunk of a car, parked at 155 W. 116th Street.

Reverend Walker said that it was common knowledge that there were pushers operating in the neighborhood. He cited the recent death of a 15 year old girl from a drug overdose.

Walker, said, "Let us know the minute you find out the name of a pusher."

He said that he was not afraid to name names and "I am convinced God is concerned about narcotics peddlers on 116th Street."

WWRL urges its listeners to do as Wyatt Walker says and name names. We said this at the White House last Friday, and we continue to hammer this point home. To bust a Pusher, may save your life.

FOR WHOM THE BELL TOLLS

Today as every day, each hour, the mournful peal of funeral bells is heard throughout New York's Black community.

The bells toll on WWRL Radio for still another victim of drug abuse.

200 MURDERS THIS YEAR

Since the first of January, more than 200 New Yorkers have been murdered by pushers.

The weapon: heroin.

And today, as every day, drugs will claim new lives—and WWRL bells toll in sorrow, in anger, and in hope.

Sorrow, for the victims and their families.

Anger, because the death and agony could have been avoided.

And hope, hope that tolling bells will bring home to all New Yorkers the awful magnitude of the drug epidemic and the Black community's determination to fight it.

WAR AGAINST THE PUSHER!

But WWRL does more.

As the station with the largest Black radio audience in the United States, we know that we also have the largest responsibility to help the community fight back.

Since the beginning of the year, we have

waged an intensive air war against heroin and the pusher, with announcements, editorials and "Specials".

We have reason to believe that we have already saved lives and helped addicts via a special WWRL phone number, by which Black New Yorkers can take action and get action.

THE BELL TOLLS FOR THEE

We are doing what we do best in a crisis; amplifying the community's concerned voice, many thousands of times over.

Of course, communications alone can't cure the drug plague or its underlying causes.

But communication is what we've got to give, and we're giving all we can.

We hope that you will, too.

We hope that the Black community's voice will be heard and heeded.

That the death-dealing narcotics traffic will be halted.

That whatever the color of your skin, you come to understand that when the bells toll—they toll for thee.

TODAY'S THE DAY!

Today, we are inviting the entire Black community to join us in a massive communications effort.

Today we are announcing a year-long campaign of 10,000 announcements . . . over $250,000 worth of anti-drug advertising—to establish the Black community as the biggest sponsor of its own most listened-to radio station.

A WWRL OFFER

Representatives of the Black community, who have something to say about drugs, now can say it on WWRL.

Our microphones are open on a first-come, first-served basis, divided equally among all.

Or, if an organization prefers, it can add its name as a sponsor of our "Bust A Pusher" campaign.

We will take the message to approximately a million different listeners every week, and to most all of Black New York every month.

We think there's a lot to be learned and a lot to be gained by all who listen, Black and White.

BOBBIE STOLE $5 ON MONDAY, GAVE A PUSHER $4 ON TUESDAY, WAS BURIED LAST FRIDAY

On Tuesday, his sister gave the same pusher another four dollars. She was a little luckier. She's still alive. He'll probably contact another 35 or 40 kids during the week. Will one of those kids be your sister or daughter?

There's one way to make damn sure it won't be. Bust the Pusher! Call 344-9430. It's a special Narcotics Squad phone number set up with the help of WWRL radio and Bernie McCain. If you don't know about this phone number and what WWRL and Bernie McCain are doing about narcotics in our community, then it's about time you got turned on to it.

Since the beginning of the year, WWRL and Bernie McCain have been running the "Help A Junkie, Bust A Pusher" campaign. Every Sunday between 3:30 and 5:30 p.m., on Bernie McCain's program "Tell It Like It Is," Bernie urges addicts to stop taking dope—to get off the junk. He turns addicts on to why they should stop—then he turns them on to people who can help them stop. The second half of the "Bust A Pusher" campaign is just that. Busting pushers.

Since WWRL started its campaign, the number of calls informing on pushers has risen 22%. Which means a lot of pushers are getting taken off the street. But there are still hundreds who're still on the streets. We need your help. If you know a pusher, have him busted. If you don't know any pushers but still want to help out, contact: Bernie McCain, WWRL, 41-30 58th Street, Woodside, New York.

BLACKS DECLARE WAR ON DOPE

When first heard, the words sound cold and cruel. The speaker is a slight, middle-aged black woman who has just been asked what could be done about the steadily increasing number of young heroin addicts nodding on the street corners of the New York community where she lives. With tears in her eyes and deep bitterness and anger in her voice, she shouts: "You know the best way to deal with the dope problem? Get as many white kids on it as possible! The best news I've heard in a long time is that more white kids are getting hooked on heroin. If I had the money I'd buy it and give it to them free!"

Hard words? Yes. Bitter? Definitely. Justified? The people listening to her think so. They know she is a black mother who has recently discovered that her 18-year-old son is a heroin addict. Mostly women, they know that, despite all her love and concern and care, her only son is now nodding on some corner or in some dark deserted building. They share her pain because most of them have sons or nephews or cousins who are now heroin slaves.

The women are angry. And they are representative of a new mood in New York's black communities. In Harlem, Bedford-Stuyvesant, Brownsville and South Bronx, a black backlash is surfacing—a backlash against the heavy drug traffic in their communities and against all who benefit from it. A black silent majority that long has suffered from the influx of community-destroying killers such as heroin is preparing to confront those distributors—they call them "murderers of our children"—of the deadly poisons that are so readily available to youths on street corners and in innocent-looking candy stores and teen hangouts.

In the forefront of the fight is a year-old group called Mothers Against Drugs (MAD) which urges community people to record the names, addresses and license plate numbers of known traffickers, suppliers and pushers. This information is given to MAD, which then turns it over to the district attorney's office.

Not long ago, the MAD members demonstrated and singled out residences of persons they insist are pushers. MAD skips over local police because they believe that police "simply don't care about drugs in black communities." Some mothers even accuse police of being involved in the drug traffic. N.Y. State Senator Waldaba Stewart insists: "There's now way for so much drug traffic to continue in our communities without support in high places." He has said publicly that "some so-called respectable black people are also heavily involved in the dumping of heroin in black neighborhoods." Sen. Stewart is supporting a group of anti-drug groups in Brooklyn which have banded together as Citizens Protective Organizations. Similar groups in Harlem, organized by John Shabazz, are known as Black Citizens Patrols. The no-nonsense groups have served notice that "we're going to keep the heat on every spot that's well-known as a dope drop." Sen. Stewart explains: "First we document an area as a drug drop. Then we turn our report over to the police. If nothing happens, we next put up posters designating the spot as a drug drop. If this doesn't work we barricade the place to keep people out. Our last step is to have citizen arrests made by our members who are off-duty black policemen." The procedure is justified, says Sen Stewart, by police "apathy and arrogance."

Most community groups agree that their first offensive must be against black pushers and distributors who, as one father of a 19-year-old addict says, "come brazenly into our neighborhoods and murder and cripple our children with that junk." One mother of an 18-year-old daughter who died from an overdose just keeps repeating, "kill the pushers" when asked what steps should be taken. And there are rumors throughout New York that groups of young black men have declared a special kind of war—one in which baseball bats will be used to break the arms and legs of pushers caught in black neighborhoods. It is said that these young blacks believe that, "since narcotic addiction is a weapon to control black youths, it is detrimental to the black Movement. Therefore, anyone who participates in the business of dope is an enemy of black people and the black participants are traitors to their people and should be dealt with as such."

Stokely Carmichael echoes the young activists' ideas. "The flooding of black communities with drugs, especially heroin, is nothing less than a program of genocide against black people," he says. "All revolutionaries have had to deal with this problem. It's a weapon used by oppressors. As our people become more politically aware, more drugs are flooded into our communities and they are particularly aimed for our youth, since they are the potential warriors of the Black Movement. Knowing this, any black person who calls himself revolutionary and who loves his people must be prepared to deal with the drug problem." While not probing as deeply into the political aspects of the problem as Carmichael, many of the community organizations have reached the same conclusion that the easy availability of drugs in their neighborhoods is no accident.

Spurred on by the sight of strung-out teenagers, tired of being fearful of drug-related criminal activity—which is mostly black against black—and fed-up with the failure of sociologists, psychologists, psychiatrists and meager federal, state and city antinarcotic programs, community-based groups and individuals are moving in three areas: (1) education and prevention, (2) treatment and, most importantly, (3) the easy availability of narcotics in their communities.

In education and prevention the stress has been on reaching school-age children and their parents in their schools and organizations. A leader in this area is Bernie McCain, community relations director for black oriented radio station WWRL. Working in cooperation with black student groups in New York high schools, McCain has organized the WWRL Youth Congress. Its job is to produce plays, organize demonstrations, provide speakers and warn young people of the hazards of drugs use, especially heroin and cocaine. McCain, the MAD mothers, the Afro-American Teachers Assn., the National Society of Afro-American Policemen and others instill a fear of drugs and a pride in being black as reasons for children to avoid narcotics. Youths are told that heroin not only kills, it damages the brain and nervous system, and scars the body with abscesses, sores and hepatitis from infected needles. They are told that drug addiction is a form of slavery, that heroin slaves are beneficial only to the enemies of their people, that the survival of their communities depends upon them and that, as proud young black men, and women, they should reject the narcotics cop-out. This approach to youth helps make them understand that drug addiction is no big thing and that the people who indulge in its distribution are not heroes but destroyers.

As another preventive means, some concerned people are pressing the New York City Board of Education to initiate a drug education program in the schools. Also Sen. Stewart is pushing a bill requiring the Board to administer physical examinations to all school children for drug use. If any drug users are discovered the bill directs that the Board must provide treatment for them.

On the matter of treatment for current "drug slaves," concerned groups emphasize that addicts must be helped to break their physical need for the drugs and then pro-

vided psychological alternatives so they can become constructive members of their communities. Sen. Stewart says, "We must treat them as ill persons, with the same degree of understanding that we would extend, as a community, to someone involved in a car accident. There must be a total engagement of the addict population to help dry up the market for drugs. Community youth must reject addicts and pushers as hero symbols." A younger heroin fighter is not so kind-hearted. He feels addicts should be warned that they must seek help "because they are not going to be allowed too much longer to stand around the streets setting bad examples for our young brothers. To me, their disease is contagious and a person with a contagious disease has no choice as to whether he should seek help. No. Society insists that he does."

The MAD mothers want community-based hospitals to establish detoxification units to help addicts overcome their physical need for heroin (they conducted a successful five-day sit-in to force a New York hospital to set up such a unit). Once the physical need is removed, they would be turned over to competent community organizations designed to help them remain drugfree. MAD wants the government to finance such centers. The Rev. Dempsey is pushing for a federally-sponsored system of national health camps where hard-core addicts can be taken and helped with their problems. He takes the very controversial position that "all hard-core, older addicts should be involuntarily removed from the streets. They are completely adjusted to their positions and are provided with drugs, guns and anything else they need to terrorize and destroy people." This has been branded as an extreme position by some and it is opposed for libertarian reasons by the American Civil Liberties Union. Besides his proposal for health camps, the Rev. Dempsey also calls for the building of a large federal hospital to care for the "500,000 addicts in the eastern U.S., with 250,000 being in New York alone."

Most community-based groups appear to believe that breaking the physical need for heroin plus providing strong psychological alternatives will help cure addicts. They cite the example of the Black Muslims who have had a great degree of success with this approach. Also therapeutic communities, such as the Phoenix House Program, use a somewhat similar approach. They put the addict through searing confrontation with house residents. Once he shows that he is serious about breaking the habit, they help him break the physical dependency and give him responsibilities in the house before sending him out into the larger community to work. Phoenix House Co-director Frank Natale, himself an ex-addict, says "our whole approach is designed to help them become self-sufficient persons." Ray Whitfield, who was on heroin for 24 years and who has been off five months, says "though still hesitant to call myself an ex-addict, it was a combination of love and support from my wife and mother, weariness of being arrested and deep impressions made by the youth in the movement, who encouraged me to finally try to break my habit."

One approach to the treatment of heroin addiction, currently being introduced in New York, is meeting resistance from many black groups. It involves the use of the synthetic drug Methadone. Though also addictive, it supposedly does not give the same degree of euphoria and drowsiness as heroin and leaves the user in a position where he can function on a job and in the community.

Dr. John Bolling, who works in the Methadone Program at Bellevue Hospital in New York, says that "it appears from my interviews that black people are afraid of Methadone, regarding it as another gimmick by whites to keep them hooked. But I regard it as the only way to treat hard-core addicts. By the time they become hard-core, they have developed physiological cravings based on the supposition that the heavy use of heroin has created a new enzyme system. Methadone is, as yet, the only effective way to block this craving." The opposition of many black people to this approach is perhaps summed up best by the Rev. Dempsey's blunt statement: "I am not fighting to control addiction, but for its complete elimination."

Meanwhile, a unique therapeutic community has been suggested by Dr. Benny Primm, director of Brooklyn's Addiction Research and Treatment Center. He advocates using the Reserve Fleet, noting that by utilizing these idle vessels as treatment and rehabilitation centers three things can be accomplished: 1) patients can be treated in an atmosphere where it is impossible for pushers to get to them; 2) the ships are tied up at piers, so there can be around the clock treatment, and 3) use of the idle ships will prevent the problem of people protesting against the building of narcotic treatment centers in their neighborhoods. "For the estimated 100,000 hard-core addicts in New York City, it will be a plus," Dr. Primm believes. "Now, only a scant eight per cent of them currently receive any kind of treatment, with that being mainly on an out-patient basis."

About education, prevention and treatment, the various anti-drug organizations may have slight differences of emphasis, but all agree that the best programs devised in these areas will be useless unless something concrete is done about the ready availability of hard drugs in black communities. They also agree that no matter what the authorities do, the onus for dealing with the availability problem is going to fall on the communities themselves. There is more *official* concern about hard drugs now because white youths are using them in much larger numbers than heretofore. But as one MAD mother says, "We have to move now. We can't sit back and wait for them to act."

In New York City last year 224 teen-agers died from overdoses or heroin-related infections. More than 40 have already died this year. Of 1,000 addicts in the Phoenix House Program 335 are minors, and 42 of those are 15 years and younger. Five are 11-year-olds. Congresswoman Shirley Chisholm calls the situation an epidemic "comparable to the bubonic plague." A higher percentage of the criminal activity in black communities is believed to be narcotic-related.

So community groups are now forced to take action. One citizen claims "the value system of the black communities has condoned the use of drugs." Listeners bristle when they hear this, but eventually reluctantly agree that maybe the community hasn't done enough to fight the availability of drugs in their neighborhoods.

While these groups concentrate on blocking narcotics from their local communities, the Rev. Oberia D. Dempsey of Harlem Upper Park Avenue Baptist Church is pressuring the federal government to do a better job of keeping drugs out of the country. A 20-year veteran in the anti-drug fight, he reasons that since the government is responsible for the security of seaports, airports and borders then it must seal the nation against drug smugglers. An estimated 300 tons of illegal drugs were smuggled into the U.S. last year. All are profitable, but the most profitable are the hard drugs, cocaine and heroin. Street sale of heroin is estimated at $1.5 billion yearly. Dempsey wants all the power of the federal government, including the F.B.I. utilized to put a stop to this traffic. He also advocates economic sanctions against countries where the drugs originate, funds to reimburse foreign governments for not producing narcotics and the requirement that people coming in and out of the U.S. sign an affidavit that they are not carrying drugs.

It's still much too soon to measure the effectiveness of the actions being taken and suggested by Rev. Dempsey and others. However, one thing has already become clear. Any strong move against narcotic slavery is going to have to be initiated in local communities, and as drugs move more deeply into white communities some whites will begin to act. Significantly, matronly-looking white mothers from affluent Bergen County, New Jersey, recently joined black mothers in a march against narcotics in Washington, D.C. One woman who has a 23-year-old heroin-hooked son, reveals there are 1,200 white youths registered as addicts in her county and says she believes there are 10 times that many. She is ready to act. There soon may be more like her. But black mothers have made it plain that they can't wait. They fully share Rev. Dempsey's feelings that "with or without their help, we are going to stop the flow of death-dealing drugs into our communities."

FEDERAL REVENUE SHARING

Mr. FANNIN. Mr. President, if we have faith in government that involves the greatest degree of local self-government, then Federal revenue sharing will show the way.

More and more, tax revenues, and with it decisionmaking, have been concentrated in Washington. Decentralization of power will follow the sharing of revenues by redistribution, and it will bolster local responsibility.

No matter the virtues of federalism, no government can remain strong that does not look to the financial health of State-local governments, which, after all, perform the bulk of the essential day-to-day civilian services in the Nation.

Mr. President, I do not need to recite the unrelenting pressure on local governments and local taxpayers in meeting local needs.

Our Federal programs of grants-in-aid, in effect, curb local decisionmaking. Money that communities should be spending on pressing needs are often budgeted to other helpful, but perhaps less critical needs, because there is Federal help on one need but not the other.

Federal revenue sharing will open options to State-local governments, aid them in shouldering their responsibilities, reduce bureaucratic paper and handling costs, increase efficient use of the tax dollar, and put local decisionmaking back in the communities.

I am a cosponsor of the proposed Revenue Sharing Act sent to Congress by President Nixon.

Based on 1968 population and 1967 revenue and income data, and a total nationwide distribution of $5 billion annually when the program is fully implemented, Arizona's total share annually would be $51,420,532, of which the major cities and counties would receive respectively $6,560,618 and $4,350,334.

At my request, the Treasury Department has broken down the amount that would be allotted to the major cities and counties in my State.

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

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

Arizona	
Total Annual Amount to Arizona	$51,420,532
State government share	40,509,580
Local government share	10,910,952
To cities	6,560,618
To counties	4,350,334
Local share to cities	
Flagstaff	$135,587
Glendale	143,873
Mesa	208,066
Phoenix	3,368,236
Scottsdale	345,047
Temple	200,477
Tucson	1,393,894
Yuma	123,508
All other cities	641,930
Total to cities	6,560,618
Local share to counties	
Cochise	$246,473
Coconino	94,083
Gila	161,915
Maricopa	2,026,222
Mohave	121,882
Pima	921,777
Pinal	277,447
Yavapai	149,371
Yuma	153,475
All other counties	197,689
Total to counties	4,350,334

CONSTITUTIONAL AMENDMENT TO LOWER THE VOTING AGE

Mr. BYRD of West Virginia. Mr. President, Congress recently passed a law lowering the voting age to 18. The President, in signing the act, urged that it be given an early court test, and I agree with him. I do not know how the Court will rule, but, in my judgment, the authority to determine the qualifications of voters is a prerogative of the individual States, under the Constitution, not a prerogative of Congress. As a matter of fact, four States have lowered the voting age, while several States have rejected the proposal.

Just in case the Supreme Court should strike down the congressional statute, a Senate subcommittee has today recommended a constitutional amendment to lower the voting age to 18. As a member of that subcommittee, I supported the proposed constitutional amendment, because I do not believe that Congress has the constitutional power to lower the voting age by statute. Such a constitutional amendment requires ratification by three-fourths of the States, but the people should be given an opportunity to decide the question.

THE TEXAS RED WOLF IS NEAR EXTINCTION: A LAST REFUGE, THE BIG THICKET

Mr. YARBOROUGH. Mr. President, the Texas red wolf, one of the 275 mammal species listed by the Bureau of Sport Fisheries and Wildlife as endangered in 1968, is now on the brink of extinction.

Estimates tell us that there are approximately 300 surviving red wolves in the United States—200 in southeastern Texas and perhaps 100 in other States. This once common member of the animal family in the Southwest has now been diminished to the extent that its suspected range of existence spans securely only six counties: Brazoria, Chambers, Jefferson, and Orange Counties, Tex.; and Cameron and Vermilion Parishes, La.

Mr. President, action must be taken now if the red wolf is to survive. The direct and deliberate killing of this fine, unique animal by ranchers, who wrongly consider this wolf to be dangerous to man, continues at an alarming rate. For instance, it was reported that in the period from 1963 to 1966 a single trapper killed over 150 wolves on one large ranch in Jefferson County. This cruel and irresponsible slaughter, for sheer commercial gain or even under the guise of predator control, must be stopped.

Since 1966 I have been fighting to create a national park out of the Big Thicket in Texas, the red wolf's principal home. The plight of this endangered species moves me once again to urge quick action on my bill, S. 4. If we are to save the red wolf and other extraordinary samples of our natural heritage, we must proceed with urgency to preserve such beautiful areas of our wilderness as the Big Thicket.

Mr. President, I ask unanimous consent that Robert M. Nowak's article entitled "Report on the Red Wolf," on page 82 of the spring issue of Defenders of Wildlife News, be printed in the RECORD.

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

ENDANGERED SPECIES: REPORT ON THE RED WOLF

(By Ronald M. Nowak)

BACKGROUND

Within the last decade, much attention has been directed toward the wild canid that once occupied the southeastern quarter of the United States. This animal is now generally known as the red wolf, with the scientific designation being *Canis rufus*. Since that time it was made clear that this species is in grave danger of extinction, there has been a profusion of field work, laboratory studies, conservation reports, and breeding experiments dealing with the red wolf. But despite the fact that *C. rufus* is the rarest mammal in North America, there has been surprisingly little progress in protecting it or even in formulating a definite preservation program. Indeed, there is as yet no completely clear picture of what sort of animal the red wolf was under natural conditions, and what has become of it in recent years.

This last matter involves a question of taxonomy, the science of classifying living things and determining their relationships with one another. The taxonomic issue runs prominently through the story of the red wolf, and is especially important in the conservation effort since before we can protect an animal, we must be able to describe what it is and tell where it exists. There are two main taxonomic problems involving *C. rufus*. The first is whether the red wolf, as it originally existed, was a distinct species, or only a subspecies of one of the other two kinds of *Canis* in North America, the gray wolf, *C. lupus*, and the coyte, *C. latrans*. By distinct species, we mean a group of animals that in nature breeds only within itself, not with other groups, and which thus has developed its own unique set of characteristics that always distinguishes it. A subspecies, on the other hand, is a geographical variant of a species and exhibits characteristics that blend into those of other subspecies where their geographic ranges meet.

The second systematic problem concerns what has happened to the wild canid population of the southeast in the last few decades. It is known that the true red wolf has been all but exterminated. Nevertheless, wild canids currently inhabit much of its former range. For a long time many persons believed that wolves were still present in this area, but it is now realized that most of the animals there represent an invasion of smaller canids from farther west (see McCarley, 1962; Nowak, 1967; Pimlott and Joslin, 1968; Paradiso, 1966, 1968).

Before the twentieth century the canids of the southeast had been given various scientific and common names, but mostly by people who had not closely studied the animals. There was no real attempt to describe and set these creatures apart from the wolves which occupied the rest of North America. Then in 1905, Vernon Bailey, the chief field naturalist of the old U.S. Biological Survey, reported on a detailed study of the fauna of Texas. He found the small red wolf of the south central part of the state to differ so greatly from the huge gray wolf of the plains, just to the west, that the two deserved to be treated as completely distinct species. Later, Edward A. Goldman (Young and Goldman, 1944), senior biologist of the Survey, examined a large number of specimens and found that this Texas red wolf intergraded in characteristics with the canids across the southeastern United States to Florida. While the reddish color, prevalent in parts of Texas, was not particularly common farther east, there was a continuity of key cranial and dental features. Goldman thus referred all of the wolves of the southeast to one species, *C. rufus*. By the time of this study the red wolf had already been exterminated east of Mississippi.

RECENT TAXONOMIC STUDIES

Goldman's description of the original situation remained basically unchallenged until recently when Lawrence and Bossert (1967), two biologists at Harvard, performed a multiple character analysis of North American *Canis*. This study involved carefully making a set of measurements on a series of skulls and then subjecting the figures to numerical analysis by a computer. It was hoped that the computer would show how the different types of specimens were related to each other. Those skulls examined included 20 gray wolves, 20 coyotes, 20 domestic dogs (*C. familiaris*), and a small number of red wolves collected before 1920. The results of their study suggested to Lawrence and Bossert that the red wolf was close enough to the gray wolf to be considered only a subspecies of the latter.

Paradiso (1968), however, felt that Lawrence and Bossert's sample sizes had been too small and did not fully represent the great geographic and individual variation of the canids. He pointed out a number of features in which the red wolf differed from the gray wolf and more closely resembled the coyote. He urged the continued recognition of *C. rufus* as a full species until completion of detailed studies employing larger series of specimens.

On the other side of the issue, some field workers, so struck by the difficulty in telling the red wolf and coyote apart, have expressed doubt that the two are separate species. Much recent study has concentrated on the question of the interrelationships of *C. rufus* and *C. latrans*.

One aspect of the research on the red wolf has involved study of chromosomes, to see if the genetic material of *C. rufus* would be capable of forming a viable cross with that of other species of *Canis*. An examination of specimens from two animals, believed to be true red wolves, was made at the M. D. Anderson Hospital and Tumor Institute of the University of Texas. The karyotype (chromosome number and structure) of these speci-

mens was found to be indistinguishable from those of the gray wolf, coyote, and domestic dog. Hence as far as genetics is concerned, any of the four species could successfully interbreed (Dr. Frances E. Arrighi, pers. comm., 15 August 1969). That the North American canid species did not hybridize under natural conditions is thus apparently due to other factors.

Another new taxonomic method applied to the red wolf question is the biochemical analysis of proteins in the blood. Dr. U. S. Seal of the Metalobic Research Center, Minneapolis Veterans Administration Hospital, has been comparing the blood sera of different canid species. He has received blood samples from recently captured live red wolves, and has found biochemical distinction between these animals and coyotes and gray wolves. Hopefully, refinements of this method will enable us to determine, without killing the animals, whether they are wolves, coyotes, or dogs, and to what degree, if any, they have mixed blood.

One more new approach is comparative brain anatomy. Its advocates argue that because of the complexity of the brain and its intimate association with all aspects of the life history of an animal, it will possess some of the most reliable distinguishing characteristics between species. David L. Atkins, a graduate student at Texas A & M University, has made a study in which the brains of coyotes, dogs, gray wolves, and a few recently killed animals believed to be red wolves, were carefully dissected and compared. He believes that the features of the red wolf brains are distinct enough to warrant designation as a full species.

THE RED WOLF AS A DISTINCT SPECIES

Some of the recently developed taxonomic techniques are limited by their dependence on non-skeletal material and are thus unable to make comparisons with the situation in the past when a large, un-mixed population of red wolves existed in the southeast. The most reliable means of ascertaining the former appearance and distribution of mammalian species is examination of preserved material, especially skulls. Likewise, the only method of determining if and where true red wolves exist today is to compare newly collected skulls with old specimens.

John L. Paradiso and I have begun a new effort to resolve the taxonomic status of the red wolf, mainly through examination of the extensive collections of the Bureau of Sport Fisheries and Wildlife's Bird and Mammal Laboratories at the U.S. National Museum. Our primary objective is to provide criteria by which red wolf populations can be distinguished from other canids for the purposes of conservation efforts. No animals are being killed or captured for our study. Most specimens were previously taken as part of regular predator control operations and deposited in the National Collections.

Our analysis of red wolf characters is based on 213 skulls collected from southern Missouri, Arkansas, and eastern Oklahoma, before 1930, and from Louisiana and extreme southern Texas, before 1944. These specimens were taken at times when the red wolf was still common in these respective areas. The 213 skulls show a strongly consistent set of characteristics indicating that only one species is represented.

Furthermore, when this series was compared with a sample of 336 skulls of known coyotes and 215 skulls of gray wolves, the distinctions of each of the three species were obvious. A few differential characters are as follows:

In comparison with the other two species, the skull of *C. lupus* is largest and heaviest, and suggestive of a powerful animal adapted to prey on big game. The bones roofing the frontal sinuses are notably domed, the zygomata broadly flaring, and the sagittal crest high. The great grasping power of the mouth is best reflected in a high "bite ratio," that being the width across the outer alveoli of the anterior lobes of the upper carnassials, divided by the length of the upper molariform tooth-row.

In *C. latrans* the skull is smallest and lightest, indicating that this species preys mainly on small animals. The bones roofing the frontal sinuses are nearly flat, the zygomata are narrowly spreading, and the sagittal crest is lower. The bite ratio is much smaller, there being no overlap with *C. lupus* in our sample series.

In *C. rufus* the skull is intermediate in size and weight. The frontal and zygomata closely resemble those of the coyote, but the sagittal crest is high. The bite ratio is also intermediate to that of the other two species, but significantly distinct from each when statistically compared.

The canine teeth of most individuals of *C. rufus* are long and thin, and in 97 of the 155 skulls that could be examined for this feature, the canines extended below the anterior mental foramina. The corresponding figures for *C. latrans* are 223 of 250, and for *C. Lupus*, 13 of 112. The molar teeth of the red wolf show a deep sculpturing similar to that of the coyote, and in marked contrast to the condition in the gray wolf. Of 205 red wolf specimens checked, 195 possessed a developed posterior medial cusp on the upper M1. All of 320 coyote skulls, but only 96 of 209 gray wolf specimens shared the feature.

The establishment of each of these three species, with their own sets of characters, could only result from them all having been isolated from one another at some period in their geologic history. A geographical barrier is necessary to break the genetic flow of a population and permit the development of separate species. During the Pleistocene epoch, great glaciers moved over much of North America, creating effective barriers in themselves, and also causing sweeping environmental changes over most of the remainder of the continent. It was then, we believe, that the progenitor of the red wolf, probably closely related to the coyote, became isolated in the southeastern corner of North America and evolved into a separate species. A late Pleistocene (Wisconsin) fossil from Alachua County, Florida, appears to represent an animal transitional between a coyotelike ancestor and the modern red wolf. When environmental conditions permitted, the red wolf extended its range to overlap those of the coyote and gray wolf, but it did not interbreed with them.

If the red wolf had intergraded with the gray wolf we would expect to see our red wolf specimens gradually start to look more like the gray wolf as the ranges of the two approached. But in fact, Missouri red wolf skulls are not significantly different from those of Louisiana. And the Missouri specimens show a sharp contrast with the skulls of gray wolves collected on the Great Plains, just to the west. Presently, of course, the ranges of *C. rufus* and *C. lupus* are separated by perhaps a thousand miles, due to human activity.

The coyote still exists in contact with the red wolf and that is the cause of much of the confusion today. Examination of specimens collected before 1930, however, reveals no tendency for the red wolf and coyote to intergrade in characters over most of the area where their ranges met or overlapped. Although the differences in bone structure are usually sufficient to separate skulls of these two species, the most consistent distinguishing feature is over-all size. Among the thousands of coyote skulls in the U.S. National Museum, we found only two male specimens that had a greatest length exceeding the smallest red wolf skull of the same sex. Normally the red wolf is much larger and this is probably the quickest way of separating series of specimens. Our early red wolf skulls from Missouri, Arkansas, Oklahoma, and southeastern Texas are all large and clearly represent a species distinct from the coyote which existed immediately to the west and even overlapped part of the old range of *C. rufus*.

HYBRIDIZATION AND THE DECLINE OF THE RED WOLF

Until recently the red wolf was considered to be common over much of its former range, but apparently no one looked closely at the situation. In 1959, however, Dr. Howard McCarley claimed that Federal trappers in eastern Texas were incorrectly distinguishing between *E. latrans* and *C. rufus*. In 1962, he theorized that human-caused environmental changes associated with farming and lumbering had created good habitat for the coyote and allowed it to extend its range to the east, while at the same time the red wolf could not adapt to these changes.

I agree with McCarley that habitat disruption reduced the ability of the red wolf to survive, and that it created better conditions for the coyote which prefers more open country. But specimens and records indicate that even as late as 1930 a large, relatively pure red wolf population existed in southern Missouri, eastern Oklahoma, Arkansas, southeastern Texas, and Louisiana. This period followed by about a hundred years the first heavy settlement of the area and was well after intensive lumbering had begun.

The decline of the red wolf can be attributed primarily to direct and deliberate killing by man. Only after concerted efforts had been made to eliminate the red wolf was its population reduced to a level that allowed the massive entry of other canids. It appears that organized predator control programs were largely responsible for the final phase of this reduction. Federal trapping began in eastern Texas in 1915, Oklahoma in 1918, Arkansas in 1918, and Missouri in 1922. Nearly all of the specimens in the National Collections from about the first decade of predator control operations in these areas are large red wolves. But specimens obtained since about 1930 average much smaller, indicating that *C. rufus* had been almost wiped out by the efficient control programs and replaced by other canids. For example, from 1922 to 1925, a heavy trapping effort in southern Missouri destroyed 213 wolves. From this group the skulls of 22 adults were sent to the National Museum, and all are clearly red wolves. After this intensive control effort the red wolf population was apparently unable to continue in existence. We have one more, possibly pure, Missouri *C. rufus* specimen from 1932, and then only much smaller skulls.

Government trapping did not begin in Louisiana until 1938 and all specimens from that state up to 1940 are typical large red wolves. We have no specimens over the next decade, but numerous reports indicate that a fair number of wolves held out in Louisiana until about 1952. Only after the hard-hitting Federal and succeeding state predator control programs had decimated the wolf population was there a large-scale movement of a different, smaller kind of canid into Louisiana (Nowak, 1967).

There has been confusion regarding the identity of the canids that replaced the red wolf. In some areas these animals appear to be typical coyotes. In others, the canid population spans the whole range of variation in size and cranial details between red wolves and coyotes, and it has been suggested that this wide variation results from hybridization between the two species.

Sampson (1961) reported a few intermediate specimens taken in Missouri from 1932 to 1942, but almost all coyotes after that. Apparently in Missouri, and possibly in Oklahoma (Paradiso, 1968), the red wolf was quickly exterminated and replaced by the coyote, without the extensive development of hybridization.

In contrast to the situation farther north,

a large series of canid skulls, collected from 1899 to 1918 in central Texas, already exhibits an intergrading set of characteristics ranging from typical *C. latrans* to typical *C. rufus*. Large, small, and intermediate skulls are scattered throughout the area, with no geographic pattern apparent, and no place to draw a line of distinction between the coyote and red wolf. Paradiso and I believe that these specimens represent the formation of a hybrid swarm between *C. rufus* and *C. latrans*.

In nature, hybrids are often unable to survive long because they are not suited for the habitats of either of their parent species. But when man disrupts the environment, he may create a whole range of unnatural habitat conditions in which hybrids can thrive. A number of cases have been reported, especially regarding birds, in which two formerly separate species were brought into close contact through human disturbance. Eventually such conditions resulted in the formation of whole swarms of hybrids with greatly varying characteristics, intermediate between the parent species (Mayr, 1963).

The Edwards Plateau of central Texas, noted for its varied topography and vegetation, was one area in which the ranges of *C. rufus* and *C. latrans* would have overlapped. Human disruption of the natural habitats here probably led to a breakdown in the behavioral patterns and ecological isolation of the two species, and the development of a swarm of hybrid canids in the late nineteenth century.

These animals adapted to the conditions brought about by man and were actually able to spread eastward in Texas to fill the predator niche left when the large red wolves were exterminated. They appear to have formed a separate population from those red wolves that still existed. Their movement to the east seems to have been a geographical expansion of an animal population, and not merely a gene flow. For instance, in Louisiana we know that during the late 1940's true *C. rufus* was being rapidly eliminated by trapping. But only after the big true red wolf had been drastically reduced in numbers and largely forced back into the eastern and southern lowlands of the state, was there a movement of the separate hybrid group into northwestern Louisiana from eastern Texas (Nowak, 1967).

Paradiso (1968) made a study of the recent situation in eastern Texas. He found that 279 wild canid skulls, collected by Federal trappers in this area since 1962, spanned the entire size range between known samples of coyotes and red wolves. The average size of the skulls, however, was considerably closer to *C. Latrans*. This would be expected since the original coyote population was much greater in numbers. Large, small, and medium sized specimens were scattered throughout eastern Texas. and sometimes occurred together at the same locality. We recently examined 27 other skulls collected in Louisiana from 1963 to 1969, and found a similar variation in size.

We thus now realize that much of the former range of the red wolf has been overrun by a mixed swarm of canids, and there is little chance that pure populations of *C. rufus* survive in the same areas. The mere finding of one specimen that looks like an old red wolf cannot be considered proof of the presence of pure *C. rufus*, because a genetic hybrid may physically resemble one of the original parent species. The animal in McClennan County, Texas, considered by Dr. Etter (1969) to possibly be a red wolf, was almost certainly such a hybrid.

RECOGNITION OF THE PROBLEMS

The taxonomic studies that pointed out the critical status of the red wolf, led to the placing of *C. rufus* on the rare and endangered species list of the U.S. Fish and Wildlife Service in January 1965. State and private agencies also became aware of the problem and some took limited action. The International Union for Conservation of Nature and National Resources added *C. rufus* to its highly regarded *Red Data Book* of endangered wildlife. The American Society of Mammalogists has maintained a steady interest in the problem over the past few years, particularly with regard to the situation in Arkansas. The Society expressed fear (1967) that government trappers there were continuing to operate in areas where the red wolf might exist. At its 1969 meeting, the Society passed a resolution calling for intensive field study of the species.

State governments seem to have been slow in taking measures to save the red wolves within their jurisdiction. However, agents of the Arkansas Game and Fish Commission have cooperated in studies in that state (Wilson, 1967; Sealander and Gipson, 1969). And an official of the Texas Parks and Wildlife Commission (Beezley, 1967) published an article sympathetic to the red wolf. He also provided some information regarding the natural history of the species in the Texas Gulf Coast area.

Various other articles and official statements indicate that the plight of the red wolf now has rather widespread public recognition. This interest was exemplified when on March 2, 1969, the nationally broadcast fictional television program *Gentle Ben* featured a story concerning an attempt to save a pair of red wolves. Unfortunately, the program included a scene in which the wolves were shown to make an unprovoked attack on two humans. There are no actual records of such behavior by *C. rufus*, and this scene probably greatly reduced whatever good the program as a whole might have done for the species.

RED WOLVES IN CAPTIVITY

One means suggested for saving vanishing animal species is the breeding of captive populations. Until quite recently there were surprisingly few animals, identified as red wolves, in captivity anywhere. The Zoological Society of London's 1968 Census of Rare Animals in Captivity listed only three males and four females spread among five zoos, and furthermore stated that these specimens were probably not pure-bred (Lucas, 1969).

Since 1967, Federal workers have live-trapped a number of wild canids from the known red wolf range along the Texas Gulf Coast. Some of these animals died or were kept in the field, but a total of seven males and ten females have now been distributed to various zoos in the eastern United States. The handling of these live specimens is being coordinated by the Wild Animal Propagation Trust which hopes to establish breeding populations in captivity. Careful records of these animals and their progeny are being maintained, and blood samples have been taken from each for use in biochemical taxonomic studies.

SEARCHING FOR RED WOLVES

Fear that the red wolf was nearing extinction inspired field studies to learn if and where the species still existed. One such project, financed by the World Wildlife Fund, was undertaken in 1964–1965 by two Canadian zoologists, Douglas H. Pimlott and Paul W. Joslin of the University of Toronto. The procedures and results of this study have been published in several places (Pimlott, 1965; Pimlott and Joslin, 1968; Rutter and Pimlott, 1967).

The principal method employed by Pimlott and Joslin in searching for wolf populations was developed during research on Canadian wolves. There it was found that wolves often responded vocally to tape recordings of wolf howls and to human imitations. The presence of true wolves could thus be determined since their call differed from those of coyotes and dogs. Pimlott and Joslin also examined a number of skulls, searched for signs, and interviewed local residents.

Of course the howling method, like other new approaches, is limited by its lack of comparative material, in this case recordings of definitely known red wolves. And since *C. rufus* is thought to be specifically distinct from the wolves of Canada, there was no guarantee that its call would be the same, as Pimlott and Joslin apparently assumed. Still, their systematic searching procedures and close coordination with other data have produced some impressive results.

They heard animals which they considered to be red wolves in the Ozark National Forest of Arkansas. The only other wild canids heard during searches in that state were said to be coyotes. A large series of skulls from Arkansas was found to consist almost entirely of coyotes, while a few specimens appeared to be intermediate between *C. latrans* and *C. rufus*.

Using the howling method, Pimlott and Joslin located wolves in several other places. A group of three adults was found in Morehouse Parish in northeastern Louisiana. Groups of adults with young were heard on Davis Island, which is mostly in Mississippi, and on Pitman Island, also in Mississippi, but nearly surrounded on East Carroll Parish, Louisiana. Intensive searches made in a number of other localities in Louisiana revealed no wolves. On the basis of reports, a few wolves were believed to exist in the southwestern part of the state. The skull of an animal killed by a car in St. Landry Parish was identified as *C. rufus*.

For southeastern Texas it was recorded (Pimlott and Joslin, 1968:384): "Joslin spent five weeks in this area in 1965 and located three different packs totalling 14 animals, all of which he considered to be wolves. All were in the area east of Galveston Bay between Highway 73 and the Gulf Coast. He also examined a number of skulls of wolves that had been killed in the area. Coyotes were considered to be rare in the area and Joslin did not hear any howling."

The general picture that emerged from this study was that the red wolf, as a pure species, still existed only in the bottomlands near the Mississippi River, and on the coastal marshes of southern Louisiana and southeastern Texas. Paradiso (1965) provided more evidence for this last location when he reported examining seven canid skulls from the Anahuac National Wildlife Refuge in Chambers County, Texas. All specimens appeared to be true *C. rufus*, and Paradiso thought that the species might be present in some numbers in the area. Pimlott and Joslin estimated the total population of red wolves at not more than 150 individuals, 50–75 of which were in the southeastern Texas area between Anahuac and Beaumont. Further research was believed necessary to document the presence of *C. rufus* in the Ozark section of Arkansas (International Union for Conservation of Nature and Natural Resources, 1967).

Despite the fact that this population estimate was the lowest for any North American mammalian species, Pimlott and Joslin were forced to cancel their study because of a lack of funds. Attempts to obtain continued support from various agencies were unsuccessful.

CONTINUED WORK IN ARKANSAS

Howling searches have been carried on in the Ozark National Forest area by a group under Dr. Henri D. Crawley at Arkansas Polytechnic College. Students have made extended series of trips into the area and systematically played recordings of Canadian wolf howls, orginally supplied by Pimlott. Since October 1966, about twenty of the responses received have been considered at least wolflike (Anonymous, 1967; Bond, 1968; Wilson, 1967; Steve N. Wilson, pers. comm.

22 April 1969). A student has also been doing a statistical study of canid skulls provided by government trappers in Arkansas, in hopes of definitely ascertaining the continued existence of the red wolf in the state.

Another study is currently being made by Philip S. Gipson, a graduate student at the University of Arkansas. The comprehensive objectives of this project include a survey of food habits, range movements, reproductive processes, and taxonomy of all wild canids in Arkansas. State Game and Fish Commission personnel are supplying the remains of trapped animals. From July 1968 until June 1969 a total of 135 specimens, mostly from the western third of the state, were received. Five of these were identified as dogs or coyote-dog hybrids and all others were considered to be coyotes, but it was noted that a few were large and showed characteristics intermediate between *C. latrans* and *C. rufus* (Sealander and Gipson, 1969).

CURRENT STATUS LOUISIANA

The current situation in Louisiana is rather confusing, and many rural residents still believe the wolf to be common, due to the presence of other wild canids. These animals are most abundant in the northwestern part of the state where numerous articles and editorials in the *Shreveport Times* and *Journal* have carried on a running debate over their proper identity and management. The subject has even been touched on in an article in *Life* magazine (Snell, 1969). A large number of skulls from northwestern Louisiana have been supplied by state trappers to Louisiana Polytechnic Institute in Ruston where another taxonomic study is underway (T. E. Harris, pers. comm., 3 May 1969).

The Louisiana Wild Life and Fisheries Commission now refers to the great majority of wild canids in the state as coyotes. It was reported (1968) that the state predator control section trapped 269 coyotes in the period December 1, 1965 to November 30, 1966; and 306 in the period December 1, 1966 to November 15, 1967. Mr. T. E. Harris, predator control supervisor, also said that 383 coyotes were trapped in 1968, mainly in the northwestern part of the state. But the animals are fairly well distributed over Louisiana, except for the southern marsh areas (pers. comm., 3 May 1969).

The Commission thus continues to carry on a rather intensive trapping program. The number of men in the predator control section has varied in recent years, but currently there are about a dozen employees. Caddo Parish, in the extreme northwestern corner of the state, employs its own trapper.

The wolf is still listed as an "outlaw quadruped" in the Louisiana game regulations and thus may be legally killed at any time. However, several years ago predator control agents ceased trying to trap the surviving true red wolves in the state and Harris says that this policy continues.

Little information on the red wolf in Louisiana is available from state government sources. Contact with numerous game officials and trappers provided us with no substantial data more recent than the Pimlott-Joslin study of 1964–1965. No funds have been available to study any animals in the state other than game species. Recently, however, interest in the red wolf problem has increased, and, for one thing, all skulls of wild canids trapped by the predator control section are now being forwarded directly to the Commission's Fish and Game Division offices. There is also a possibility that a field study of the red wolf will be made by Louisiana State University.

One of the more logical places to look for red wolves would seem to be Davis Island where Pimlott and Joslin reported finding a group of two or three adults and two or three pups. I visited the island April 11–13, 1969. The area derives its name from the Confederate President who once had a large plantation there. Although mostly in Warren County, Mississippi, the island is almost encircled by Louisiana. It consists of about fifty square miles and is usually surrounded by segments of the Mississippi River. The land lies 20 to 60 feet above the river for most of the year, and the larger part is covered by dense hardwood forest. Several strips have been cleared for the grazing of cattle and the planting of deer feed. Only about ten persons are said to be permanent residents of the island, although there are several large hunting camps. Deer and other types of wildlife are plentiful. Most persons who frequent the island believe that wolves are present, but their descriptions indicate that other wild canids are also now in the area. Several wolves were reported to have been killed on the island in the 1968 deer season, but no specimens could be located.

Considering the isolation, low human population, and general wilderness character of Davis Island, it would appear to be an excellent place to protect any red wolves that might be present. Such action would depend mostly on achieving cooperation from the major land owners and hunting clubs there. In 1968, Grits Gresham, a noted Louisiana outdoors writer, attempted to initiate a movement to protect wolves on Davis Island (pers. comm., 27 April 1969), but apparently little was accomplished.

Several authorities in Louisiana suggested that the well-known Moore Ranch in the extreme southwestern Parish of Cameron, would be another good place to search for wolves. I also visited this area in April 1969. The ranch lies immediately north of the Sabine National Wildlife Refuge and consists mainly of marsh and flat grazing land. Dense cover is relatively scarce, but deer, rabbits, waterfowl, and other wildlife are abundant. The mounted heads of two canids, killed in the vicinity by state trappers in the period 1963 to 1965, are in the possession of the ranch. They appeared large enough to be true wolves. Mr. R. E. Odom, manager of the ranch, said that large wolves were still present and could be heard howling frequently in the cooler months. The Moore Ranch presented a striking contrast to other areas that were visited. Personnel there were well aware of the rarity of the red wolf and the species is now strictly protected along with all other native forms of wildlife. Mr. Odom said that he has never found evidence of the wolves harming livestock on the ranch.

The presence of the specimens at the Moore Ranch, the *C. rufus* skull identified from St. Landry Parish (Pimlott and Joslin, 1968), and persistent reports from wildlife officials and ranchers, indicate that a small population of true red wolves still exists in southern Louisiana. The range of the species probably includes parts of the vast Atchafalaya swamp region and then extends south to the Gulf Coast and west through Cameron Parish into southeastern Texas. However, little work has been done to definitely delineate the distribution of the red wolf in these parts of Louisiana.

HOPE AND CRISIS IN TEXAS

Much recent field work has been centered in extreme southeastern Texas, just across the border from Louisiana. Because of the evidence of the presence of *C. rufus* there, as gathered by Paradiso (1965) and Pimlott and Joslin (1968), plus continuous reports from field men and ranchers, the U.S. Fish and Wildlife Service initiated a study in the area.

The Federal project was funded by the Bureau of Sports Fisheries and Wildlife's Office of Endangered Species, and administered through the Bureau's Division of Wildlife Services, with field work conducted from the San Antonio offices. Research began on March 13, 1968 under the direction of John L. Steele, Jr., a Federal biologist stationed in Beaumont.

The study area included Brazoria, Galveston, Liberty, Chambers, Jefferson, and Orange counties, Texas. Steele, an ardent friend of the red wolf, was able to obtain much new data on its biology and the factors that threaten it with extinction. He concluded that relatively pure red wolf populations existed throughout most of the study area, but that they were seriously endangered.

Series of skulls sent to the Bird and Mammal Laboratories from this area, and compared with known red wolf specimens, have allowed a closer delineation of the current range of *C. rufus*. One group of 32 skulls, from animals killed by a private hunter, was sent from a locality in Brazoria County, west of the Brazos River. Only a few of these specimens resembled pure red wolves; the others appeared to be coyotelike or intermediate. Thus it is clear that hybrid canids are now established even in western Brazoria County.

The situation to the east of the Brazos River in this county, however, is different and deserves further comment. Brazoria County is actually separated by Galveston Bay from the areas examined earlier by Pimlott and Joslin. But during initial Federal investigations, reports from ranchers and government workers indicated that large red wolves still survived in an area of the eastern part of the county.

In the fall of 1968, Paradiso investigated the region in cooperation with Roy McBride, an experienced field officer of the Bureau of Sport Fisheries and Wildlife. McBride had previously come to the same conclusion reached by Paradiso in his laboratory work—that the wild canids throughout most of eastern Texas formed a highly variable population with characteristics ranging all the way from typical coyote to typical red wolf. However, he also thought that the animals in the coastal marshes of Brazoria County were pure *C. rufus*, and that no other canids had penetrated the region. The ranchers of the area had always known these animals as "wolves" and had hunted them for years. While this section of eastern Brazoria County was restricted in size, the population of wolves was of a relatively high density. This factor, plus continuing suitable habitat conditions, had apparently barred the entry of other canids. Paradiso and I examined a total of eighteen skulls collected in this area since 1964. Each of the specimens has characters within the range shown by our known series of *C. rufus*.

In addition, we have now examined seventeen skulls from Chambers and Jefferson counties, collected since 1963. These also closely resemble our known red wolf sample and show no evidence of coyote admixture.

It is thus apparent that a pure *C. rufus* population now exists from the Brazos River, through Chambers and Jefferson counties, and on into Louisiana. We estimate that perhaps 200 red wolves are present in southeastern Texas, with not more than 100 surviving in other states. There may actually be far fewer. Of critical importance is the fact that the range of *C. rufus* now adjoins that of the swarm of hybrid canids, some of which are capable of breeding with and thus diluting the purity of the red wolf population. The only way to prevent such interbreeding is to maintain the numbers and habitat of *C. rufus*.

It is encouraging that a population of wolves has survived at all on the long settled Gulf Coast. It seems as though this region was bypassed by the mainstream of development and for many years left primarily to marginal agricultural use. Nevertheless, in the last few years human population and activity have greatly increased in the area, and "civilization" has finally caught up with the wolves. More intensive agricultural practices, including regular marsh burning and

drainage, and industrial development, especially in the oil and chemical fields, now endanger the habitat of the species. The rapidly expanding Houston-Galveston area has already effectively split the coastal wolf population into two segments and might overrun much more of the region in a few years. Deer and waterfowl hunters, long considered a major factor in the decline of the wolf in Louisiana, are also a growing problem on the Texas coast.

The greatest immediate threat to the red wolf, however, remains direct and deliberate killing by ranchers who consider the species a danger to livestock, especially calves. Pimlott and Joslin (1968) said that in 1960–1961 a single trapper killed 52 wolves in the southeast Texas counties by means of cyanide guns. And Steele reported that in the period from 1963 to 1966 another trapper killed 151 wolves on one large ranch in Jefferson County. These figures probably represent mostly immature animals.

Recent reports indicate that red wolves are still being slaughtered at a shocking rate by ranchers and others along the Gulf Coast. According to Steele, a total of 265 wild canids was killed in his six county study area from January 1968 to October 1969.

Federal predators control operations within the suspected range of the red wolf were sharply curtailed in 1966 and there were attempts to carefully investigate complaints against the species. Although Steele's project has now ended, limited Federal studies of *C. rufus* are continuing in Texas. Current plans call for more research along with selective trapping of those wolves known to be causing damage. It is hoped that ranchers can be convinced to forego their own control operations which presently include indiscriminate poisoning and shooting. Killing of wolves by private individuals apparently increased after the reduction in government trapping and possibly total Federal withdrawal from the scene would mean a more rapid extermination of *C. rufus* in Texas.

Certainly the livestock interests in the area cannot be ignored. Rightly or wrongly, many Texas cattle ranchers believe that the red wolf is a detrimental factor in their business. Of course, further research might well show that here, as elsewhere, most of the cattle believed killed by wolves actually died due to disease, poisonous plants, malnutrition, drowning, or other factors, and were perhaps then fed on as carrion. Studies to determine the facts are badly needed and could provide friends for the red wolf.

CONCLUSION

In the end the preservation of the red wolf will depend on how much money and effort can be devoted to the problem. Ideal protection could be provided only through the purchase of a large and guarded refuge, within the range of *C. rufus*, to accommodate a viable population of the species in its natural habitat. Current plans for intensive research, sincere efforts at winning local cooperation, and captive breeding might also help, if effectively supported and carried out. Of great benefit would be the passing state laws to prohibit the killing of any wild canids within the known or suspected range of the red wolf. This range currently includes at least the following areas: Brazoria, Chambers, Jefferson, and Orange counties, Texas; and Cameron and Vermilion parishes, Louisiana. Concerted public information programs are also required to let local residents know of the rarity of the species and the need for protection.

Some action should be taken immediately if the red wolf is to survive. Even if the highest current population estimates were to be accepted. *Canis rufus* would still have to be considered the rarest mammal in North America. It is threatened not only by continuing ruthless human persecution, but by the steady deterioration of its habitat and the serious problem of hybridization. Despite the general awareness of the red wolf's plight, no refuges have been provided for it, no laws to protect it, and little money has been spent to help it. The time has now come for a top priority effort to save this unique American species.

ACKNOWLEDGMENTS

I am sincerely grateful to the personnel of the Division of Wildlife Services and the Division of Wildlife Research of the U.S. Bureau of Sport Fisheries and Wildlife for providing detailed information and assistance. Specimens and facilities were made available through the courtesy of the Bird and Mammal Laboratories of the Division of Wildlife Research.

I wish to express my particular gratitude to John L. Paradiso of the Bird and Mammal Laboratories and to thank all of those persons, mentioned and unmentioned in this report, who took the trouble to answer correspondence or who otherwise assisted me in gathering information on the red wolf.

LITERATURE CITED

American Society of Mammalogists. 1967. Report of conservation of land mammals committee. *Defenders of Wildlife News*, 42 (3): 267–270.

Anonymous. 1967. Does the red wolf persist in Arkansas? *Defenders of Wildlife News*, 42(4): 380–381.

Bailey, Vernon. 1905. Biological survey of Texas. *North American Fauna*, 25: 1–222.

Beezley, Clarence. 1967. Marsh fugitive. *Texas Parks and Wildlife*, 25(1): 18–20.

Bond, Glen W., Jr. 1968. A survey of the red wolf population on the Ozark National Forest (a supplementary report). Arkansas Polytechnic College, 11 pp.

Etter, Alfred G. 1969. Adventures on the trail of the hooved locust. *Defenders of Wildlife News*, 44(2): 156–166.

International Union for Conservation of Nature and Natural Resources. 1967. *Red Data Book* sheet—Red wolf.

Lawrence, Barbara, and William H. Bossert. 1967. Multiple character analysis of *Canis lupus, latrans,* and *familiaris,* with a discussion of the relationships of *Canis niger*, *American Zoologist*, 7(2): 223–232.

Louisiana Wild Life and Fisheries Commission. 1968. *Biennial Report*, 1966–1967.

Lucas, Joseph (ed.). 1969. *International Zoo Yearbook*, volume 9. Zoological Society of London.

McCarley, Howard. 1959. The mammals of eastern Texas. *Texas Journal of Science*, 11(4): 385–426.

———. 1962. The taxonomic status of wild *Canis* (Canidae) in the the south central United States. *Southwestern Naturalist*, 7(3–4): 227-235.

Mayr, Ernst. 1963. *Animal Species and Evolution*. Cambridge, Massachusetts, Harvard University Press, xiv+797 pp.

Nowak, Ronald M. 1967. The red wolf in Louisiana. *Defenders of Wildlife News*, 42 (1): 60–70.

Paradiso, John L. 1965. Recent records of red wolves from the Gulf Coast of Texas. *Southwestern Naturalist* 10(4): 318–319.

———. 1966. Recent records of coyotes, *Canis latrans*, from the southeastern United States. *Southwestern Naturalist*, 11(4): 500–501.

———. 1968. Canids recently collected in east Texas, with comments on the taxonomy of the red wolf. *American Midland Naturalist*, 80(2): 529–534.

Pimlott, Douglas H. 1965. Progress report, a study of the status and ecology of the red wolf in the southcentral United States. University of Toronto Department of Zoology, 6 pp.

——— and Paul W. Joslin. 1968. The status and distribution of the red wolf. *Trans. 33rd North American Wildlife and Natural Resources Conference*, 373–389.

Rutter, Russell J., and Douglas H. Pimlott. 1967. *The World of the Wolf*. Philadelphia, J. B. Lippincott, 202 pp.

Sampson, Frank W. 1961. Missouri's vanishing wolves. *Missouri Conservationist*, 22 (6): 5–7.

Sealander, John A. and Philip S Gipson. 1969. Annual progress report, range, food habits, and reproduction of coyotes and feral dogs in Arkansas. University of Arkansas, 25 pp.

Snell, David. 1969. Night of the wolf race. *Life*, 66(6): 18D.

Wilson, Steve N. 1967. A study of the red wolf population on the Ozark National Forest, a preliminary report. Arkansas Polytechnic College, 17 pp.

Young, Stanley P. and Edward A. Goldman. 1944. *The Wolves of North America*. Washington, D.C., American Wildlife Institute, xx+636 pp.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

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.

OFFICE OF EDUCATION APPROPRIATIONS BILL, 1971—CONFERENCE REPORT

Mr. MAGNUSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16916) making appropriations for the Office of Education for the fiscal year ending June 30, 1971, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. GRAVEL). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of July 15, 1970, pp. 24453–24454, CONGRESSIONAL RECORD.)

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

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

Mr. MAGNUSON. Mr. President, I ask unanimous consent that a summary of the bill as agreed to by the conferees and adopted by both bodies be printed in the RECORD.

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

OFFICE OF EDUCATION APPROPRIATION BILL, 1971 (H.R. 16916)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1970 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1971

[Key: ESEA—Elementary and Secondary Education Act; NDEA—National Defense Education Act; ESEA, 1967—Elementary and Secondary Education Act Amendments of 1967; VEA—Vocational Education Act of 1963]

[All amounts are dollars in the form of definite appropriations unless otherwise indicated]

Agency and item	New budget (obligational) authority, fiscal year 1970 [1]	New budget (obligational) authority, fiscal year 1970 after 2 percent reduction [1]	Budget estimates of new (obligational) authority fiscal year 1971	New budget (obligational) authority, recommended in the House bill H.R. 16916	New budget (obligational) authority, recommended in the Senate bill H.R. 16916	New budget (obligational) authority recommended, H.R. 16916 conference agreement	Increase (+) or decrease (−), Conference bill compared with— New budget (obligational) authority, fiscal year 1970 after 2 percent reduction	Budget estimates of new (obligational) authority fiscal year 1971	New budget (obligational) authority, recommended in the House bill H.R. 16916	Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
School assistance in federally affected areas:										
1. Maintenance and operations (874)	505,400,000	505,400,000	[2] 425,000,000	425,000,000	658,800,000	536,068,000	+30,668,000	+111,068,000	+111,068,000	−122,732,000
2. Construction (815)	15,181,000	15,181,000	----------	15,000,000	15,000,000	15,000,000	−181,000	+15,000,000	----------	----------
(Obligations)	(15,167,000)	(14,416,000)	(21,049,000)	(36,049,000)	(36,049,000)	(36,049,000)	(+21,633,000)	(+15,000,000)	----------	----------
Total	520,581,000	520,581,000	425,000,000	440,000,000	673,800,000	551,068,000	+30,487,000	+126,068,000	+111,068,000	−122,732,000
Elementary and secondary education:										
1. Aid to school districts:										
(a) Educationally deprived children (ESEA I)	[3] 1,396,975,000	[3] 1,339,050,900	1,339,050,000	1,500,000,000	[4] 1,500,000,000	[4] 1,500,000,000	+160,949,100	+160,950,000	----------	----------
(b) Supplementary services (ESEA III)	133,393,000	130,843,000	120,393,000	137,393,000	150,393,000	143,393,000	+12,550,000	+23,000,000	+6,000,000	−7,000,000
(c) Library resources (ESEA II)	50,000,000	42,500,000	80,000,000	80,000,000	80,000,000	80,000,000	+37,500,000	----------	----------	----------
(d) Equipment and minor remodeling (NDEA III)	43,740,000	37,179,000	----------	20,000,000	79,200,000	50,000,000	+12,821,000	+50,000,000	+30,000,000	−29,200,000
Subtotal	1,624,108,000	1,549,572,900	1,539,443,000	1,737,393,000	1,809,593,000	1,773,393,000	+223,820,100	+233,950,000	+36,000,000	−36,200,000
2. Dropout prevention (ESEA VIII)	5,000,000	5,000,000	15,000,000	8,000,000	15,000,000	10,000,000	+5,000,000	−5,000,000	+2,000,000	−5,000,000
3. Bilingual education (ESEA VII)	25,000,000	21,250,000	21,250,000	25,000,000	31,000,000	25,000,000	+3,750,000	+3,750,000	----------	−6,000,000
4. Strengthening State departments of education (ESEA V)	29,750,000	29,750,000	29,750,000	29,750,000	33,750,000	29,750,000	----------	----------	----------	−4,000,000
5. School nutrition and health (ESEA, sec. 808)	----------	----------	----------	----------	2,000,000	----------	----------	----------	----------	−2,000,000
6. Planning and evaluation (ESEA 1967, sec. 402)	9,250,000	8,825,000	9,250,000	8,825,000	8,825,000	8,825,000	----------	−425,000	----------	----------
Total	1,693,108,000	1,614,397,900	1,614,693,000	1,808,968,000	1,900,168,000	1,846,968,000	+232,570,100	+232,275,000	+38,000,000	−53,200,000
Education for the handicapped:										
1. State grant programs (ESEA VI)	29,190,000	29,190,000	31,900,000	35,000,000	34,000,000	34,000,000	+4,810,000	+2,100,000	−1,000,000	----------
2. Early childhood projects (Public Law 90-538)	4,000,000	3,000,000	4,000,000	7,000,000	7,000,000	7,000,000	+4,000,000	+3,000,000	----------	----------
3. Teacher education and recruitment:										
(a) Teacher education (Public Law 85-926)	36,000,000	30,000,000	31,600,000	32,600,000	32,600,000	32,600,000	+2,600,000	+1,000,000	----------	----------
(b) Recruitment and information (ESEA VI-D)	610,000	475,000	500,000	500,000	500,000	500,000	+25,000	----------	----------	----------
Subtotal	36,610,000	30,475,000	32,100,000	33,100,000	33,100,000	33,100,000	+2,625,000	+1,000,000	----------	----------
4. Research and innovation:										
(a) Research and demonstration (Public Law 88-164 sec. 302)	16,375,000	13,360,000	14,450,000	15,300,000	15,300,000	15,300,000	+1,940,000	+850,000	----------	----------
(b) Regional resource centers (ESEA VI-B)	2,900,000	1,800,000	3,550,000	3,550,000	3,550,000	3,550,000	+1,750,000	----------	----------	----------
(c) Deaf-blind centers (ESEA VI-C)	4,000,000	2,000,000	2,500,000	4,500,000	4,500,000	4,500,000	+2,500,000	+2,000,000	----------	----------
(d) Media services and captioned films (Public Law 85-905)	6,500,000	4,750,000	6,000,000	6,000,000	6,000,000	6,000,000	+1,250,000	----------	----------	----------
Subtotal	29,775,000	21,910,000	26,500,000	29,350,000	29,350,000	29,350,000	+7,440,000	+2,850,000	----------	----------
5. Specific learning disabilities (ESEA 1970, Title VI, Part G)	----------	----------	----------	----------	1,000,000	1,000,000	+1,000,000	+1,000,000	+1,000,000	----------
6. Planning and evaluation (ESEA, 1967, sec. 402)	425,000	425,000	500,000	550,000	550,000	550,000	+125,000	+50,000	----------	----------
Total	100,000,000	85,000,000	95,000,000	[5] 105,000,000	105,000,000	105,000,000	+20,000,000	+10,000,000	----------	----------
Vocational and adult education:										
1. Basic vocational education grants:										
(a) Grants to States (VEA, pt B)	300,336,000	300,336,000	300,336,000	350,336,000	[6] 346,336,000	[6] 350,336,000	+50,000,000	+50,000,000	----------	+4,000,000
(b) Consumer and homemaking education (VEA, pt F)	17,500,000	15,000,000	15,000,000	17,500,000	25,000,000	21,250,000	+6,250,000	+6,250,000	+3,750,000	−3,750,000
(c) State advisory councils (VEA, pt B)	2,800,000	2,380,000	2,380,000	2,380,000	2,380,000	2,380,000	----------	----------	----------	----------
(d) National advisory council (VEA, pt B)	200,000	200,000	330,000	330,000	330,000	330,000	+130,000	----------	----------	----------
Subtotal	320,836,000	317,916,000	318,046,000	370,546,000	374,046,000	374,296,000	+56,380,000	+56,250,000	+3,750,000	+250,000

Footnotes at end of table.

OFFICE OF EDUCATION APPROPRIATION BILL, 1971 (H.R. 16916)—Continued

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1970 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1971—Continued

[Key: ESEA—Elementary and Secondary Education Act; NDEA—National Defense Education Act; ESEA, 1967—Elementary and Secondary Education Act Amendments of 1967; VEA—Vocational Education Act of 1963]

[All amounts are dollars in the form of definite appropriations unless otherwise indicated]

Agency and item	New budget (obligational) authority, fiscal year 1970 [1]	New budget (obligational) authority, fiscal year 1970 after 2 percent reduction [1]	Budget estimates of new (obligational) authority fiscal year 1971	New budget (obligational) authority, recommended in the House bill H.R. 16916	New budget (obligational) authority, recommended in the Senate, bill H.R. 16916	New budget (obligational) authority recommended, H.R. 16916 conference agreement	Increase (+) or decrease (−), Conference bill compared with— New budget (obligational) authority, fiscal year 1970 after 2 percent reduction	Budget estimates of new (obligational) authority fiscal year 1971	New budget (obligational) authority, recommended in the House bill H.R. 16916	Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Vocational and adult education—Continued										
2. Residential vocational schools (VEA, sec. 151)					4,000,000					−4,000,000
3. Work-study (VEA, pt. H)	5,000,000	4,250,000		5,500,000	5,500,000	5,500,000	+1,250,000	+5,500,000		
4. Cooperative education (VEA, p. G)	14,000,000	14,000,000	24,000,000	18,500,000	18,500,000	18,500,000	+4,500,000	−5,500,000		
5. Research and innovation (VEA, pt. D)	31,980,000	14,980,000	25,000,000	20,000,000	[2] 20,000,000	[2] 20,000,000	+5,020,000	−5,000,000		
6. Adult basic education (Adult Education Act)	49,900,000	49,900,000	55,000,000	55,000,000	55,000,000	55,000,000	+5,100,000			
7. Planning and evaluation (ESEA, 1967 sec. 402)	1,100,000	1,000,000	1,000,000	900,000	900,000	900,000	−100,000	−100,000		
8. Students with special needs (VEA, sec. 102(B))	20,000,000	17,000,000	17,000,000	20,000,000	20,000,000	20,000,000	+3,000,000	+3,000,000		
Total	442,816,000	419,046,000	440,046,000	490,446,000	497,946,000	494,196,000	+75,150,000	+54,150,000	+3,750,000	−3,750,000
Higher education:										
1. Student assistance:										
(a) Educational opportunity grants (HEA IV–A)	164,600,000	164,600,000	185,600,000	167,700,000	185,600,000	167,700,000	+3,100,000	−17,900,000		−17,900,000
(b) Work-study and cooperative education (HEA–IV C, D)	154,000,000	154,000,000	160,000,000	160,000,000	176,000,000	160,000,000	+6,000,000			−16,000,000
(c) Loans:										
(1) Direct (NDEA II)	229,000,000	195,685,000	176,925,000	229,000,000	243,000,000	243,000,000	+47,315,000	+66,075,000	+14,000,000	
(Teacher cancellations)	(4,900,000)	(4,900,000)	(4,500,000)	(4,500,000)	(4,500,000)	(4,500,000)	(−400,000)			
(2) Insured: (HEA IV–B):										
(A) Advances for reserve funds										
(Obligations)	(2,800,000)	(2,800,000)	(4,441,022)	(4,441,022)	(4,441,022)	(4,441,022)	(+1,641,022)			
(B) Interest payments	62,400,000	62,400,000	143,200,000	143,200,000	143,200,000	143,200,000	+80,800,000			
(Accrued costs)	(109,454,000)	(109,454,000)	(143,200,000)	(143,200,000)	(143,200,000)	(143,200,000)	(+33,746,000)			
(New loans subsidized)	(794,241,000)	(794,241,000)	(940,428,000)	(940,428,000)	(940,428,000)	(940,428,000)	(+146,187,000)			
(C) Computer services	1,500,000	1,500,000	2,200,000	2,200,000	2,200,000	2,200,000	+700,000			
(Obligations)	(1,697,990)	(1,697,990)	(2,200,000)	(2,200,000)	(2,200,000)	(2,200,000)	(+502,010)			
Subtotal	63,900,000	63,900,000	145,400,000	145,400,000	145,400,000	145,400,000	+81,500,000			
(d) Special programs for the disadvantaged (HEA sec. 408):										
(1) Talent search	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000				
(2) Upward bound	29,683,000	29,637,000	30,000,000	30,000,000	30,000,000	30,000,000	+363,000			
(3) Special services in college	10,000,000	10,000,000	15,000,000	15,000,000	15,000,000	15,000,000	+5,000,000			
Subtotal	44,683,000	44,637,000	50,000,000	50,000,000	50,000,000	50,000,000	+5,363,000			
Subtotal, student assistance	656,183,000	622,822,000	717,925,000	752,100,000	800,000,000	766,100,000	+143,278,000	+48,175,000	+14,000,000	−33,900,000
2. Institutional assistance:										
(a) Aid to land-grant colleges (Bankhead Jones Act)	19,361,000	19,361,000		8,080,000	12,120,000	10,080,000	−9,281,000	+10,080,000	+2,000,000	−2,040,000
(b) Strengthening developing institutions (HEA III)	30,000,000	30,000,000	33,850,000	33,850,000	33,850,000	33,850,000	+3,850,000			
(c) University community services (HEA I)	9,500,000	9,500,000		9,500,000	9,500,000	9,500,000		+9,500,000		
(d) Instructional equipment					14,500,000	7,000,000	+7,000,000	+7,000,000	+7,000,000	−7,500,000
(e) Foreign language training and area studies (NDEA VI; Fulbright-Hays)	18,000,000	15,300,000	[3] 153,00,000	6,000,000	15,300,000	8,000,000	−7,300,000	−7,300,000	+2,000,000	−7,300,000
(f) International Education Act					500,000					−500,000

Footnotes at end of table.

Agency and item	New budget (obligational) authority, fiscal year 1970 [1]	New budget (obligational) authority, fiscal year 1970 after 2 percent reduction [1]	Budget estimates of new (obligational) authority fiscal year 1971	New budget (obligational) authority, recommended in the House bill H.R. 16916	New budget (obligational) authority, recommended in the Senate, bill H.R. 16916	New budget (obligational) authority recommended, H.R. 16916 conference agreement	Increase (+) or decrease (−), Conference bill compared with— New budget (obligational) authority, fiscal year 1970 after 2 percent reduction	Budget estimates of new (obligational) authority fiscal year 1971	New budget (obligational) authority, recommended in the House bill H.R. 16916	Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Higher education—Con.										
(g) Improvement of graduate schools (HEA X)					500,000					−500,000
(h) Institutional sharing of resources (HEA VIII)					500,000					−500,000
	76,861,000	74,161,000	49,150,000	57,430,000	86,770,000	68,430,000	−5,731,000	+19,280,000	+11,000,000	−18,340,000
(i) Construction:										
(1) Grants (HEFA I & II)	76,000,000	71,050,000			71,050,000	43,000,000	−28,050,000	+43,000,000	+43,000,000	−28,050,000
(Obligations)	(76,000,000)	(72,650,000)			(71,050,000)	(43,000,000)	(−29,650,000)	(+43,000,000)	(+43,000,000)	(−28,050,000)
(2) Subsidized loans (HEFA III)	11,750,000	11,750,000	21,000,000	21,000,000	21,000,000	21,000,000	+9,250,000			
(Obligations)	(11,750,000)	(10,920,000)	(25,250,000)	(25,250,000)	(25,250,000)	(25,250,000)	(+14,330,000)			
(Loans subsidized)	(435,000,000)	(393,000,000)	(520,000,000)	(520,000,000)	(520,000,000)	(520,000,000)	(+127,000,000)			
(3) State administration and planning (HEFA I)	6,000,000	6,000,000	6,000,000	6,000,000	6,000,000	6,000,000				
(4) Technical services (HEFA I, sec. 105)	5,417,000	5,417,000	5,100,000	5,100,000	5,100,000	5,100,000	−317,000			
Subtotal, construction	99,167,000	94,217,000	32,100,000	32,100,000	103,150,000	75,100,000	−19,117,000	+43,000,000	+43,000,000	−28,050,000
Subtotal, institutional assistance	176,028,000	168,378,000	81,250,000	89,530,000	189,920,000	143,530,000	−24,848,000	+62,280,000	+54,000,000	−46,390,000
3. College personnel development:										
(a) College teacher fellowships (NDEA IV)	56,163,000	48,813,000	47,350,000	47,350,000	47,350,000	47,350,000	−1,463,000			
(b) Training programs (EPDA, pt. E)	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000				
(c) Public service education (HEA, IX)					500,000					−500,000
(d) Law school clinical experience (HEA, XI)					500,000					−500,000
Subtotal	66,163,000	58,813,000	57,350,000	57,350,000	58,350,000	57,350,000	−1,463,000			−1,000,000
4. Planning and evaluation (ESEA, 1967, sec. 402)	1,000,000	900,000	1,000,000	900,000	900,000	900,000		−100,000		
Total	899,374,000	850,913,000	857,525,000	899,880,000	1,049,170,000	967,880,000	+116,967,000	+110,355,000	+68,000,000	−81,290,000
Education professions development:										
1. State grants (EPDA–pt. B–2)	18,250,000	15,512,500	15,000,000	15,000,000	15,000,000	15,000,000	−512,500			
2. Personnel development programs (EPDA–pts. C, D, & F)	88,348,000	79,098,000	88,500,000	88,500,000	88,500,000	88,500,000	+9,402,000			
3. Planning and evaluation (ESEA 1967, sec. 402)	477,000	477,000	1,300,000	1,000,000	1,000,000	1,000,000	+523,000	−300,000		
4. Encouragement of educational careers (EPDA–sec. 504)	425,000	425,000	500,000	500,000	500,000	500,000	+75,000			
5. Teacher Corps (EPDA–pt. B–1)	21,737,000	21,737,000	30,800,000	30,800,000	40,800,000	30,800,000	9,063,000			−10,000,000
Total	129,237,000	117,249,500	136,100,000	135,800,000	145,800,000	135,800,000	+18,550,500	−300,000		−10,000,000
Community education:										
1. Public libraries:										
(a) Services (LSCA I, III, IV–A and IV–B)	40,709,000	35,459,000	35,459,000	40,709,000	40,709,000	40,709,000	+5,250,000	+5,250,000		
(b) Construction (LSCA II)	9,185,000	7,807,250		5,000,000	9,185,000	7,092,500	−714,750	+7,092,500	+2,092,500	−2,092,500
(Obligations)	(10,911,034)	(9,533,284)		(5,000,000)	(9,185,000)	(7,092,500)	(−2,440,874)	(+7,092,500)	(+2,092,500)	(−2,092,500)
Subtotal	49,894,000	43,266,250	35,459,000	45,709,000	49,894,000	47,801,500	+4,535,250	+12,342,500	+2,092,500	−2,092,500
2. College library resources (HEA II–A)	20,750,000	9,816,000	9,900,000	9,900,000	20,750,000	15,325,000	+5,509,000	+5,425,000	+5,425,000	−5,425,000
3. Librarian training (HEA II–B)	6,833,000	4,000,000	3,900,000	3,900,000	8,250,000	3,900,000	−100,000			−4,350,000
4. Cataloging by the Library of Congress (HEA II–C)	6,732,000	5,721,450	5,727,000	5,727,000	7,500,000	6,613,500	+892,050	+886,500	+886,500	−886,500
5. Educational broadcasting facilities (title II, Communications Act of 1934)	5,083,000	4,320,550	4,000,000	6,000,000	15,000,000	11,000,000	+6,679,450	+7,000,000	+5,000,000	−4,000,000
(Obligations)	(5,396,639)	(5,396,634)	(4,000,000)	(6,000,000)	(15,000,000)	(11,000,000)	(+5,603,366)	(+7,000,000)	(+5,000,000)	(−4,000,000)
6. Planning and evaluation (ESEA 1967, sec. 402)	89,000	89,000	460,000	400,000	400,000	400,000	+311,000	−60,000		
Total	89,381,000	67,213,250	59,446,000	71,636,000	101,794,000	85,040,000	+17,826,750	+25,594,000	+13,404,000	−16,754,000

Footnotes at end of table.

OFFICE OF EDUCATION APPROPRIATION BILL, 1971 (H.R. 16916)—Continued

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1970 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1971—Continued

[Key: ESEA—Elementary and Secondary Education Act; NDEA—National Defense Education Act; ESEA, 1967—Elementary and Secondary Education Act Amendments of 1967; VEA—Vocational Education Act of 1963]

[All amounts are dollars in the form of definite appropriations unless otherwise indicated]

Agency and item	New budget (obligational) authority, fiscal year 1970 [1]	New budget (obligational) authority, fiscal year 1970 after 2 percent reduction [1]	Budget estimates of new (obligational) authority fiscal year 1971	New budget (obligational) authority, recommended in the House bill H.R. 16916	New budget (obligational) authority, recommended in the Senate bill H.R. 16916	New budget (obligational) authority recommended, H.R. 16916 conference agreement	Increase (+) or decrease (−), Conference bill compared with— New budget (obligational) authority, fiscal year 1970 after 2 percent reduction	Budget estimates of new (obligational) authority fiscal year 1971	New budget (obligational) authority, recommended in the House bill H.R. 16916	Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Research and training:										
1. Research and development (Cooperative Research Act):										
(a) Educational laboratories	25,125,000	25,106,000	25,106,000	24,406,000	25,106,000	25,106,000			+700,000	
(b) Research and development centers	10,000,000	9,800,000	9,500,000	9,300,000	9,300,000	9,300,000	−500,000	−200,000		
(c) General education	22,862,000	22,562,000	22,562,000	19,208,000	15,000,000	15,000,000	−7,562,000	−7,562,000	−4,208,000	
(d) Evaluations	3,000,000	2,796,000	5,000,000	4,250,000	4,000,000	4,000,000	+1,204,000	−1,000,000	−250,000	
(e) National achievement study	2,000,000	1,900,000	4,500,000	4,500,000	4,500,000	4,500,000	+2,600,000			
(f) Special library research	2,171,000	2,171,000	2,171,000	2,171,000	2,171,000	2,171,000				
(g) Nutrition and health			2,500,000	2,000,000	2,000,000	2,000,000	+2,000,000	−500,000		
Subtotal	65,158,000	64,335,000	71,339,000	65,835,000	62,077,000	62,077,000	−2,258,000	−9,262,000	−3,758,000	
2. Major demonstration (Cooperative Research Act)	1,000,000	1,000,000	5,000,000	3,000,000	3,000,000	3,000,000	+2,000,000	−2,000,000		
District of Columbia model school	(1,000,000)	(1,000,000)	(4,750,000)	(2,750,000)	(2,750,000)	(2,750,000)	(+1,750,000)	(−2,000,000)		
3. Experimental schools (Cooperative Research Act)			25,000,000	20,000,000	15,000,000	15,000,000	+15,000,000	−10,000,000	−5,000,000	
4. Dissemination (Cooperative Research Act and sec. 303 VEA)	7,200,000	6,740,000	6,740,000	6,740,000	5,000,000	5,000,000	−1,740,000	−1,740,000	−1,740,000	
5. Training	6,750,000	6,350,000	6,250,000	6,250,000	2,000,000	2,000,000	−4,350,000	−4,250,000	−4,250,000	
6. Statistics	2,000,000	1,900,000	4,000,000	3,500,000	3,000,000	3,000,000	+1,100,000	−1,000,000	−500,000	
7. Construction (Obligations)	(11,291,202)	(11,291,202)					(−11,291,202)			
Total	82,108,000	80,325,000	118,329,000	[9] 105,325,000	90,077,000	[10] 90,077,000	+9,752,000	−28,252,000	−15,248,000	
Educational activities overseas (special foreign currency program) (Public Law 480)	1,000,000	1,000,000	3,000,000	3,000,000	3,000,000	3,000,000	+2,000,000			
(Obligations)	(1,029,405)	(1,029,405)	(3,000,000)	(3,000,000)	(3,000,000)	(3,000,000)	(+1,970,595)			
Salaries and expenses	44,308,000	44,308,000	46,733,000	46,107,000	45,164,000	45,164,000	+856,000	−1,569,000	−943,000	
Student loan insurance fund (HEA IV–B)	10,826,000	10,826,000	18,000,000	18,000,000	18,000,000	18,000,000	+7,174,000			
(Obligations)	(16,338,000)	(16,388,000)	(18,182,000)	(18,182,000)	(18,182,000)	(18,182,000)	(+1,794,000)			
Higher education facilities loan fund (HEFA III):										
1. Loans to higher education institutions (Obligations)	(25,000,000)	(15,000,000)	(10,000,000)	(10,000,000)	(25,000,000)	(25,000,000)	(+10,000,000)	(+15,000,000)	(+15,000,000)	
2. Participation sales insufficiencies	2,918,000	2,918,000	2,952,000	2,952,000	2,952,000	2,952,000	+34,000			
(Obligations)	(31,651,000)	(31,651,000)	(25,293,000)	(25,293,000)	(25,293,000)	(25,293,000)	(−6,358,000)			
Total	2,918,000	2,918,000	2,952,000	2,952,000	2,952,000	2,952,000	+34,000			
Emergency school assistance (OEO, title II; EPDA, pt. D; Co op. Research Act; ESEA, sec. 807; Civil Rights Act, title IV; ESEA Amendments of 1967, sec. 402			150,000,000	[12]	150,000,000	75,000,000	+75,000,000	−75,000,000	+75,000,000	−75,000,000
Total, OEO	4,015,657,000	3,813,777,650	[11] 3,966,824,000	4,127,114,000	4,782,871,000	4,420,145,000	+606,367,350	+453,321,000	+293,031,000	−362,726,000
Title I advance funding:										
1970 advance (in 1969 bill)	−1,010,814,300	−1,010,814,300					+1,010,814,300			
1972 advance (in 1971 bill)			1,339,050,000					−1,339,050,000		
Total, Education Appropriation Bill	3,004,842,700	2,802,963,350	5,305,874,000	4,127,114,000	4,782,871,000	4,420,145,000	+1,617,181,650	−885,729,000	+293,031,000	−362,726,000

[1] 1970 appropriations are comparable to the 1971 estimates.
[2] To implement proposed reform legislation now pending in Congress.
[3] Includes $1,010,814,300 appropriated in the 1969 bill.
[4] Includes $7,841,685 for pt. B, incentive grants and $15,453,650 for pt. C, grants for high concentrations of poor.
[5] Department distribution. Key to legislative authorities: ESEA 1970 (Elementary and Secondary Education Act Amendments of 1970).
[6] Provides 10 percent of total for vocational research under pt. C of the basic law.
[7] Earmarks $4,000,000 for curriculum development and $16,000,000 for exemplary programs.
[8] Includes a budget amendment of $9,300,000 (S. Doc. 91–80). Key to legislative authorities: HEA (Higher Education Act); HEFA (Higher Education Facilities Act); EPDA (Education Professions Development Act).
[9] Department distribution.
[10] Tentative distribution.
[11] Includes budget amendment totaling $279,759,000. Includes $425,000,000 to implement impacted area aid legislation; and includes $150,000,000 for 1970 supplemental estimate for emergency school assistance.
[12] Not considered by House. Key to legislative authorities: Economic Opportunity Act of 1964 title II.

Not H. Rept. 91–996, Apr. 9, 1970, passed House Apr. 14, 1970. S. Rept. 91–871, May 15, 1970 passed Senate June 25, 1970. H.J. Res. 1264, continuing resolution, 1971, Public Law 91–294, June 29, 1970.

Mr. MAGNUSON. Mr. President, I have a short statement to make, and I am sure that the distinguished Senator from New Hampshire (Mr. COTTON) will wish to make a statement on the adoption of this very important conference report.

Mr. President, before I move the adoption of the conference report on H.R. 16916, I would like to comment very briefly on several aspects of the bill, as agreed to by the conferees.

First, the total bill, as reported out of conference, is $4,420,145,000, which is under the Senate figure of $4,782,871,000 by minus $362,726,000. The conference figure is over the House amount of $4,127,114,000 by $293,031,000 and over the budget estimate of $3,966,824,000—without advance funding of $1,339,050,000—by $453,321,000. It is under the budget estimate of $5,305,874,000—including advance funding of $1,339,050,000—by $885,729,000. The conference figure is over the fiscal year 1970 comparable appropriation of $3,813,777,650—taking into consideration the 2-percent reduction of the total amount of last year's education appropriation—by $606,367,350.

The House, on July 16, adopted this agreement by a rollcall vote of 357 to 30.

I am hoping the Senate will adopt the conference report by just as impressive a margin as the House so we can send this education bill to the President and have him sign it, and the schools and the students can get their money and we can get on with the business of educating 52,000,000 students.

There has been a little noise down on 1600 Pennsylvania Avenue about the size of appropriations bills being approved by Congress. That four-letter word "veto" keeps cropping up again and again—but let me say that Congress wants this appropriation bill signed into public law. The Senator from New Hampshire, the chairman, the sucbcommittee and the Congress have deliberated on education funds for 1971 long enough and have completed a fairly decent bill, and we are ready to turn our attention to other pressing matters.

Appropriation bills are a composite of the annual budget—the President's budget. And when we finish passing the various component parts of the President's budget, I think he will find that Congress has reduced his budget—not increased it. This is what happened last year, and in many other years, and I predict this will be the final result when we conclude this session.

This is what the taxpayers should be told. This is what they should know between now and November.

Congress also knows that a flow of supplemental requests for more money will begin their march up the Hill from downtown between now and the time we adjourn. The taxpayers should know this, too.

Expenditures for education in this country are running about $70 billion a year at all levels—local, State, and county.

The Federal contribution toward education is about $7.8 billion, or 11.1 percent of the total contribution annually. This bill covers only $4.4 billion of the $7.8 billion Federal outlay.

The States are putting up about $20.9 billion for education, the local governments are investing $23.7 billion in education, and $17.7 billion goes into education from endowments and gifts, and so forth. These private donations run almost three times what the Federal Government contributes to education. And we know what happens when the Federal portion is reduced—State and local taxes go up. And when local bond issues fail and States do not come up with additional tax dollars—education suffers.

Whether the percentage of the Federal contribution goes up or down by one-tenth of a percent has very little, or perhaps nothing, to do with reducing inflation.

Now, let me touch just briefly on some of the particular aspects of this bill.

First, school assistance in federally affected areas—impacted aid—we spent more time on this part of the bill than anything else.

However, the conference figure is $126 million over the administration's submission and $111 million over the House allowance.

The conference agreement provides for the following:

Category	Percent of entitlement	Amount
A students	90	$158,100,000
B students	65	334,100,000
Hardship students	100	8,800,000
Section 6 (mandatory)	100	35,000,000
Subtotal		536,000,000
Construction (Public Law 815)		15,000,000
Total		551,000,000

The Senate last year in adopting the conference report provided equal entitlement for both A and B students. It was 77 percent after the conference.

I know that many Members are disappointed that equal entitlement was not retained for B students. This was in the Senate verision:

Funds required to pay 90 percent

Maintenance and operations (Public Law 874)	$658,800,000
Construction (Public Law 815)	15,000,000
Total	673,800,000

Fund requirements include provision to pay full entitlement for school districts with 25% or more "category A" pupils.

However, let me say that under the conference agreement, B students will receive over $100 million more than was provided in the House version or the Department's proposal. The amount provided this year is the largest amount in the 20-year history of impacted aid.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a tabulation which points the funds that have been provided for impacted aid since 1951.

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

Public Law 874 appropriations—School assistance in federally affected areas

1951	$29,080,788
1952	51,570,000
1953	60,500,000
1954	72,350,000
1955	75,000,000
1956	90,000,000
1957	113,050,000
1958	127,000,000
1959	157,362,000
1960	186,300,000
1961	217,300,000
1962	247,000,000
1963	282,322,000
1964	320,670,000
1965	332,000,000
1966	388,000,000
1967	416,200,000
1968	507,165,000
1969	505,900,000
1970[1]	505,400,000
1971	536,000,000

[1] In addition to this total, $2.5 million was reserved for SAFA in Public Law 91-237, signed May 1, 1970.

Mr. MAGNUSON. Mr. President, this, along with other items the Senate comprised, and in some cases receded on, are always disappointing, but we fought hard for what we thought was right for education.

For the record, let me sight some comparisons.

The conference figures exceed the President's budget estimate and House allowance on impacted aid, elementary and secondary education, vocational and adult education, higher education, and community education.

This covers all major portions of the bill in the conference report.

The conference figures also exceed the budget estimate on education of the handicapped. The House and Senate had no disagreement on increasing this amount. Compared to fiscal 1970, this conference report is an overall increase of 16 percent.

So, I think we came out pretty good—and, Mr. President, this is what a conference is all about.

In concluding, may I say that we compromised on the general provisions. The conference bill retains the Whitten amendment and strikes the Jonas amendment.

Not everyone is pleased with this—the chairman included—but whatever way these amendments are resolved—each year—it is to the displeasure of many. I wish they did not exist in this appropriation measure, but they do, and we have to deal with them year after year.

On the President's request for emergency school assistance we split.

The Senate measure carried the request of $150 million and the House had not considered this item. We reached mutual agreement at $75 million.

That, Mr. President, is briefly the substance of the conference agreement.

Mr. President, I move that the Senate adopt the conference report.

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

Mr. MAGNUSON. I yield.

Mr. MANSFIELD. Mr. President, I am delighted that the chairman of this par-

ticular subcommittee has made the statement he has and that the ranking minority member of that subcommittee, the distinguished Senator from New Hampshire (Mr. COTTON) is also on the floor at this time.

They will both recall my intense personal interest in what was formerly Glasgow Air Base in Montana which cost the Government of the United States, through the Defense Department, $150 million and which has now been declared vacant as far as defense purposes are concerned.

This is a facility which is the most modern in the United States, bar none. It has everything, including its own water system, hospital, good up-to-date housing, long runways, and everything which an airman would want or need.

The Senator will recall that in connection with the Glasgow matter, among others, consideration was given to a $4 million appropriation that would be used to great advantage in the field of vocational education.

The Senator will recall that the Senate bill included a $4 million earmarking for initial funding of the residential vocational schools program. This activity was first authorized in the Vocational Education Act of 1963 and was extended in the Vocational Education Amendments of 1968. The Senate felt that this program deserved funding on a demonstration basis to see if the concept of residential vocational education has merit. The $4 million would have provided for one or more projects on an experimental basis. I understand the conferees discussed this matter at length and that the Senate conferees reluctantly receded on the amendment as written into the Senate-passed bill, but did work out a compromise to include it in another part of the agreement.

Would the distinguished manager of the bill comment on this?

Mr. MAGNUSON. I would be glad to. We pressed hard in conference for the original amendment but the conferees finally decided that the Secretary should exercise discretion as to distribution of the total research and training appropriation among various activities; and there would be no objection to the use of an additional $4 million under the line item of experimental schools, which is actually what it is; and I hope it will be directed to what the Senator from Montana intends it to be directed for.

Mr. MANSFIELD. Specifically, to what was once the Glasgow Air Force Base.

Mr. MAGNUSON. That is where the problem exists. I am sure that the intent of the conferees in reaching this agreement was an understanding of exactly what it should be used for.

Mr. COTTON. Mr. President, will the Senator yield on that point?

Mr. MAGNUSON. I yield.

Mr. COTTON. The House conferees objected to earmarking this money for Glasgow because they were afraid it would lead to everybody coming in and wanting portions of the funds earmarked.

Mr. MAGNUSON. They said some kind of new program.

Mr. COTTON. But they agreed to add the $4 million to the experimental school. Chairman FLOOD and his associates, and the Senator from Washington and I all agreed it was the intent of the conferees that the $4 million added to the line item of experimental schools should be used for Glasgow.

Mr. MANSFIELD. I am delighted. I thank the Senator.

Mr. MAGNUSON. May I say, we ended up with an agreement with the House that it is perfectly clear this is what we meant.

I said, "Then, if I understand correctly, Secretary Richardson has authority and the necessary funds to initiate a residential vocational training school of an experimental type?" The House Members said that that was the intent—they meant Glasgow.

Mr. MANSFIELD. I am delighted that the Senator from Washington, the chairman, the manager of the bill (Mr. MAGNUSON) and the Senator from New Hampshire (Mr. COTTON) both had anticipated my next question, which I will accordingly forgo.

I am confident that you will agree with me that there is a great need to provide such vocational training to residents of rural America and particularly in those areas of the Upper Great Plains where distances between communities and sparse population often militate against the establishment of adequate schools. I have in mind specifically eastern Montana, the Dakotas, and Wyoming, in addition to surrounding areas. I would hope, therefore, that this administration will follow through with a go-ahead on such a concept to benefit the young people of that area including many Indians—we have 40,000 of them in Montana and a sizable number in both Dakotas—who are disadvantaged to a greater degree than other segments of our population.

Sometimes I think original Americans are the forgotten Americans. If something could be done at Glasgow, it would help in Montana, the Dakotas, and Wyoming to a great degree.

Mr. MAGNUSON. I repeated the same statement to the conferees. There was a thorough understanding that this is what we meant, almost exactly in the words of the Senator from Montana. I am sure the new Secretary of HEW will hear it loud and clear.

Mr. MANSFIELD. And that Glasgow is the place.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. YOUNG of North Dakota. Mr. President, as one of the conferees I wish to confirm the discussion which is taking place. There was no question among any of the conferees but that a program like this was necessary not only to help the Indians but others, and the place for it was Glasgow.

Mr. MAGNUSON. I think the House conferees agreed with the Senator from New Hampshire and myself that we were not enunciating a new program but trying to take care of a problem that might involve North Dakota and other areas, but this was a good beginning. Particularly in view of the fact that the Senate and the House increased the vocational educational funds. In other words, the thrust was toward these funds. I do not think there should be any question about it.

Through this colloquy on the floor of of the Senate I again suggest to the new Secretary that I hope he understands what we meant.

Mr. MANSFIELD. I think he is a very understanding gentleman.

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

Mr. MAGNUSON. I yield.

Mr. COTTON. I shall take this statement out of the RECORD. I probably should.

However, in order to make it perfectly clear to the distinguished majority leader and to indicate to him that he has a slight duty to perform, the exact words of the distinguished chairman of the House conferees, Representative FLOOD, were:

> We will add this $4 million. We are not earmarking, but all that MIKE MANSFIELD needs to do is to make one telephone call and he will have it.

Mr. MANSFIELD. Leave it in the RECORD

Mr. MAGNUSON. If the Senator needs two or three telephone calls he will get one from the Senator from Washington, and another from the Senator from New Hampshire, and another from the Senator from North Dakota.

Mr. MANSFIELD. I thank the Senator and Senators. You are all most considerate, most understanding, and very gracious, indeed.

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

Mr. MAGNUSON. I yield.

Mr. SPONG. Mr. President, I shall not seek to delay adoption of the conference report on the education appropriations bill for fiscal 1971. I do, however, strenuously object to one of the provisions in the conference bill—that which provides for the funding of the impacted areas aid program.

The provision for funding of the impacted areas program amounts to legislating in the appropriations process—a procedure of which I disapprove.

In this bill, the conference committee modified the existing impact aid program. It distorted the distinction which now exists in law between children whose parents live and work on Federal property—know as "A" students—and those whose parents only work on Federal property—known as "B" students. In other words, it decided that the difference provided by the legislative committee between the two types of schoolchildren was not enough and provided for further differentiation. Furthermore, it provided for special consideration for those school districts with a particularly large number of children from families who live and work on Federal property.

I do not believe that it is the responsibility of an Appropriations Committee to make this kind of decision. I particularly do not believe that it is the responsibility of an Appropriations Committee to

make this kind of decision when legislative committees in both Houses of Congress are considering legislation to reform the impacted aid program.

I am fully aware of the fact that there are many criticisms of the impact program and that some changes should be made. I do not, however, believe that they should be made in the appropriations process, and I do not believe that a majority of the Senate believe they should be made in the appropriations process. As a matter of fact, the Senate placed itself on record earlier this year as opposing the type of funding which this bill includes when it adopted an amendment I offered providing for equal treatment in the appropriations process for both groups of children.

If the authorizing legislation provided for no distinction between "A" and "B" students, then I could see some reason for the provisions in this bill, but since a distinction now exists in which school districts are reimbursed at twice the rate for "A" children as they are for "B" children, then I believe any further change in the program should emanate from the legislative committee.

As I noted before, the legislative committees in both Houses have under consideration bills to reform the existing program. I approve of this. In fact, I testified before the Senate Education Subcommittee on this matter. However, the impact aid program is a complex program. It is an important program. For some States, it is the single largest source of Federal education funds. For others, it is the second largest source.

At a time when many of our school districts are facing financial crises and when additional burdens are being placed upon them, I think it is unfortunate and unwise to deprive them of the general school aid which the impact program provides.

I know that many relatively wealthy school districts benefit from the impact program. I know, too, however, that some of the less advantaged school districts also benefit. But, under the appropriation proposal, these less advantaged districts must suffer along with the disadvantaged—a situation which the legislative committees might be able to avoid if given the opportunity.

That, however, is not my principal argument, for the impact program was never meant to be an aid program for a disadvantaged district because it was disadvantaged. It was meant to compensate a district for the tax loss suffered because Federal property is not taxable.

Mr. MAGNUSON. Mr. President, will the Senator yield at that point?

Mr. SPONG. I yield.

Mr. MAGNUSON. The impacted aid program is rapidly becoming an in-lieu-of-taxes for local districts, and they must be entitled to that because they have to take care of the education of children. It has no strings attached. That is why it is—well, I should not say "popular," but that is why it is the most important thing the school districts want.

Mr. SPONG. I think it is popular because it has no strings attached. I am delighted the able floor manager of the bill recognizes that fact because, at this point in the RECORD, I ask unanimous consent to insert a chart showing the amount which certain school districts in Virginia received under the impact program for the 1968–69 school year and the amount of taxes which they might have collected had Federal property been taxable. I would also note, at this point, that the amount these districts will receive under the pending bill is less than the amount they received for the 1968–69 school year.

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

1968–69 DATA

School district	Impact aid received	Estimated potential revenue if Federal property were taxable
Chesapeake	$835,828	$468,000
Fairfax	10,898,582	7,840,225
Hampton	1,400,000	7,035,867
Newport News	1,058,994	2,603,632
Norfolk	3,972,595	9,450,000
Portsmouth	1,162,000	4,320,000
Prince William	1,677,718	1,130,000
Virginia Beach	2,520,797	8,000,000

Mr. SPONG. Mr. President, as I noted at the beginning of my speech, I shall not seek to delay adoption of this conference report. For a number of years, I have been calling for early or advance funding of education programs. As one who has been closely associated with the education process in my State, I am cognizant of the importance of early funding so that school officials and administrators can plan. For the first time since 1966 we are about to clear an education appropriation before the beginning of the school year. This is still not early enough to permit local school personnel to know precisely how much Federal aid they will receive when they make up their school budgets, but it is a start in the right direction. I want our school personnel to benefit from such a start this year.

In the meantime, I would urge the legislative committees to continue their work on this complex program so that we might have some equitable and reasonable reform and so that the uncertainty and doubt which continually threaten the program may be abolished.

I thank the Senator from Washington for yielding to me.

Mr. COTTON. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I shall yield in just a minute.

I thank the Senator from Virginia for putting that statement in the RECORD, because too few people realize the amount of taxes that might have been achieved if the school district had not been impacted. I may say that I have not known of any Member of the Senate, since the Senator from Virginia came into this body, who has more diligently pursued the matter of payments in lieu of taxes in this area than the Senator from Virginia. Last year, as I recall, he was the prime sponsor of an amendment, which we carried in the Senate, to put in a 90-percent entitlement.

What happened this year, of course, was that we put in—and I want the RECORD to show this—funds in both cases for 90 percent, which would have amounted to $963,800,000. The House put in 45 percent of the entitlement. The Senator from New Hampshire (Mr. COTTON), the Senator from North Dakota (Mr. YOUNG), several other Senators and I finally got the conferees up to 65 percent—with difficulty, may I say.

I know what the Senator from Virginia is thinking about. He wants to know whether this is going to be nonflexible and whether or not it is mandatory if we go this far. It is as far as we are concerned. The Senator from New Hampshire, the Senator from North Dakota, and I would like to have 90 percent of the entitlement. The Senator from Mississippi (Mr. STENNIS) was also there. We think we have achieved a fair compromise on the figure in view of the fact that there might still be trouble on the bill.

However, I am sure that no suggestion will be made by anyone who has studied the problem that 65 percent is not a minimum amount. It should be 90 percent. Otherwise, I suggest they come here and change the bill, if we are not going to do that.

We came up with a bill that provides $100 million more than was provided by the House version and the departmental proposals. This is the largest amount for the impacted aid program in 20 years.

Mr. SPONG. I thank the Senator from Washington. I want him and the Senators from New Hampshire, North Dakota, and Mississippi all to know that I am aware of the problems which presented themselves in the conference. Nevertheless, because I have been insisting that the authorizing committees come up with a reformed program and that we cease legislating on the floor in the appropriations process every year with regard to this program, I felt compelled to make these remarks here this morning.

Mr. MAGNUSON. I think not only should the Senator have felt compelled to make them, but I think what he is talking about most of us in the Senate agree with. But we ha dto have a conference, and I think we came out with a reasonable figure at this time. I still suggest the whole matter of impacted aid has to be reviewed by the legislative committee.

I yield now to the Senator from New Hampshire (Mr. COTTON).

Mr. COTTON. Mr President, the distinguished manager of the bill covered what I wanted to mention. I join him in commending the Senator from Virginia for his statement. He is 100 percent right. This is a matter which must be adjusted legislatively. He is right that it should not be year after year the subject of dickering and horse trading between the Appropriations Committees of the Senate and of the House.

I thought that in the earlier part of his statement the Senator from Virginia made the statement that children in A category were getting twice what the children in B category were getting. They would have received less than that if the House had prevailed on the 90 percent for A and 45 percent for B, but our

determined efforts pushed that up, as the Senator has stated, to 65 percent, which is 100 million more than what it would have been for the B category.

I think the position of the Senator from Virginia is very well taken, but I think he also realizes that we as conferees did our best to bring about the will of the Senate.

Mr. SPONG. I appreciate the efforts of the conferees. What I was referring to was that, regardless of the appropriation percentages, built into the law already is the fact that A children receive twice as much as B children. We start from that. If the Senate conferees had not raised the entitlement from 45 to 65 percent, school districts would have received four times as much for A children as for B.

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

Mr. MAGNUSON. I yield.

Mr. BAYH. I compliment the Senator from Washington and the other members of the conference for the diligent effort they made in behalf of this important legislation. I would just like to clarify one point that is of particular interest to me, because of an amendment that was adopted while this measure was being considered on the floor of the Senate.

When the bill was reported to the Senate, the committee recommended an appropriation of $140,393,000 for title III. Of this amount, the committee indicated it hoped that $20 million was to be used for guidance, counseling, and testing.

When the bill was considered by the Senate, the committee accepted an amendment, of which I was a sponsor and several other Senators were cosponsors, to add $10 million for title III. Of this amount, I indicated I hoped $5.5 million would be used for supplemental services and centers, and $4.5 million would be used for guidance, counseling, and testing.

As I observe the legislative architecture that came about as a result of the diligent efforts of the Senator from Washington and the other conferees, I note that the conference report provides the sum of $143,393,000 for supplementary centers and services under title III.

I would like to ask the Senator from Washington if he would please inform us which title III program this $3 million over and above the Senate committee recommendation was for.

Mr. MAGNUSON. As the Senator from Indiana knows, there is $20 million within the $143 million for guidance and counseling and testing. The House had $17 million, and we, as the Senator pointed out, put in $24.5 million in the Senate, and we ended up, in the conference, with $20 million. There was some dispute in the conference about the relationship between the so-called dropout program and guidance and counseling. The Senator from New Hampshire and I thought the two of them went well together. We added a little more to the House bill and got part of that through the conference for the dropout prevention program. The House had $8 million, and we had $15 million. We ended up with $10 million in conference. We gave a little there to assure that the $20 million was in for guidance and counseling.

We had some very impressive testimony on the lack of guidance and counseling. For instance, there is one counselor, in some cities, for something like 1,000 students. A better figure would be about one for every 300.

So we had to give and take a little on the two programs, but I think the $20 million is a good figure for guidance and counseling. It is over the budget estimate, and $3 million over the House figure.

Mr. BAYH. May I rephrase the question just a bit, to be a little more specific?

Mr. MAGNUSON. Yes.

Mr. BAYH. From talking with some of the committee staff, it was my impression that the additional $3 million as a result of the conferees' effort was to be applied to guidance and counseling, which is so important.

Mr. MAGNUSON. That is right; and I think we made that clear in conference. I wish it could be more, I really do, because I think this is getting down to the key to some of the problems we have in the secondary schools in particular, and also the community colleges. But we did the best we could on this item. Actually, in conference we increased the House figure by $6 million and $3 million of this goes to guidance counseling and testing.

Mr. BAYH. I salute the Senator from Washington for the tenacity with which he pursued this matter, and I concur in his judgment that it would be better if we could invest more of our resources here. We find ourselves in the unfortunate yet realistic position of having to compensate by providing some guidance and counseling for that which does not occur at the home level.

I think this is an investment that is going to result in great dividends, and I appreciate the efforts of the Senator from Washington and the other conferees in this area.

Mr. MAGNUSON. I think the dividend in this area will be great, because if we cannot do this, and prevent the dropping out of the people who do not want to continue, it is just going to cost the body politic more money in the long run. I am sure this item will reap good dividends.

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

Mr. MAGNUSON. I yield.

Mr. YARBOROUGH. Mr. President, there are many advances and some setback for education in this conference report. It advances funds available for Federal support of education well beyond the starvation diet for education prescribed in the administration budget. I highly commend the Senator from Washington and all the Senate conferees for that advance, though there are some disappointing setbacks. The conferees have signally increased this appropriation—by $454 million more than the budget, and $600 million more than was available last year. This is badly needed in education, and I commend the Senator. I want the RECORD to show the fact that my remarks on specific items are subsidiary to an over-all commendation of the great work done by the able parliamentarian who is presenting this bill to the Senate. I have had the privilege of serving under the Senator's leadership for 7 years on the conference committee. I know his great legislative expertise, without which we would never have had such a good bill here.

I concur in some of the remarks my colleague from Virginia (Mr. SPONG) has made about the impacted aid. But there again, I commend the conferees, because this $551,068,000 in the conference report is more than we had last year, when we had $520 million, and it is a great deal more than the $425 million the administration recommended for the impacted aid.

Like the Senator, I did not think the distinction ought to be made between the A and B students, for all the reasons the Senator from Virginia stated; I shall not detail them, because they have been discussed at length. Essentially, the basic law already gives A students priority because their entitlement is 100 percent of their cost of education, while the entitlement for B students is only 50 percent. We should not use the appropriation to create a further preference.

I do wish to call the attention of the Senate to one program, in the hope that next year the Senator will try to hold the moneys in the bill for bilingual education.

BILINGUAL EDUCATION

When we passed the Bilingual Education Act in 1967, the Office of Education did not recommend it. They apparently had not thought of it. I introduced in this body, in 1967, the first Bilingual Education Act ever introduced in either House of Congress.

There are in this country 3 million children in non-English-speaking families. Two million of those are in Spanish-speaking homes. They drop out of school, in my State, with more frequency than black children. They are the most educationally deprived group of children in America today. This is the result of the language barrier they encounter.

This bilingual education program was enacted without help from the Office of Education. The Office of Education has continually come in with little token recommendations in this important field.

We authorized $80 million this year. The Senate had provided $31 million, but in the conference, they receded to the House figure of $21 million.

Mr. MAGNUSON. Twenty-five million dollars.

Mr. YARBOROUGH. Twenty-five million dollars. That is slightly more than the $21.75 million appropriated last year, so it is some improvement, but as I say, this is a new program, we have to fight our way every inch of the way against the officials in the Office of Education. I think it shows the value of categorical grants. If Congress ever ceases to insist upon categorical grants, many of the programs we in Congress have found absolutely necessary would be swept under the rug.

I commend the distinguished Senator

for the entire program, but I am hopeful that next year this bilingual education and appropriation can be retained and increased.

Mr. MAGNUSON. Mr. President, will the Senator yield at that point?

Mr. YARBOROUGH. I yield.

Mr. MAGNUSON. I, for one, must confess that I was very surprised—I do not know just why I was surprised, but I was—at the number of children who need bilingual education in this country. If someone had quickly asked me the figure, my estimate would have been 50 percent under the 3 million, or perhaps more.

Mr. YARBOROUGH. It was 3 million 4 years ago.

Mr. MAGNUSON. Yes. And that is why the committee felt that we should enhance this program. Of course, the program itself, at the start, is mainly to get people who are qualified to teach them.

Mr. YARBOROUGH. That is right.

Mr. MAGNUSON. This is the shortage on the job in all fields.

We have in my State a group of people whose youngsters are Spanish speaking, who come up there mainly to work in the fruit crops and things of that kind. Lo and behold, about 3 years ago, I found out that some of the youngsters who could otherwise qualify to drive an automobile could not get a license because they could not read English—you know, stop, go, left turn—it gets down to that level.

We are hopeful of being able to train some teachers to go down in the Senator's country and other places, to do this job. Up around the New York area, and in New Jersey and those places, a great number of Puerto Ricans are involved in this matter. I have suggested a little facetiously that maybe there are some Swedes who need to be taught English. I do not know.

We will perhaps send somebody to Wisconsin to find out about that. But I was surprised at the number of youngsters who need this training in this country.

Mr. YARBOROUGH. The Senator is correct. One problem is the training of teachers. Even though a teacher may be expert in the use of English and Spanish, or whatever other the second language is, he is not necessarily a bilingual teacher. They have to be trained. It takes more time to train them and it costs more money to train them to be bilingual teachers.

As the Senator has stated, the Spanish-speaking people are migrating all over the country. They are looking for jobs, without a governent bonus or loan. They use old cars.

After the great program on television the other night about the tragedy of the migrant worker, Chet Huntley or someone else said, "What is the motivation?" The distinguished Senator from Minnesota (Mr. MONDALE) said:

> What greater motivation can you show, when people in poverty take a car and go thousands of miles in strange country when they hear there is opportunity for their children?

In my State, we have found that they have a great mechanical aptitude. If you train them bilingually so that they can understand a work manual, they can also go on to college. They are bright people, brilliant people. All they need is an opportunity by training them in their own language. Two-thirds of those in non-English-speaking homes in this country speak Spanish. The national language is English. They must learn both if they are to get ahead in this country.

Mr. President, I commend the distinguished Senator from Washington for what has been done for students in the institutions of higher learning.

HIGHER EDUCATION

The conference report does a good job of assuring college students of continued financial aid. For direct loans through the National Defense Student Loan fund, $243 million is appropriated, a substantial boost over the $195.6 million of last year. That has proved to be one of the most successful higher education programs to aid students in the history of this country. It was my privilege to coauthor the original National Education Act, and I have worked on every amendment since that time. I think this is a wise and perceptive action. The chairman of this subcommittee of the Appropriations Committee is doing a job for education of which all the country can be proud.

For work-study, $160 million is provided, and for education opportunity grants, $167.7. For interest subsidies and other expenses of the guaranteed student loan program, $145.4 million is in the conference report, the amount proposed in the budget.

Each of the student-aid programs will receive more Federal support than in fiscal 1970, under this measure.

This is the best appropriation bill for students in these categories that the Senate has yet passed. I commend the Senator from Washington highly for his knowledge of the subject which he has acquired as chairman of this very important subcommittee of the Appropriations Committee. There is no more important subcommittee of the Appropriations Committee than the one of which the distinguished Senator from Washington is chairman, nor is there one that requires more hard work than his subcommittee has to do.

I have been a member of the Education Subcommittee for 13 years; and, having worked on all these education bills for 13 years, I think I can speak with some knowledge of the subject. I know the work that this Appropriations Committee has done. It has produced the best appropriation bill on education that has been before the Senate in my 13 years in the Senate. However, I regret that we do not have more money for college construction.

The institutions of higher learning do not fare as well in the conference report. Funds for construction under the Higher Education Facilities Act are limited to $43 million for community colleges. The Senate added $28 million for construction at 4-year institutions, the same amount provided last year.

This reduction in the conference report back to $43 million will further curtail the construction program in higher education. It is not a true saving: It is only a postponement, which will cost more later.

I also regret we were unsuccessful in holding in conference the initial funds the Senate provided for several higher education activities authorized for years but never activated. These are networks for knowledge, clinical law experience in law schools, public service education, graduate school improvement, and international education.

For library resources, colleges will have $15,325,000, a significant improvement over the mere $9,900,000 that had been budgeted, but still a mere token compared to real needs.

The net total of the bill is $454 million more than the budget, and $600 million more than was available last fiscal year.

I urge adoption of the conference report. I urge the President to sign the bill. The money is needed to keep the American education system current with the personal needs of our people and the economic and military strength of the Nation.

An investment in education is repaid many times and in many ways. A better educated people produce more and pay more taxes. The bill is not inflationary; it is good economics.

Mr. MAGNUSON. I thank the Senator.

I am sure that no other member of the subcommittee appreciates more than I, the guidance that we get from the Health and Education Subcommittees of the Committee on Labor and Public Welfare, of which the distinguished Senator from Texas is chairman. We cannot always give what the Senator's committee authorizes, but we do the best we can, because we all agree that these are worthy projects; and in this day of priorities, we have some problems.

The distinguished Senator from Florida is in the Chamber. He has worked hard and long with us on this committee.

I think that overall we have enhanced the education commitment of the Federal Government to all ranges of education and in these specific fields. In all fairness, the percentage of the budget for these purposes has risen vis-a-vis the defense budget, and this is because we have all sat down and decided that education does have some priorities important in this field. Even with all we are doing, as I pointed out earlier, with all educational funds—that is, Science Foundation, NASA, DOD, Labor, OEO, and the rest—we are contributing only about 11.1 percent to the total bill. I do not suggest that we should go any higher or any lower, but it is not an unusual contribution.

I cannot see how spending money on education, trying to get a dollar's worth for a dollar spent—which we do not always do in a big program—is inflationary. I believe the Senator from Texas will agree with me. I never could understand why educating children is considered inflationary. If you do not train them and give them the opportunity in our schools and take advantage of all the Nation's educational programs, they could become very inflationary.

The Senate committee wanted a little more money in certain items, but I think the House passed a pretty good bill, also. I think this is a good, responsible bill, and I want to underline "responsible."

I thank the Senator from Texas.

Mr. YARBOROUGH. I thank the Senator from Washington for his very kind remarks about my work on the Education and Health Subcommittees of the Committee on Labor and Public Welfare, since I am chairman of the Health Subcommittee and the ranking majority member of the Education Subcommittee.

All our authorizations would go for naught if we did not have the Appropriation Subcommittee with the perception to know that this money is needed. As the distinguished chairman has said, it is not inflationary to educate the youths of the land.

Mr. MAGNUSON. I tell the Senator from Texas, also, that I have served on many appropriation subcommittees in the many years I have been here, and there was absolutely not a tinge of partisanship in this conference. We had arguments about different programs, but there was not a tinge of partisanship in this conference. I am sure that all the conferees would bear that out.

Mr. YARBOROUGH. I think the absence of partisanship is due largely to the legislative expertise of the distinguished chairman. He has been here many years and has worked with all Senators on both sides of the aisle.

Mr. MATHIAS. Mr. President, this is one of the most important conference reports we will consider all year. It represents an investment of over $4.4 billion in American education and the future of America.

I want to congratulate the Senate conferees, particularly the distinguished Senator from Washington (Mr. MAGNUSON) and the distinguished Senator from New Hampshire (Mr. COTTON), for bringing back a generally sound and progressive conference report. They deserve our thanks for the hard work which has produced a relatively generous bill, and enabled us to complete action on education appropriations before the schools open in the fall.

While compromise is inevitable in the appropriations process, there are two areas in which I regret that it was necessary to retreat from the Senate position. The first is grants for the construction of higher education facilities under title I of the Higher Education Facilities Act of 1963. The other body recommended no construction grant funds for either 4-year institutions or community colleges. The Senate, on the other hand, originally approved $28,050,000 for 4-year institutions and $43 million for community colleges. The conference report includes the Senate funds for community colleges but omits any grant-in-aid funds for 4-year colleges.

In expressing my concern about this item, let me note that even the Senate-approved figures were grossly inadequate. It has been estimated that total enrollment in institutions of higher education will reach over 8.4 million in 1971, an increase of 32 percent since 1966. To serve these students will require an investment of over $2.5 billion in academic facilities every year between now and 1977. This investment can be secured only through a combination of generous Federal support, massive State and local effort, and continuing private philanthropy.

Unfortunately, Federal aid for construction has lagged behind for the last few years, while the backlog of unmet construction needs has grown. For fiscal 1970, for example, the Congress provided a total of just over $71 million to meet previously established needs of $582 million—and that $582 million agenda does not include the additional facilities which future enrollment increases will demand. The Maryland backlog alone, a year ago, was $18.5 million.

While the interest-subsidy program enacted 2 years ago is helpful, we certainly cannot rely on it as a substitute for both Federal grants and Federal direct loans. I am heartened by the conferees' approval of $43 million for our fast-growing community colleges, but regret that it was not possible to obtain grant funds for 4-year institutions as well. We cannot afford to let this program die.

The second area of concern to me is student aid. As the costs of higher education continue to soar, it is vital for us to increase all forms of student assistance to keep college doors open to all who seek a higher education. Recognizing this challenge, the Senate originally approved a total of $604.6 million for NDEA student loans, educational opportunity grants, and work-study programs. This total, while still below the need, was $47.9 million above the House figure. Unfortunately, the conferees retreated by $33.9 million from the original Senate position.

Mr. President, our current economic situation makes an increase in student assistance funds even more important than under normal circumstances. Continuing inflation has undermined the ability of students and their families to save money to finance college educations. The guaranteed student loan program has fallen short of expectations. Rising unemployment has cut back opportunities for outside work for students. The alarming deficits in operating budgets, encountered by a growing number of colleges including some in Maryland, reduce the number and amount of scholarships which can be supported from endowment funds.

I know that the choices facing the Senate conferees were difficult. In a larger context, this bill dramatizes the hard choices which we must make in trying to set sound national priorities. But education is a national investment which cannot wait. We have an obligation both to provide adequate funds, and to shape a long-range strategy for meeting the enormous needs of American higher education.

Mr. PEARSON. Mr. President, I wish to commend the chairman of the Subcommittee on Education Appropriations, the distinguished Senator from Washington (Mr. MAGNUSON) and the Senator from New Hampshire (Mr. COTTON) for the outstanding manner in which they handled an extremely complicated task. I also want to note the efforts of the Senator from Delaware (Mr. BOGGS) who worked to preserve some of the most significant programs for improving the library resources of our institutions of higher learning, a problem which I would like to discuss briefly.

Many educators and school administrators were heard during testimony sessions, and the bill that is now before this body after going through a conference fairly represents the thinking of these persons. Of course, most of those heard argued that the Federal share of education costs should be increased, and I hope the day will come soon when this will be possible. In only two areas have the conferees unduly restricted Federal assistance in my opinion, and those were in the fields of higher education and libraries.

I refer particularly to title II of the Higher Education Act of 1965. Under part A of this title—college library resources—the Congress appropriated $25 million in 1969 and $9,816,000 in 1970, following the Presidential veto. In the 1971 bill the Senate had recommended $20.75 million—the same amount as originally approved by the Congress last year—but this was cut to $15,325,000 in the conference.

Parts B and C also ended up considerably below the figures at which they passed this body. Part B—librarian training—received only $3.9 million, as against $8.25 million recommended by the Senate; while part C—Library of Congress cataloging—was cut to $6,613,500 from $7,500,000.

The Senate figure, therefore, did not represent increases over amounts approved in previous years. On the contrary, when one considers that college enrollment will reach an all-time peak this fall, the amounts available per student will be less than in other years.

Part A of title II was designed to improve college libraries and the quality of library service by providing grants for the acquisition of books and other library materials. Part B aids in the training of librarians, research, and demonstration projects, while part C helps the Library of Congress catalog materials, a service which is of great value to all libraries.

There are many urgent needs for college library resources and for librarians. About 60 new junior colleges are being established each year, and all need books and other materials. Community colleges also require job-related materials that are relevant to their curriculums. It is significant that 80 percent of 4-year Negro colleges fall below the accepted national minimum standard of 50,000 volumes per library. Not a single 2-year college with a predominantly black enrollment meets the minimum staffing standards of school, college, and university libraries. Thousands of librarians now working in these institutions need to update their skills. New methods, materials, and technology now developed for use in libraries have great potential for improving services, but many librarians know little of these new techniques.

All of this tends to demonstrate clearly that these are programs which cannot be cut. They are basic at their present level, and any further reduction in funds will cause a severe handicap to thousands

of libraries. It is hoped that additional appropriations will provide the funds needed for these important programs at a later date.

Mr. PELL. Mr. President, some years ago legislation establishing programs on international education, networks for knowledge, education for the public service, strengthening graduate programs, and the improvement of legal education, were authorized. Since their original authorizations, they have never, never been funded.

This year an amendment was accepted on the floor of the Senate to fund these programs in a very modest way. Specifically, at a level of $500,000 for each of the five categories of which I speak. As chairman of the authorizing subcommittee whose amendment this was, I had hoped that this amendment would be held in conference.

I am disappointed at this result of the conference which dropped all funding for these programs.

I am of the opinion that when the Congress authorized programs under titles VIII, IX, X, and XI of the Higher Education Act of 1965 and the International Education Act of 1966, we made a commitment to the higher education community and students in our colleges and universities. When the authorizing legislation was passed, the Congress made a specific finding of need for support of networks for knowledge, education for the public service, strengthening graduate programs, the improvement of legal education, and international studies programs.

In the case of the appropriation for school health and nutrition programs, nobody questions the need for funds. Yet the conferees have been unwilling to agree to even a small appropriation for these very necessary demonstration projects. As chairman of the Education Subcommittee and as the original sponsor of the program, I particularly regret the action of the conferees.

I am also very much concerned about the priorities for funding federally affected school districts in the conference report. Under those priorities, school districts with more than 25 percent "A" children receive 100 percent of their entitlement, other school districts with "A" children will receive 90 percent, and school districts with "B" children will receive the remainder—around 60 percent of entitlement. Indeed, if the language of the House bill had been offered on the Senate floor, I believe it would have been subject to a point of order, since it is inconsistent with the authorizing legislation. I firmly believe that the Senate ought not permit appropriations bills to contain legislation as this conference report does; nor should it permit the other body to disregard the rules of the Senate, as is the case in this instance.

I shall not oppose the conference report. However, it is my belief that the Senate ought to be cognizant of the fact that it has been forced to accept an appropriation bill of far less quality than that of the bill submitted to the conference.

Mr. CASE. Mr. President, there was unanimous agreement among the conferees on all items of disagreement between the two Houses except one. Four of us—all on the Senate side—did not agree with the conference committee's decision to accept the House position by including sections 209 and 210, the so-called "Whitten amendments," in the bill.

I opposed these provisions because they could encourage confusion over the constitutional obligations of schools to desegregate.

But, as several of my colleagues and I pointed out before this bill was sent to conference, sections 209 and 210 would not in any way alter school desegregation requirements under title VI of the Civil Rights Act of 1964. Title VI forbids discrimination in the use of Federal funds.

Sections 209 and 210 prohibit busing of students, abolishment of schools, or assignment of pupils at any school which is desegregated as that term is defined in title IV of the Civil Rights Act. Title IV excludes racial imbalance from the definition of segregation. But it does not limit the responsibility of school districts to eliminate dual school systems root and branch.

This was made clear by the Fourth Circuit Court of Appeals in a decision in Swann against Charlotte-Mecklenburg Board of Education on May 26.

In its decision the Court said that the provisions of title IV "are not limitations on the power of school boards or courts to remedy unconstitutional segregation. They were designed—by Congress—to remove any implication that the Civil Rights Act conferred new jurisdiction on courts to deal with the question of whether school boards were obligated to overcome de facto segregation."

Because the court's decision and the legislative record we have made in the Senate should dispel any real possibility of confusion over sections 209 and 210, I shall not oppose adoption of the conference report. To do so at this point would only serve to delay needed assistance to our schools and students.

EDUCATION APPROPRIATIONS CONFERENCE REPORT SHOULD BE APPROVED

Mr. FONG. Mr. President, the conference version of the education appropriations bill (H.R. 16916) is a most important measure, funding the U.S. Office of Education programs of Federal assistance to education at all levels in America for the current 1971 fiscal year ending next June 30.

Totaling $4,420,145,000, the conference version emphasizes particular areas where conferees representing the House and Senate agreed emphasis is needed, such as student assistance, higher education, library resources and services, vocational and adult education, education professions development, and elementary and secondary education, particularly for deprived children.

As one of the conferees for the Senate, I believe I can say that we conferees sought to improve the quality of education in America's schools and to provide equal educational opportunity for America's children.

As one who knows from personal experience how important a good education is to help overcome barriers of poverty and minority race, I have long been a strong supporter of better schools and facilities, better training and professional advancement for teachers and greater opportunities for young people to obtain the best possible education at the highest level to which they aspire and can master.

I am, therefore, disappointed that the conference version reduced the $800 million provided by the Senate for student assistance. In particular, the conference version disallows the $17,900,000 added by the Senate to the House amount for educational opportunity grants and the $16,000,000 added by the Senate for the college work-study program. On the other hand, the Senate addition of $14,000,000 for National Defense Education Act student loans remains in the final bill.

All in all, the conferees provided $766.6 million for student assistance—24 percent more than the appropriation available in 1970 after the 2-percent reduction required by Congress.

The total includes funds for NDEA and guaranteed student loans, educational opportunity grants, college and vocational work-study programs, cooperative education, and special programs for students from low-income families such as talent search, Upward Bound, and special services in college.

For assistance to areas where school enrollments have mushroomed because of Federal installations and operations, conferees provided $551.1 million, higher by $111.1 million than the House voted earlier this year.

This will fund at 90 percent the entitlement of school districts for category A students—whose parents live and work on Federal property—and at 65 percent of entitlement for category B students—whose parents work on Federal property.

The impacted areas aid is $30,487,000 more than was provided in fiscal year 1970, which just ended June 30.

For elementary and secondary schools to help educationally deprived children, both the House and Senate provided $1.5 billion, $161 million more than in 1970. This is of course the amount in the final bill.

For education of handicapped students, both the House and Senate agreed on $105 million, an increase of $20 million above 1970, and this is the amount in the final bill.

Vocational and adult education also are increased—by $75.2 million over 1970, for a total of $494.2 million. The House had provided $490,446,000, the Senate $497,946,000. The final amount is $54.1 million above the budget estimate. Both the administration and Congress recognize the need for greatly improved vocational education that will equip young men and women with skills to qualify for employment in today's and tomorrow's job markets.

For higher education, we conferees provided a total of $967.9 million, an increase of $116.9 million over 1970.

For education professions development, including Teacher Corps, we conferees allowed $135.8 million. Teacher Corps was increased by $9.1 million to $30.8 million.

For community education, including libraries, we conferees agreed upon $85 million, which is $17.8 million over 1970.

College library resources were increased more than $5.5 million, for a total of $15,325,000 and educational broadcasting facilities were increased $6.7 million over 1970 to $11 million.

Funds for public library services were increased $5.3 million over 1970 to a total of $40,709,000.

We conferees provided $75 million for emergency school assistance to help school districts desegregate for the fall term.

These are but a few of the highlights of this multibillion-dollar education funding bill.

To get additional perspective on this vital measure, let me show what conferees did in terms of percentage increases.

We raised impacted aid for maintenance and operations costs of schools throughout America by 6 percent over 1970; elementary and secondary education by 14 percent; and education for handicapped youngsters by 24 percent.

We raised vocational and adult education by 18 percent and higher education by 14 percent.

We raised education professions development funds by 16 percent and community education including libraries by 26 percent.

Even so, the total provided in the conference version before the Senate today is only $404,488,000 over the amount for the Office of Education in the Labor-Health, Education, and Welfare Appropriation Act for fiscal year 1970, which the President signed.

The total for all programs in the pending conference version is 16 percent above the appropriations available for 1970 after deducting the 2-percent reduction imposed by Congress.

When you consider inflation amounted to almost 6 percent in the past fiscal year, the increase in this bill is just about 10 percent.

This, it seems to me, is a modest increase in view of the needs of America's schools and America's schoolchildren.

I urge my colleagues to support the conference version, which I hope will become law.

FUNDS FOR LAND-GRANT UNIVERSITIES AND COLLEGES

Mr. NELSON. Mr. President, in this conference report on the Office of Education appropriations, there is an item small in amount but immense in significance—the reduction below authorization of instructional funds for the 68 land-grant universities and colleges in the Nation. This is the first time since the passage of the second Morrill Act in 1890 that Congress has failed to appropriate fully the funds authorized by legislation for this purpose.

The administration intended to repeal the existing legislation by recommending no appropriation at all for it. The House provided $8 million. The Senate restored all the money authorized by law—$12.1 million. The conference report compromises at $10.08 million.

Mr. President, I appreciate the difficult problems faced by the House and Senate Appropriations Committees and have no fault to find with their actions under the circumstances. I do not intend to move to return the appropriations bill to conference over this relatively small item in a total of such magnitude. But I do want to say why I oppose any attempt to cut the land-grant teaching funds next year or at any time in the future.

First, this is an appropriation of great historic significance. The first Morrill Act of 1862 provided for the "endowment, support, and maintenance" of at least one land-grant college in each State. The result was called by the Hoover Commission in 1949 "the most successful grant-in-aid ever made by the Federal Government." The second Morrill Act in 1890 provided annual appropriations to supplement the endowment provided by the original act. When the Congress passed the second Morrill Act by unanimous vote of both Houses, it said it was intended to stand as a permanent tribute to Senator Morrill, author of the act and one of the founders of the Republican Party, and to "place these institutions on a firm foundation for as long as this Nation shall live."

Since that time, other acts of Congress have increased the amounts going equally to each of the States and added a factor based on the relative population of the States.

Second, there is at stake a fundamental principle of orderly legislative and administrative procedure. The President did not suggest the repeal of the authorizing legislation; he attempted to nullify it by legislating in his budget. As the distinguished chairman of the Senate Appropriations Subcommittee said in his comments on the Senate version of the appropriations bill:

> To adopt this method of repeal of existing law by lack of appropriations is unconscionable to me. If the President wants to repeal the Bankhead-Jones Act, then suitable legislation should be introduced and acted upon by the appropriate legislative committee.

Senator MAGNUSON also observed that the proposal to eliminate this program was made precipitously, without consultation or warning to the land-grant institutions, or even consultation with the Congress.

I believe the chairman is absolutely right. If the administration wants to eliminate or further reduce these funds for the land-grant institutions, it should submit legislation at an early date for consideration by the committees having jurisdiction—in this case the Committees on Agriculture—so that a full appraisal of the program can be made in open hearings at which all involved may present their views.

Mr. President, the formula under which these funds for further endowment of instruction in the land-grant institutions is provided is based in part on a basic amount going to each State, and in part on the relative population of the various States.

The last appraisal of this program by the Congress resulted in the enactment in 1960 of legislation increasing the total authorizations almost threefold. This action was based on evidence that inflation and increases in total U.S. population had reduced the effective value of the "further endowment" to one-third of that prevailing at the time of its last previous adjustment.

Since 1950 there has been a most substantial further inflation and a most substantial growth in population. The Congress has also passed legislation designating a new land-grant institution—Federal City College in the District of Columbia. The administration has supported, in testimony before both Houses, legislation which would designate colleges in Guam and the Virgin Islands as land-grant institutions. So the land-grant principle is still very much alive and supported by the Executive as well as Congress.

My third point is that these funds are very useful in the support of higher education. The University of Wisconsin, for instance, gets $290,650. This seems like a small amount of money for a large university, but its importance is that the university is relatively unfettered in its use. The money can be put where it is needed most. The trouble with most Federal aid to higher education is that it is strictly earmarked as to how it can be spent.

If this appropriation is important to the University of Wisconsin, think how critical it is to the predominantly black land-grant colleges in the South. Their support from all sources is small. This appropriation is a very large part of the instructional budget in many of these institutions. To lose it would be literally disastrous.

Mr. President, if anyone were to ask why land-grant institutions should get this money and not other colleges and universities, I would say that all institutions of higher education should be similarly supported. I believe that every young American who can benefit from postsecondary education should be able to get it, regardless of his financial status. I support Federal assistance to the economically disadvantaged for that purpose. But the institutions cannot absorb another million students in the next 5 or 6 years—which they must if they are to do their job—without help, especially if they hope to stop the spiraling increases in tuition that make a mockery of equal opportunity.

So the land-grant instruction funds should not be killed. Instead we should use the principle of broad institutional aid which they represent in legislation to assist all colleges and universities in the land.

EDUCATION APPROPRIATIONS AND SCHOOL INTEGRATION

Mr. MONDALE. Mr. President, on behalf of the Senator from Maine (Mr. MUSKIE) and myself, I congratulate the distinguished members of the conference committee for their successes in preserving the safeguard provisos added by the Senate to the President's request for emergency school desegregation funds, and in sustaining the Senate's deletion of the so-called Jonas amendment designed to dismantle title VI of the Civil Rights Act as it applies to racial discrimination in public schools.

WHITTEN AMENDMENTS

I share the disappointment of the distinguished Senator from Washington (Senator MAGNUSON), and three of his colleagues on the conference committee—Senators CASE, FONG, and BOGGS—

that the so-called Whitten amendments, sections 209 and 210 of the Office of Education appropriation, have been retained in the conference report. I am concerned that the confusing language of these provisions may encourage some school districts to futile resistance of school desegregation required by law. However, because the Whitten amendments do not legally limit or dilute school desegregation requirements and because the administration has repeatedly assured us that these provisions will have no effect on Federal enforcement of these requirements, I reluctantly support the conference report in this regard.

I ask unanimous consent that relevant communications from the administration on this subject be printed at this point in my remarks.

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

THE SECRETARY OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., June 23, 1970.

Hon. CHARLES MCC. MATHIAS, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MATHIAS: This is in response to your request for my views on Sections 209, 210 and 211, the school desegregation amendments, in H.R. 16916, the fiscal year 1971 Office of Education Appropriation Bill, as approved by the Senate Appropriations Committtee. I am pleased to respond.

On April 21, my predecessor in this office, former Secretary Robert H. Finch, testified on this matter before the Committee on Appropriations. At the time, he expressed the Administration's opposition to these sections, which are unnecessary and undesirable.

I wish to reaffirm that opposition. While Sections 209 and 210, the so-called Whitten Amendments, would not, if enacted, alter school desegregation requirements under Title VI of the Civil Rights Act of 1964, they would, nevertheless, encourage some people to believe that there has been a change in basic law when there was not, and thus serve to confuse local authorities as to their constitutional responsibility.

Section 211, the so-called Jonas Amendment, would deny vital Federal education aid to many school districts which implement desegregation plans contrary to "freedom of choice." Under this section, school districts would be penalized for carrying out desegregation plans ordered by the Federal courts, in conformity with State law, or in accordance with the Civil Rights Act of 1964. The effect of enacting Section 211, therefore, would be to tie the hands of local officials and encourage defiance of the constitutional obligation to desegregate.

As the President indicated in his comprehensive message on School desegregation, the appropriate role for the Federal Government is to assist school districts in meeting the requirements of the law in this difficult area. Sections 209, 210, and 211 would not serve that purpose. I know that you have been a leading opponent of similar amendments in the past. Your assistance in urging deletion of these sections when the Senate considers H.R. 16916 would be appreciated.

For your information I am enclosing an excerpt from Secretary Finch's testimony of April 21 in reference to the aforementioned sections.

With kind regards, I am
Sincerely,

ELLIOTT RICHARDSON,
Secretary-designate.

THE SECRETARY OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., May 14, 1970.

Hon. CLIFFORD P. CASE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CASE: This is in response to your request for my views on Sections 209, 210 and 211, the school desegregation amendments, in H.R. 16916, the fiscal year 1971 Office of Education Appropriation Bill, as approved by the Senate Labor-HEW Appropriations Subcommittee. I am pleased to respond.

As you know, I testified on this matter before the Subcommittee on April 21. At the time, I expressed the Administration's opposition to these sections, which we regard as unnecessary and undesirable. An excerpt from my testimony is enclosed.

I wish to reaffirm that opposition. While Sections 209 and 210, the so-called Whitten Amendments, would not, if enacted, alter school desegregation requirements under Title VI of the Civil Rights Act of 1964, they would, nevertheless, encourage some people to believe that there has been a change in basic law when there has not, and thus serve to confuse local authorities as to their constitutional responsibility.

Section 211, the so-called Jonas Amendment, would deny vital Federal education aid to many school districts which implement desegregation plans contrary to "freedom of choice." Under this section, school districts would be penalized for carrying out desegregation plans ordered by the Federal courts, in conformity with State law, or in accordance with the Civil Rights Act of 1964. The effect of enacting Section 211, therefore, would be to tie the hands of local officials and encourage defiance of the constitutional obligation to desegregate.

As the President indicated in his comprehensive message on school desegregation, the appropriate role for the Federal Government is to assist school districts in meeting the requirements of the law in this difficult area. Sections 209, 210 and 211 would not serve that purpose.

I would appreciate any assistance you may deem appropriate in urging deletion of these sections during this afternoon's full Committee session.

With kind regards, I am
Sincerely,

BOB FINCH,
Secretary.

APRIL 17, 1970.

Hon. WARREN MAGNUSON,
Chairman, Subcommittee on Departments of Labor and Health, Education and Welfare, and Related Agencies, Committee on Appropriations, U.S. Senate, Washington, D.C.

DEAR SENATOR MAGNUSON:

* * * * *

DELETION OF "WHITTEN AND JONAS" AMENDMENTS

I am asking the Senate to delete sections 209 and 210—the so-called Whitten Amendments—and section 211—the so-called Jonas Amendment—from the House bill. Although I am convinced that sections 209 and 210 do not change basic law or Federal regulations, my concern is that the enactment of these two provisions would in fact encourage some people to believe that a change has been made in the basic law and thus give rise to much confusion. Further, it is my belief that language which pertains to the enforcement of school desegregation belongs in substantive legislation rather than in an appropriation bill. For these two reasons, I am convinced that sections 209 and 210 should be deleted. Even if they are not, however, I believe everyone should understand my conclusion that a school district that has not completed its Constitutional obligation to achieve a unitary system would not be "desegregated" within the meaning of the proposed sections 209 and 210. Such a district, therefore, would be unaffected by these sections.

Section 211 should be stricken from the bill for several reasons. First, it would prevent the Federal Government and local school officials from carrying out the requirements of the Constitution—requirements which this section does not and cannot remove. What this provision does is to impose a penalty on a school district for carrying out its legal obligation to desegregate. The Department would be put in the position of having to prohibit many school districts from using Federal funds to draw up and implement desegregation plans pursuant to court order. It would thus tie the hands of the Federal Government and of local school officials in dealing with the nondiscrimination requirement of law.

In addition to preventing enforcement officials from carrying out their legal obligations, section 211 would jeopardize the substantial progress made to date in school desegregation, and make more difficult the application of uniform standards in accordance with the Constitution. Furthermore, the amendment directly contravenes the President's March 24 statement on school desegregation in which he pledges to support the recent Supreme Court decisions mandating immediate desegregation. Freedom-of-choice plans, as has been demonstrated time and again, do not do this. Court decisions are unequivocal on this point. Because section 211 is not consistent with court rulings on "freedom-of-choice plans," it could only produce an administrative nightmare for the Department. It should be deleted.

In summary, Mr. Chairman, we are asking that your Committee return to the President's budget with respect to both the increases and decreases enacted by the House and delete from the bill sections 209, 210, and 211 of the general provisions.

In conclusion, I would commend the Committee for the promptness with which it has approached the House bill. I understand that you have already started hearings with outside witnesses. We will do our best to help you in your efforts to complete your work on this important bill.

Sincerely,

BOB FINCH,
Secretary.

SAFEGUARD PROVISIONS

Mr. MONDALE. Mr. President, I am extremely pleased that the House, in approving the President's request for emergency assistance to desegregating school districts, has agreed to the limitations placed by the Senate on use of the funds. These elementary safeguards are essential to help insure that the funds will not be spent in districts which are desegregated in only the most token and misleading ways.

The first limitation prohibits assistance to local educational agencies which transfer, or have unlawfully transferred, property, services, or equipment to nonpublic schools which practice discrimination on the basis of race, color, and national origin.

The second limitation prohibits use of the emergency assistance funds to supplant per pupil expenditures from non-Federal sources reduced as a result of desegregation or of the availability of the emergency assistance. This provision does not, however, prohibit assistance where State assistance calculated on a pre pupil basis declines by operation of existing law, solely because a local education agency contains fewer students

after desegregation than before. Nor does it prohibit assistance where State support of transportation is reduced, by operation of existing law, solely because a local education agency's transportation needs are reduced following desegregation. In these cases, aid has been reduced because of declining enrollment and reduced transportation needs and not because of action taken as a preparation for or consequence of desegregation.

The final safeguard assures that assistance will be made available on a nationwide basis to school districts desegregating under either Federal or State law. I regard this last provision as especially important. Our commitment to school integration must be a national commitment. The leadership of State government is vital to successful public school desegregation. It is, therefore, essential that Federal assistance be made available to desegregating districts in those States, such as California and Pennsylvania, which have required desegregation of schools as a matter of State law, as well as in those States where desegregation is taking place under Federal law.

Mr. KENNEDY. Mr. President, we are considering today one of the most important appropriations bills which Congress will consider this session. For adequate Federal support is vitally necessary to achieve the high quality of education which is fundamental to a vigorous, productive, democratic Nation. The bill before us goes a long way toward providing that Federal support.

Mr. President, I want to commend particularly the chairman of the Appropriations Subcommittee, Senator MAGNUSON, and the ranking minority member, Senator COTTON, for their hard and effective work on this bill. I had the privilege to testify before the subcommittee and to work with these leaders on amendments which I thought were important. I had the opportunity to participate in the debate and discussion of the bill.

I think that in all of their work on this difficult, complicated, important legislation, the Senator from Washington was thorough, knowledgeable, and fair. He is a dedicated leader in the effort to give our Nation's youth the best possible education. The Senator from New Hampshire was equally effective and constructive in connection with the education appropriations.

So, I commend these leaders and the members of the committee for their work on the bill. Of course, there are areas where we might prefer to spend more and areas where we might prefer to spend less. But by and large, this is a balanced and very necessary bill.

Mr. President, I am pleased that in reaching a compromise on education appropriations, the House and the Senate conferees agreed to an increase of $14 million in the national defense student loan program. As you know, this increase was approved by the Senate when it passed the amendment to increase Federal student assistance which I sponsored last month.

This increase brings the new total for direct student loans to $243 million for the coming academic year. The $14 million will help an additional 23,000 students.

My own State of Massachusetts will receive an estimated $594,111 of this increase, giving assistance to close to one thousand additional needy students who might not otherwise be able to attend school this fall. Whereas last year Massachusetts colleges and universities received only 52.6 percent of their approved requests for direct student loans, this year they will receive 62 percent.

And so, Mr. President, this increase represents a substantial improvement. As sponsor of the Senate amendment, I am proud that Congress is partially responding to the need.

However, Mr. President, present Federal spending for student assistance is still inadequate. And this failure to appropriate necessary Federal funds will deny thousands of young Americans in Massachusetts and across the country the opportunity to attend college this fall. Until the Federal Government makes a full and realistic commitment, our Nation's youth—especially those from low-income families—will be the ultimate losers.

The shortage of student aid is staggering. I am sure that every one of my colleagues has received many moving letters from parents and students who cannot find assistance, and in many cases have been forced to drop out or not even start college or vocational school. My own office in Boston receives an average of 40 to 50 telephone calls a week from distraught parents and youngsters who need financial help for their higher education. Yet all I can report to them is that Federal funds have long since run out.

The University of Massachusetts at Amherst has been forced to reject several hundred deserving applicants for national defense student loans this year. They use a nationally developed testing service to determine how much a family can afford to pay. Yet with estimated tuition, room, board, costs and personal spending money of $2,200 for each student, the university must deny aid to any family which can afford $1,700 or more—even though the cost may be as much as $500 more than the family can afford.

One State college in Massachusetts has calculated that the amount it receives for Federal student assistance works out to an average of only $36,28 per student in attendance.

A number of factors have contributed to the severe pressure on families with college-age children.

First, with inflation over 6 percent, the increase in other costs leaves families with less for education. Yet at the same time, rises in tuition, fees, and room and board have raised the price tag of college.

In Massachusetts, Boston College recently announced a tuition increase of $240 effective this coming September. This comes on top of a $400 tuition increase just last year. In addition, room and board costs at Boston College will be raised by $300 at the opening of the fall term.

Even greater increases had been proposed initially, precipitating a strike on campus this spring. The college needs more money, but the students and their families simply cannot afford it.

At another private university in Massachusetts, seniors this fall will pay $915 more in tuition and costs than they paid as freshmen in 1967–68. On the average, tuition and costs in Massachusetts colleges and universities have risen from 30 to 40 percent in the last 5 years.

Second, guaranteed student loans from banks are increasingly difficult to obtain. Last year Congress passed an amendment I offered to reduce discrimination. But a recent study resulting from that amendment revealed that 82 percent of loans still are made to students who are depositors or whose families are depositors in the bank; 67 percent of the lenders indicated that they give preferential consideration to students whose families are depositors. As a result, many citizens in Massachusetts and elsewhere—especially those who cannot afford large deposits in banks as a condition for a loan—are denied aid.

Just last week I received a letter from a father who had been to nine different banks seeking loans for his college-age daughter. So far, he has drawn a complete blank.

Another frustrated constituent summarized the problem with ironic hyperbole:

> You have to be a millionaire to be poor enough to receive a guaranteed student loan.

Third, rising unemployment and shortage of jobs reduces outside work for students. Reports from college aid officers and several newspaper articles in Boston and other papers have confirmed that many students simply cannot find work this summer to support their education in the fall.

Fourth, with growing deficits, colleges themselves have less money available for scholarships. Since 1962, the debt level for all private institutions of higher education in Massachusetts has more than tripled, to $191.8 million in 1969. Non-Federal sources have simply not been able to keep pace with rising enrollments and costs. Without increased Federal student assistance, colleges and universities will simply have to cut off aid to needy and deserving students and let them drop out of school.

In short, Mr. President, especially in this time of economic pressure, Federal student assistance is critically needed. Inflation means family budgets are more strapped than usual. It is becoming more difficult to obtain guaranteed student loans from banks and lending institutions. The current shortage of jobs is cutting students out of outside work to help finance their studies. Rising deficits and growing enrollments leave colleges with less money available for scholarships.

We have come part way down the road to meeting the needs for Federal student assistance. But we still have a long way to go. I am distressed, for example, that the conferees rejected increases in the college work-study program, and in grants to students from the most poverty-stricken families. If necessary, I would hope that Congress will be pre-

pared to add money to these two programs in a supplemental appropriation.

For under the present bill, even with the $14 million increase in direct loans, we are appropriating for the three direct Federal programs—national defense student loans, college work-study, and educational opportunity grants—only 58 percent of the amount authorized and only 72 percent of institutional requests actually approved by regional panels of the Department of Health, Education, and Welfare.

Mr. President, every citizen in the United States should have a full and fair opportunity to pursue a higher education without regard to his financial need or that of his family. But we are a long way from achieving that goal today. Meanwhile, the financial needs of our families with children in college have reached crisis proportions.

We must continue to press for further increases in student aid when subsequent appropriations bills come before the Senate. When we consider that for every $1 spent on student aid the Federal Government receives an estimated $14 return through taxes on the recipient's higher income from the college education, this is a sound and worthy investment.

Mr. President, I am disappointed that the conferees decided to drop the additional $10 million which the Senate added on the floor for new Teacher Corps programs authorized earlier this year. The conferees also dropped carrying the Teacher Corps as a separate line item in the bill. But I gather that this was done with the clear understanding that the full $30.8 million allocated for the Teacher Corps in both the House and the Senate committee reports will not be diverted to other use. The Teacher Corps continues to be an extremely effective program both for interesting qualified persons to teach in poverty-area schools and for increasing the quality of education in those schools. I expect the Department of Health, Education, and Welfare and the Office of Education to pursue this program with the vigor reflected in the congressional increase this year.

The conferees decided to drop the additional $1 million which had been added in the Senate specifically for Indian bilingual education in title VII of the Elementary and Secondary Education Act. But I think that the need for priority on these programs was fully established in the debate, and I expect and am confident that HEW and the Commissioner of Education will expand these programs as part of the expansion of title VII generally.

I am also disappointed that the conferees dropped the $4 million added on the Senate floor specifically for grants to State and local education agencies for planning and evaluation under the new authority added earlier this year in title V of the Elementary and Secondary Education Act. Unfortunately, this authority was added after the House had acted on the education appropriations, so the matter was not the subject of hearings and action on the House side. I would hope that at a later point the House will have a full opportunity to consider this critical need and determine—as the Senate already has—that this new authority should be promptly funded.

Finally, Mr. President, I would like to discuss the so-called Whitten amendments which have been retained in the conference report. For this year they have undergone a facelifting and a change which we should all clearly understand.

The amendments have been modified in such a manner that they comport with the existing requirements of title VI of the Civil Rights Act of 1964.

Both sections 209 and 210 provide that no funds may be used to force the busing of students, the closing of schools, or obligatory pupil assignment, with respect to a desegregated school district as that term is defined in title IV of the Civil Rights Act.

Under title IV, "desegregation" is defined as "the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but desegregation shall not mean the assignment of students to public schools in order to overcome racial imbalance."

Now, this provision of title IV—section 401(b)—has not been interpreted by the courts as compelling anything less than the disestablishment of the former dual school system. The nondiscrimination requirements of title VI have been applied in the context of Supreme Court decisions interpreting the reach of the 14th amendment, and this has held true regardless of the provisions of title IV.

Similarly, when title IV prohibits the Government from requiring the transportation of students "in order to overcome racial imbalance," the restriction does not negate the affirmative duty to desegregate when segregation has come about through the deliberate acts of responsible authorities.

The Federal courts have long subscribed to this view. In *U.S.* v. *Jefferson County Board of Education* (372 F. 2d 836 (1966), the U.S. Court of Appeals for the 7th Circuit ruled:

> It is clear . . . that Congress equated the term (racial imbalance) . . . with *de facto* segregation, that is non-racially motivated segregation in a school system based on a single neighborhood school for all children in a definable area.

In short, section 401(b) of title IV does not affect the responsibility of school districts to correct de jure segregation or discrimination under the provisions of title VI.

The new Whitten amendments cannot alter the constitutional requirements to desegregate and the regulations and guidelines which have been published to enforce those requirements. It is important to fully understand this, so that passage of sections 209 and 210 will not deceive school districts as to their legal obligations under the law.

There is altogether too much confusion and ambiguity in this difficult area.

School districts which have not yet moved to comply with the law should not seize these amendments as a way out. These amendments should not open the door to another round of resistance and court litigation. They should not complicate the task of the Departments of Justice and HEW which are responsible for enforcing the mandates of the courts. For we are not changing substantive law.

And so, in accepting these amendments, we must be clear that Congress in no way intends to pull back or reduce the effort to end unconstitutional discrimination. The amendments do not change the obligations of communities faced with a court order to desegregate. They cannot change HEW's desegregation guidelines.

Mr. President, I strongly support Senate adoption of the education appropriations conference report.

UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that time on the conference report be limited to 1 hour, to be under the control of the able manager of the conference report, the Senator from Washington (Mr. MAGNUSON), and that the vote occur on the conference report at 2 o'clock today, with the understanding that the following Senators will be given at least these amounts of time: The Senator from New Hampshire (Mr. COTTON), 10 minutes; the Senator from Alabama (Mr. ALLEN), 10 minutes; the Senator from Mississippi (Mr. STENNIS), 15 minutes; and the Senator from Wisconsin (Mr. NELSON), 5 minutes; and as I have said, all time to be under the control of the Senator from Washington (Mr. MAGNUSON).

The PRESIDING OFFICER (Mr. CRANSTON). Is there objection to the request of the Senator from Washington (Mr. MAGNUSON)? The Chair hears none, and it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask for the yeas and nays on the the conference report.

The yeas and nays were ordered.

Mr. HOLLAND. Mr. President, will the Senator from Washington yield me 2 minutes?

Mr. MAGNUSON. Let me say, before I yield to the Senator from Florida, that he suggests I yield him only 2 minutes. That is a very modest request because he has spent hundreds of hours on the bill and just 2 minutes is not quite sufficient to make up for all of the work the distinguished Senator from Florida has done on this education appropriations bill.

Mr. HOLLAND. I thank my distinguished chairman. I rose primarily to thank him and the distinguished minority ranking member, the Senator from New Hampshire (Mr. COTTON), for their arduous efforts throughout the consideration of this bill, the hearings, and the floor work, as well as the marking up of the bill in committee and their conference work which was the roughest of all.

I want to say just this one thing, that the distinguished Senator from Virginia (Mr. SPONG) put his finger on the one matter of legislation which I think most needs attention—the impacted school law—and while he did call attention to the difference between class A and class B students, which is one of the big points of argument, he did not mention the fact

that last year we put a third class into the bill, that is of children coming from public housing homes, which I think was a mistake; but whether a mistake or not, it calls out loudly for complete reexamination of this particular legislation by the legislative committee.

I wanted to emphasize that point in commending the distinguished Senator from Virginia (Mr. SPONG).

Mr. MAGNUSON. I appreciate that statement and, of course, we excluded the public housing entitlement mainly because of what the Senator from Florida just suggested, the reason that here we were again embarking upon something new. We have got to take a new look at this whole business of impacted aid. I like to call it a payment in lieu of taxes, because that is what it is. I think that is a good way to do these things for the local school districts that have these have these problems, but the public housing entitlement could have added as much as $289 million to the bill.

Mr. HOLLAND. Mr. President, if the Senator will yield me 1 more minute, I think the Senator and his ranking minority associate were so wise in going along with the committee. The committee as a whole thought it would be unwise to venture into that field which was put into the authorizing legislation last year.

The point of my rising was to say that this new issue adds to the necessity for a complete revision of the impacted school legislation which I think is one of the first "musts" that is ahead for Congress.

I thank the Senator from Washington and again commend him.

Mr. MAGNUSON. I thank the Senator from Florida.

Mr. President, the distinguished Senator from Missouri (Mr. EAGLETON) is away on a personal matter. In fact, he is attending his father's funeral. He asked me to have his statement on the conference report printed in the RECORD, as he made such a strong plea to the Senate on this year's bill; and I ask unanimous consent to do so.

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

Mr. EAGLETON. Mr. President, I wish to thank the senior Senator from Washington, as well as the senior Senator from New Hampshire and all members of the Education Appropriations Subcommittee for the fine job they have done on the fiscal 1971 education appropriations bill. Certainly, most members of this body are in full agreement that the education needs of this country should have top priority, and it is a pleasure to support a measure which in most respects recognizes the problems faced by our schools and provides the type of assistance that is desperately needed.

One of the areas, however, for which I feel we have not provided adequate funds is higher education. Despite the praiseworthy efforts of some of my colleagues, who were successful in having amendments approved on the floor, the conference did not go along with this body's recommendations that increased funds be put in certain higher education programs.

This, I feel, is extremely unfortunate. If our country is to move forward, it must continue to rely in large measure on the output of our institutions of higher learning. To cut funds in this area at a time when the number of students in our colleges is at a peak is, in my opinion, short-sighted.

Some of the specific programs which I feel have not been given the funds they deserve are Titles II and VI of the Higher Education Act (which provide funds for college libraries and for instructional materials and equipment) and the land grant colleges appropriations.

Taking first the programs under the Higher Education Act, the Senate appropriated $20,750,000 for Title II (college libraries), which was the same amount as originally approved in fiscal 1970, although the 1970 appropriation was reduced to $9,816,000 following the President's veto of the first appropriation bill. The conference committee has recommended a reduction of the Senate appropriation to $15,325,000. For Title VI (instructional materials), the Senate approved $14.5 million, which was the same amount appropriated from 1966–1969 (no funds were appropriated in 1975). This figure was slashed to only $7 million in conference.

I think it is important to stress the fact that these programs are not designed to cover, in any substantial way, the financial needs of our colleges and universities. They are basically seed programs; they provide the yeast that it is hoped will result in an improved end product. Thus they are not divisible.

The administration costs alone often make it uneconomical for schools to fill out the forms required to apply for these funds, and this will be especially true at the new low levels. Simply because these programs are small it does not follow that they should be regarded as insignificant. They have been instrumental over the years in upgrading the quality of instruction in our colleges, and they are even more important now when most of our higher education institutions are making desperate efforts to maintain quality levels.

Both Title II and Title VI have been capably administered at State and Federal levels, and each dollar allocated has served to give the recipient institution the little extra amount needed in these vital areas of instruction.

I urge that we do not forget these important programs over the coming weeks. There is no better way we can spend this nation's money than to give our children a better education. This means not only providing buildings and teachers, but also making available the innovative technology required to maintain the quality of instruction at the level we demand.

I want to comment also on the appropriations for the nation's land grant colleges. This is another item which is small in dollars but which has great significance in terms of America's educational resources.

The President saw fit to recommend that no funds be appropriated for this program. Nevertheless, the House approved $8 million and the Senate voted $12.1 million, the Senate figure being at the same level as fiscal 1970 appropriations. The conference committee has recommended a compromise figure of $10,080,000.

I, for one, want the record to show that it is my view that this reduction below last year's funding level does not mark the beginning of a phase-out of appropriations for this program, but rather it simply marks a recognition of constraints imposed by this year's difficult fiscal situation.

We should keep in mind that the land grant colleges were the nation's first real "peoples' colleges"—and they continue to fill that role. Both the Administration and the Congress have committed themselves to the principle that higher education opportunities must be expanded, particularly for those who are economically disadvantaged. If we are to make these real opportunities and not merely empty promises, our land grant universities must necessarily play a major role. Federal financial support, such as that offered through this appropriation item, is necessary to enable the land grant colleges to educate these additional students while at the same time keeping fees sufficiently low so that they do not impose a major obstacle to the poor but otherwise qualified student.

It should be pointed out that in these programs involving small amounts of money the purpose of federal support is not economic but educational. The Federal Government provides incentives and leadership—fostering the innovation, the new curriculums, and the educational change and reform necessary to provide quality instruction for an ever-increasing number of students. The demands of our society, both culturally and economically, oblige us to improve and upgrade the educational process at all levels. This is why we must be attentive to these smaller, less costly programs and realize that they are important to education. Only by using the power and prestige of the federal government can we hope to foster the educational progress which is the precondition to all progress in a civilized society.

Mr. NELSON. Mr. President, I should like to make a brief point here, and then ask a question of the manager of the bill who has been a most influential Member of the Senate in terms of supporting the National Teacher Corps, as well as the Senator from New Hampshire (Mr. COTTON). They have both endorsed and supported an increase of $10 million in the request of the administration to add to the Student Teacher Corps, the Indian reservation program, sponsored by the Senator from Massachusetts (Mr. KENNEDY), and the corrections programs sponsored by the Senator from New York (Mr. GOODELL).

My understanding is that the conference found it necessary to recede and eliminate the $10 million added by the Senate, and to return to the $30,800,000 requested by the administration, and that it was necessary to remove the National Teacher Corps as a line item within the budget, the line item having been put in by the Senator from Washington (Mr. MAGNUSON).

I pose this question for legislative clarification to the Senator from Washington: The Senate approved $40.8 million for the Teacher Corps, and the programs which I have mentioned; and the House voted $30.8 million for the Teacher Corps which was the amount requested by the administration.

I just wanted to ask the manager of the bill, for purposes of being clear about the legislative intent, both as approved and appropriated as high or higher than the administration requested for the Teacher Corps, the fact that in conference we eliminated the earmarking does not evidence an intent not to spend the $30.8 million approved by both houses, does it?

Mr. MAGNUSON. No; it was my understanding—the Senator for New Hampshire is not here at this moment, but I am sure it is his, too—that after lengthy discussion in conference, we had an agreement that it was mandatory to spend it for the Teacher Corps, or at least that is the intent of conference and it is the intent of Congress.

I had mixed views about whether it

should be a line item or put in the education professions development line item, which is a very large item in the bill. One side pointed out that last year, we had $21,737,000, and that the budget estimate came up to $30,800,000, and when it was within the amount of the new Teacher Corps it fared better without being a line item than it did last year. I would prefer to keep the line item. I would personally like to do so. But the House was insistent that it be put in the education professions development, with the understanding that the $30,800,000 be used for this specific purpose.

Mr. NELSON. I thank the Senator.

Mr. MAGNUSON. If there is any indication they are not going to do this, that would be violating the intent of both House and Senate conferees.

Mr. NELSON. I thank the Senator for that clarification.

Mr. MAGNUSON. Now, Mr. President, I yield the floor to the Senator from New Hampshire, unless there are some further questions.

I might say one other thing, as I pointed out in my introductory remarks, we did have the so-called Whitten and Jonas amendments in the bill, in the House bill, and it was cut out by the Senate. We finally agreed to the so-called Whitten amendments and removed the Jonas amendment.

There were four of us, including the chairman, who signed the conference report with the exception of the so-called Whitten amendments, merely to be on record.

We had a good, long discussion about these amendments. That is the usual thing every year. Finally the House members in all sincerity said that they did not think they could go back to the House and sustain a deletion of the Whitten amendments.

So the Senator from New Hampshire and I felt that we wanted to get a bill out as soon as possible since this involves the whole educational process of the country. The House was fairly amenable to compromising with us and having a real compromise on the money items. We had to accept the so-called Whitten amendments.

The House conferees in the beginning said this was one of the important things, and that they did not feel they could go back to the House without the so-called Whitten amendments.

There were four members of the committee—the Senator from Washington, the Senator from New Jersey, the Senator from Hawaii, and the Senator from Delaware—that make exceptions to the Whitten amendments.

Mr. COTTON. Mr. President, I would like to take 1 minute of my 10 minutes to express my appreciation and admiration for the effective and able leadership that the distinguished chairman of the subcommittee, the Senator from Washington, characteristically displayed this year, as he has in the past. Without his guidance and without his ability and skill in negotiating with the House conferees, we would not have been able to achieve as much as we did.

The Senator from Washington is perfectly correct when he says that not one breath of partisanship had been involved in any of the deliberations either in the subcommittee, the full committee, or the conference committee.

If partisanship were to have been displayed, it could have well been displayed by the majority members in allowing the bill to stay large enough so that it might invite a Presidential veto which, in an election year, might be good politics from the standpoint of some. That was not done. It was characteristic of the Senator from Washington that we went to conference to get the best results we could and to get as much money for education as we could and, at the same time, try to avoid going through the donnybrook we went through last year after a Presidential veto and trying to reform our lines and produce a new bill.

As the Senator from Washington has indicated very clearly, we went into the conference with a Senate bill that was $966 million—practically $1 billion—over the budget. That amount included $150 million that the President himself had asked for for emergency school assistance. We came out with that amount reduced by almost $363 million—$453 million over the budget figure.

Mr. President, I hope and believe that the President will not veto this bill. I am informed by staff members of another subcommittee that another conference report that is likely to come to the Senate in a very short time will run $500 million to $600 million over the budget. That bill is not for education.

Considering that this bill is pinpointed for education in this Nation, I am hopeful that the President will go along with us. We exercised our duties and he will exercise his. I think our duty is to adopt the conference report.

Mr. President, if anything should happen to the bill, the first thing we would have to do would be to put back into any bill that came through advance funding in the amount of $1,339,000,000, to take care of the school districts that have to make their plans, hire teachers, and do their work before the opening of the school year.

The HEW appropriation was split. Education was made a separate bill so that we could get it through and get the assurance of money for the school districts soon enough so that they could make their plans.

A good deal has been said about the impacted area funds. Every year, of course, that has been a bone of contention. That is probably one of the chief objections of the administration to the bill.

Mr. President, since the impacted area funds started in 1951 until this year, the amounts have been increased every year. In 1951, it was $29 million. In the pending bill it is $536 million.

The total that we have paid in impacted area funds over the years since we started is $5,220,237,000.

Mr. President, this situation must be dealt with by the legislative committee because I think that every member of our committee and every Member of the Senate knows that these moneys are appropriated and administered under an outmoded and distorted formula.

One reason, however—and I think the main reason—that our school districts and school officials are insisting and urging and begging for every cent they can get of impacted area funds is that these funds are the only funds they can spend for their own individual needs in their localities and in their districts.

This is something that has troubled me ever since I have served on the subcommittee, and I have been on the subcommittee for many years. The Office of Education and the Federal authorities in the HEW insist on having their fingers on every single cent that is spent.

Striving and struggling as has the Senator from Washington, I, and others have to prevent duplications and to see that the money necessary for the disadvantaged children in this Nation, both city and rural, shall go to them and not be spent for overhead and administration. Trying to be fair has been an extremely difficult matter.

I hope that the Department of Health, Education, and Welfare, and more particularly, the Office of Education, will get themselves straightened out so that we have a more incisive and clearcut policy. I also hope that the legislative committees in the Senate and the House will review and give us a modernized, streamlined, equitable method of aiding the school districts of the Nation. The Senator from Washington was correct in his statement that it is necessary that this be done so that we will not have this constant difficulty over impacted area funds.

Mr. President, I ask unanimous consent to have printed in the RECORD appropriations for impacted areas running from 1951, the year of the inception of the program, to the present bill.

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

Public Law 874 appropriations—School assistance in federally affected areas

1951	$29,080,788
1952	51,570,000
1953	60,500,000
1954	72,350,000
1955	75,000,000
1956	90,000,000
1957	113,050,000
1958	127,000,000
1959	157,362,000
1960	186,300,000
1961	217,300,000
1962	247,000,000
1963	282,322,000
1964	320,670,000
1965	332,000,000
1966	388,000,000
1967	416,200,000
1968	507,165,000
1969	505,900,000
1970	505,400,000
1971 [1]	536,068,000
Total	5,220,237,000

[1] Conference agreement.

Mr. COTTON. Mr. President, as the bill left the Senate we were nearly $1 billion over the budget. We are now only $453,321,000 over the budget. We think, or at least the Senator from New Hampshire thinks and I think other members of the subcommittee concur, that this is all we could hope to get without running the risk of going through another Presidential veto. I cannot speak for the President. I have no intimation of what he may do. I simply think and believe that

after all due consideration he will not choose the educational funds to veto when these other appropriations for much less important purposes than education are coming on the heels of the measure.

Again I commend the distinguished Senator from Washington and members of the subcommittee. We have listened to much testimony and we have gone through to the end of the road, or what we hope is the end of the road.

Mr. President, I hope the Senate will adopt the conference report.

Mr. JAVITS. Mr. President, will the Senator yield to me for 3 minutes?

Mr. MAGNUSON. I yield.

Mr. JAVITS. Mr. President, I shall address myself to amendment 38, which was reported in disagreement and which relates to emergency school assistance, in which we carried $150 million here. As I understand it now, that amount was cut by 50 percent in conference, or to $75 million; and the other body has now concurred in that amendment so that it remains but for us to concur and the $75 million will be appropriated. Is that correct?

Mr. MAGNUSON. The Senator is correct.

Mr. JAVITS. Is it correct the limitations with respect to utilization of these funds specified in the Senate amendment remain as part of the bill, now that the conference report has been completed?

Mr. MAGNUSON. Those provisions do remain in the bill.

Mr. JAVITS. The only thing changed was the amount of money?

Mr. MAGNUSON. The amount of money.

Mr. JAVITS. I would like to state to the manager of the bill that we thought the $150 million could be extremely well used in respect of the desegregation effort. We were deeply concerned that the limitations should remain in the bill, as they are such as to prevent a defeat of the very effort which the $75 million or $150 million originally was designed to promote, to wit, desegregation. Those who would attempt to avoid the effect of desegregation by unlawfully utilizing public property by transferring it to private segregated schools, are discouraged from doing so by the first limitation. The other limitations prevent the use of Federal funds to supplant available non-Federal funding and assure that the financial assistance provided is available in all sections of the country where similar problems have created similar needs.

I consider the precedent of the retention of the limitations in the amendment of such overriding importance that I am even willing to accept the disappointment of the 50-percent cut provided that the limitations are included.

I would be the first to affirm, because I have been a member of the Committee on Appropriations and served with the Senator from Washington (Mr. MAGNUSON) on conference committees, the tremendous effort which I know it took to get even the $75 million. The chairman did extremely well under the circumstances.

But, Mr. President, the real danger we face, aside from a lagging desegregation policy anywhere in the country—and I emphasize that because it needs to be emphasized—is that we are seeking to bring about a better educational system through exercising the spectre of segregation wherever it may be present.

One of the fine points brought out in debate was the fact that so-called de facto segregation and racial imbalance are exactly the same thing. I hope very much, as this educational process goes on, people will understand that so-called racial imbalance is just as capable of depriving children of a sufficient education as so-called de jure segregation.

The only question is, Can we reach racial imbalance, and if we can, what can we do about it intelligently?

We all agree we would prefer not to bus our children over long distances. But I deeply believe, if you want to give children the best in education, they are entitled to an education which is integrated. While we may not prefer busing, we know often there is no other way—just as we discovered with the little red school house—to provide a decent education without the use of busing.

So I think it should be noted very specifically that a real achievement is incorporated in this conference report in these terms. I am the first to affirm that I hope very much this legislation will be used with intelligence to deal with situations in the North, and West, as well as in the South. But there are two caveats: First, that should not divert our attention from areas where there is unlawful segregation which has already been identified by the courts and HEW; this appropriation will not substitute for fair law enforcement in many areas of the South; and second, we should not be scared away by the catch words of "neighborhood schools" and "forced busing" from giving the children, who cannot represent themselves and for whom we are speaking, the very optimum we humanly can in education.

I am a member of the Select Committee on Equal Educational Opportunity which the Senator from Minnesota (Mr. MONDALE) heads and a member of the Education Subcommittee, chaired by the Senator from Rhode Island (Mr. PELL). We will be coming in with a substantial bill. The administration has asked for $1.5 billion. This is a beginning.

I say to the administration that the easiest way to kill a program which has much promise around here, is to ruin it when you start, or waste money in respect to it, or engage in experiments which are footless, just because you do not know what to do with the money.

Nobody is asking the administration to spend money. If they do not want to spend it, that is all right, but if they do, they should bear in mind they have to spend it intelligently and effectively. Everything they do about the expenditure of this $75 million will have a direct and decisive effect on our chances for getting the whole program enacted into law. I think this is critically important, and I hope the administration will take it very much to heart.

I note with great regret that the so-called Whitten amendments, which also relate to desegregation problems in the schools, are carried over in the conference report. We all knew, and we knew it when we debated the question, that they are of no legal effect, unlike the so-called Jonas amendment, which fortunately is left out of the bill; but the Whitten amendments are still an albatross around the neck of this measure.

I know the other body insisted on them because they did go back in disagreement. To the great credit of a number of Senate conferees, they signed the conference report—and that includes the distinguished chairman, the Senator from Washington (Mr. MAGNUSON)—with the exception of amendment No. 39, which related to the so-called Whitten amendments. This effort to act as King Canute to stem the tide of our doing our utmost to remove the color factor from the education of children of the United States is doomed to failure. It is vestigial, it is archaic, it is bound to go. The tenacity with which it hangs on in amendments like these is really appalling in this country. Yet the very same people who advocate this kind of amendment are the people who talk about neighborhood schools and being against busing, when the worst expressions of segregation came under the heading of busing, and black children were bused 20, 30, and 40 miles a day, right past the doors of white schools which were their neighborhood schools, in the name of segregation.

I sympathize with the Senator from Washington (Mr. MAGNUSON). I know how he feels. We live in a working world. There is a heavy responsibility borne by the other body for its persistence including this kind of amendment. It is amazing to me to see it, since it does not, in my view, represent the prevailing view in the country. We can only hope to continue the fight and to urge our brethren in the other body to be more decisive and vigorous in their opposition to such amendments. It is unfortunate that we are at the point of having or not having a massive bill for education which is absolutely essential to the school districts of our country, at the price accepting an amendment like this, which is not going to turn the world over, I agree——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. But which is nettling and disagreeable, considering the state of the times, and the laws enacted by Congress and the decisions of the courts. It is depressing and sad and distressing. I sympathize, however, with the manager of the bill and the ranking Republican Member, the Senator from New Hampshire (Mr. COTTON), who has certainly expressed his feelings on many occasions. So I say that while these amendments are most regrettable, I shall vote for the conference report.

Mr. MAGNUSON. Mr. President, I yield to the Senator from Alabama (Mr. ALLEN).

The PRESIDING OFFICER. How much time does the Senator yield?

Mr. ALLEN. May I have 10 minutes?

Mr. MAGNUSON. Very well.

Mr. ALLEN. Mr. President, I wish to commend the distinguished Senator from Washington and the other conferees on this bill for the splendid work which they did in conference. I appreciate his spirit of compromise, the spirit with which he came back with the conference report, which does embody what he has called the Whitten amendments.

I ask unanimous consent that sections 209 and 210 of the bill be inserted in the RECORD at this point.

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

SEC. 209. No part of the funds contained in this Act may be used—

To force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students;

To force on account of race, creed, or color the abolishment of any school so desegregated; or

To force the transfer or assignment of any student attending any elementary or secondary school so desegregated to or from a particular school over the protest of his or her parents or parent.

SEC. 210. No part of the funds contained in this Act shall be used—

To force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students;

To require the abolishment of any school so desegregated; or

To force on account of race, creed, or color the transfer of students to or from a particular school so desegregated as a condition precedent to obtaining Federal funds otherwise available to any State, school district or school.

Mr. ALLEN. Mr. President, I am glad that for the first time since the Congress has been considering the Whitten amendments—and that consideration goes back for several Congresses—this is the first time, I believe, that the Whitten amendments in their original form as presented to the House, as approved by the House, have ended up in that same original form as presented to the Senate now, in the conference report under consideration.

The two amendments taken jointly make provision for four prohibitions. They provide that no portion of the funds appropriated by this education bill can be used to force any school or school district to take any action to force the busing of students; or to force, on account of race, creed, or color, the abolishment of any school so desegregated; or to force the transfer or assignment of any student attending any elementary or secondary school so desegregated to or from a particular school over the protest of his or her parents or parent; or, to force on account of race, creed or color the transfer of students to or from a particular school so desegregated as a condition precedent to obtaining Federal funds otherwise available to any State, school district or school.

There is a very definite field of operation for these amendments, because we see massive busing ordered by HEW and ordered by district courts. We see school buildings abandoned, schools closed, all over the South. In my own State of Alabama the rulings of the Federal courts and the edicts of the Department of Health, Education, and Welfare have caused our State to close school buildings valued at more than $100 million.

So we would like the protection of the Whitten amendments, and we believe these amendments will be effective if they are implemented by action by HEW, if HEW will be bound by the provisions of these amendments.

Soon after coming to the Senate I wrote Mr. Finch, the Secretary of the Department of Health, Education, and Welfare, calling attention to the massive busing that was being required by HEW and pointing out that that was in opposition to and in direct contravention of the provisions of the Whitten amendments then in force and effect.

There were three aspects of the Whitten amendments at that time: that the funds could not be used to require busing and could not be used to require the closing of a school or could not be used to force a child to go to any school other than one approved by his or her parent or parents. But as finally enacted it had the clause that these things could not be done in order to overcome racial imbalance.

So the Secretary informed me that these provisions gave protection to districts where they had de facto segregation, and provided that the districts were protected from this action, or from the requirement of these actions, whereas segregation in the South, which they called de jure segregation, was not protected.

So they could require these things in Southern school districts. I was very much interested in the remarks of the distinguished Senator from New York, in which he said that these are onerous provisions, the provisions of the Whitten amendments, and that they hang like an albatross around this bill.

He could say that because, his school districts in New York are protected under existing law from the very things that we want protection from under the terms of the pending conference report embodying the Whitten amendments.

Yes, this is an anomalous situation, Mr. President, that in the South, desegregation is rapidly taking place, whereas in the North—and I speak with particular reference to the great State of New York, because I have the report of the regents of the University of the State of New York pointing this out—segregation is on the increase. It is increasing in the North, whereas in the South it is on a rapid decline. All we are asking is the same type of protection that the law gives to the school districts that have de facto segregation.

Mr. President, I do not see how, in fairness, we can have a Federal school policy which demands immediate desegregation in the South, and at the same time outside the South encourages and fosters segregation. But that is the exact situation that we have under existing law.

Possibly we will get some relief if the conference report embodying the Whitten amendments is accepted. I favor the adoption of the conference report, and I ask unanimous consent to have printed in the RECORD at this point the remarks that I made on June 24 in the Senate, and the colloquy in connection with those remarks, appearing in the RECORD at pages 21224–21227.

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

Mr. ALLEN. Mr. President, earlier this evening, the junior Senator from Alabama discussed at considerable length the Scott amendment which was agreed to by the Senate by roughly a 2-to-1 vote. It struck out section 211 of the bill.

Now the distinguished Senator from Maryland seeks to strike out sections 208 and 209 which, as the distinguished Senator from Maryland referred to the sections, are the 1970 version of the Whitten amendment.

I assume by that that the distinguished Senator from Maryland is calling attention to the fact that for a number of years, for years before the junior Senator from Alabama came to the U.S. Senate——

Mr. MATHIAS. Mr. President, would the Senator yield?

Mr. ALLEN. I yield.

Mr. MATHIAS. Mr. President, perhaps they would be more accurately referred to as the retreaded 1970 version. It is the second time that we dealt with them this year.

Mr. ALLEN. Mr. President, I thank the Senator for his revision of his original remarks which the junior Senator from Alabama is seeking to quote.

Starting apparently with the Civil Rights Act of 1964, at least that far back the word "desegregation" was being defined. And it was expressly provided that desegregation should not mean the transfer of a student from one school to another in order to overcome racial imbalance.

So, then, as far back as 1964 at least, the thrust of the civil rights legislation and of a majority of the Senators and Representatives in Congress, was to protect de facto segregation because, as the distinguished Senator from Maryland clearly understands, the words "racial imbalance" are used interchangeably for de facto segregation.

All through the legislative history of the Whitten amendments and the civil rights provisions, an attempt has been made to protect de facto segregation, which is segregation as it exists outside of the Southern States.

The Whitten amendment, as it appears for the first time, I believe, in the 1968 HEW appropriation bill—possibly at a period before that; it may have appeared in 1966—but at any rate, in the 1968 appropriations bill the Whitten amendment, as it passed the House, provided that no portion of the funds appropriated by the HEW appropriations should be used for the purpose of forcing the busing of students or forcing the closing of schools or forcing any child to attend a school other than the school chosen for him by his parents.

As the junior Senator from Alabama understands, in the legislative process the words were added that these things could not be done in order to overcome racial imbalance, which deprived the segregated schools, which are said to exist in the South, of the protection of these prohibitions. But at the same time it gave to those areas which had so-called de facto segregation the protection of these prohibitions against busing, against the closing of schools, and against requiring any child to attend a school other than the school of the choice of his parents.

The Whitten amendment started out one way. And when it came to the Senate, somewhere in the legislative process, either in the

Senate or in the conference committee, it was so diluted, so watered down, and so changed as to deprive the southern school systems of any of the protections provided by the amendment. But at the same time it gave that protection to the schools outside the South where they had so-called de facto segregation.

Instead of doing what the amendment sought to do, they did just the opposite and afforded protection to de facto segregation and deprived those school districts that had de jure segregation of any protection whatsoever.

How ironic and hypocritical can we act or can we be?

Then when the Whitten amendments came over from the House last year and were approved by the Senate committee and came to the floor of the Senate, as the junior Senator from Alabama recalls, the distinguished junior Senator from Maryland (Mr. MATHIAS) added the interesting phrase that became something of a hallmark for this type of legislation: "except as required by the Constitution," which gave the HEW the supposed right to say that the Constitution required the protection of de facto segregation and that it provided for the stamping out of de jure segregation.

There again the Whitten amendments were changed in the Senate to provide something entirely different from what they provided when they started out in the House, when they passed the House and when they cleared the Senate committee.

This time they go one step further and say, "We are not even going to have any language of that sort in here. We are going to eliminate every single vestige of language of this sort."

The present amendment is to strike both of these sections, 209 and 210.

All that these sections do is to seek to give to the southern school districts the protection that is already afforded to districts outside of the South that already have this protection.

All that the Whitten amendment seeks to do is to give the southern school districts some little piecemeal start toward achieving some type of equal protection of the laws, equal application of the laws, and equal enforcement of the laws.

Mr. President, it is hard for the junior Senator from Alabama to accept a Federal school policy that demands immediate desegregation of the public school systems in the South and at the same time, by every single piece of legislation enacted by Congress that the junior Senator from Alabama has been able to located dealing with the matter of desegregation, de facto segregation has been protected, it has been fostered, and it has been preserved. Now, as we have immediate desegregation in the public school systems of the South what is happening in States outside the South? Is segregation being eliminated there? What are these Senators and these Representatives who twist the language of the Whitten amendment around so that it means exactly the opposite of what it started out to provide, doing to eliminate segregation in their areas?

Mr. President, I have excerpts before me from a study made by the regents of the University of the State of New York, the first one being dated January, 1968, entitled "Integration and the Schools." I would like to read an excerpt from that study on page 9:

"PROBLEM GROWS

"Despite the determination and significant accomplishments of many in education, the growth of the problem has outstripped the efforts to deal with it:

"Racial imbalance *within* school districts is increasing in both suburban and urban communities."

This is segregation in the State of New York:

"Racial census reports show that between 1961 and 1966, in the 41 school districts with the highest percentage of Negro pupils (exclusive of New York City).

"* * * the number of elementary schools with more than 50 percent Negro pupils increased from 60 to 72; the number with more than 90 percent Negro pupils increased from 25 to 33.

"Racial isolation *among* school districts is also increasing. In this same period, the percentage of Negro pupils in one suburban district rose to 82 and in another, to 71. In three other districts, the percentage surpassed 50."

Then, in December of 1969, working on this problem, trying to do something about it supposedly, there was a review of the revised studies taken some 2 years before, a restatement of the policy, in which it is stated by the regents of the University of the State of New York:

"The efforts of the State of New York to eliminate segregation and to speed integration must be increased.

"* * * * * *

"Racial and social class legislation in the public schools has increased substantially during the past two years despite efforts to eliminate it."

So, Mr. President, there in this great State of New York we have segregation increasing, whereas in the southern school districts the administration boasts that they are going to require the desegregation of every school system in the South—not in the North; every school system in the South—by September of this year.

That is going to wreck the public school system of the State of Alabama and in most of the South.

It is not only the white citizens of our State that disapprove of this policy of closing the schools, of busing students, of refusing to allow a child to go to the school of his choice; the black citizens, the black students also object to this in the most decisive and in the strongest fashion that they can.

Mr. President, it is a matter of record that it is the black students of our State whose school buildings in the main are being closed by order of HEW, and they object to that. One of the best school buildings in my hometown of Gadsden, Ala., is the black high school with about 1,000 students. That school was ordered closed to the dismay of the pupils, the black pupils, the faculty, the families and the friends of those students. Throughout the State it is the black students that are bearing much of the brunt of this policy of forced desegregation now in the southern school districts. They do not like being bused into the white high schools in order to desegregate the white schools. They do not like that. This is not only a complaint of white citizens of the State of Alabama and the white citizens of the South. But is is destroying the public school system in my State and in other Southern States. Bond issues are being defeated; proposed taxes which are being submitted to the people are being defeated in tax referendums; taxes already imposed, coming up for renewal, are being defeated; and public support is being withdrawn from the public school system in our State.

What we are interested in doing is not in having sociological experiments with our children, white and black. We want to see every schoolchild in our section, every schoolchild in the Nation given the advantage of having a quality education. So we think it is unfair to have a Federal school policy that requires this immediate desegregation in the South and that fosters, encourages, and promotes segregation in the North that is every bit as pronounced and more so in some instances than segregation that exists in the South. All we are asking is equal protection of the laws and we believe that the Whitten amendment, not diluted, not changed in meaning, but passed as it passed the House, will give us some small measure of equality of enforcement of the law and equality of treatment under the law.

Mr. President, I have been interested in the fact that this bill has been under consideration now for parts of 2 days. It is a bill that appropriates some $4.5 billion for the cause of education.

Many Senators have amendments they want to offer, I am told. I have been told that the distinguished Senator from New York (Mr. JAVITS) has an amendment he wants to offer having to do with the appropriation of $150 million to aid in easing the shock in southern school districts of the demand for immediate desegregation.

That amendment has not been offered. There are a number of other amendments on Senators' desks.

Why was it so important to rush in here? The distinguished Republican leader, the able and distinguished senior Senator from Pennsylvania, rushes in with an amendment, just as soon as the bill is brought up, to strike section 211, the Jonas amendment. They do not consider any of the advisability of this $4.5 billion appropriation. They do not consider the merit of that.

Is it wise to appropriate $4.5 billion? Is it properly allocated? Do the proper services get the correct amounts? Are the proper priorities being maintained? Have we spread out the $4.5 billion properly? Should not some adjustment be made in this amount? Does one agency get more money than perhaps it should?

It is easy to make reference to this tremendous sum of $150,000,000 when $4.5 billion is involved. Is that what is considered by the Senate? Is that why Senators rush in with amendments, reallocating the $4.5 billion?

No; it is not. The two items given priority are not those amendments. There seems to be a general feeling of consent in this matter. No Senator rushed in. I did not see three or four Senators on their feet with amendments asking for recognition. The Senator from Pennsylvania was recognized. He did his work. He put his amendment in to knock out the Jonas amendment.

Now the distinguished junior Senator from Maryland has no trouble getting recognition, because no other Senator has an amendment. Let us get this possible relief from the southern school systems knocked out before we do anything else—that seems to be the opinion. That seems to be thought to be most important—the knocking out of those three amendments, the two Whitten amendments and the Jonas amendment. They have top priority. Let us see that no protection, let us see that no guaranty, let us see that no equality, let us see that no equal enforcement of the law, is made available to southern school districts. Let us place as the top priority the knocking out of those three items. But at the same time let us make sure that these sections are not turned against de facto segregation as it exists in the North. That is the attitude of many Senators.

Is anything ever going to be done about de facto segregation? Are we always going to say that where a black child is required to go to an all black school, he is being denied a good education in the South, that he is being denied equal protection of the law, but prevent that statement from being made about a black child in the North in a segregated school? Do you suppose that black child in the North, with a protected de facto segregation staring him in the face, says to himself, "Well, the black students of the South are getting to go to White schools down there because they have de jure segregation, but that is all right with me. I like this black school that I go to in the North because this is de facto segregation, and that is all right"? As long as segregation is

de facto, that is fine, it does not have to be broken up; but if it is de jure, if it is that type which exists in the South, it has to be broken up.

Well, if segregation is unlawful in the South, it should also be unlawful in the North.

Mr. President, early in this session the Senate, in an all too rare display of statesmanship, voted for the Stennis amendment. A total of 56 votes were cast for it, and 30-odd cast against it

That amendment, of course, provided for uniformity of enforcement of Federal guidelines in implementing Federal policy regarding desegregation of the public schools.

I do not know what happened to that amendment or why the Senate apparently changed its mind when the conference committee brought out its version of the amendment and did just the opposite of providing for uniformity. It provided for two uniformities—the uniformity of application of desegregation policies as regards de jure segregation, and uniformity of desegregation policies as regards de facto segregation.

Certain Members of the Senate were apparently aghast at what they had done. They had voted for uniformity in the application of a Federal policy regarding desegregation of public schools. So when they got the opportunity to go back to a dual policy—one policy for the North, one policy for the South—they were quick to jump at it; and that is what happened.

But the Stennis amendment had served its purpose. It had pointed out to the public that segregation exists in the North, in many cases to a far greater degree than it exists in the South; and that while segregation is ending in the South, it is increasing in the North.

Many people throughout the country did not realize that that was the case. Of course, at the bar of public opinion, Mr. President, the Stennis amendment won a great victory for the cause of right and justice, because of its insistence on giving to each citizen of our country equal protection and equal application of our laws.

The effect of shining the light of public notice on this condition will be of great influence for many years to come, and I want again to commend the able and distinguished Senator from Mississippi (Mr. STENNIS) for his untiring efforts in connection with the Stennis amendment and in connection with the Whitten amendments and the Jonas amendment.

Mr. President, as we seek to speak for the public schools in our area, and as we seek to speak for the schoolchildren in our area and the people of our area, we wonder where our help is to come from, in seeking to solve this problem.

If these 2 amendments are left in—and I will say frankly that I do not expect them to be left in, and I am not going to seek to prevent this amendment from coming to a vote; I certainly am not trying to extend any discussion unduly, but the feeling of the people of Alabama and the people of the South needs to be expressed in this matter, and it is for that reason that those of us who are interested in this amendment are addressing our attention to it—where is our help to come from?

We passed the Stennis amendment. If we back up on it, and go back to the old double standard, HEW offers no encouragement. They say, "Yes, we have double standards; we protect de facto segregation in the North, and we seek to stamp out de jure segregation in the South." So there is no hope there.

What about the Republican leadership here in the Senate? Is there any hope there? Well, no; no hope there. The Republican leader (Mr. SCOTT) killed the Jonas amendment. If he were here now, he would vote against the Whitten amendment also, I am sure.

Mr. ERVIN. Mr. President, will the distinguished Senator from Alabama yield to the Senator from North Carolina for a question?

Mr. ALLEN. I am delighted to yield.

Mr. ERVIN. Does the distinguished Senator from Alabama not recall that during the late campaign, when President Nixon was seeking the votes of the people of the South, he stated, in an interview at Charlotte, N.C., that he was opposed to the busing of children to achieve racial balance in the public schools?

Mr. ALLEN. Yes, he did, according to the press accounts.

Mr. ERVIN. Does not the Senator from Alabama also recall that on one or more occasions during the late campaign, President Nixon stated that he was in favor of the preservation of the neighborhood school?

Mr. ALLEN. Yes. He still states that.

Mr. ERVIN. Can the distinguished Senator from Alabama inform me of any action taken in Congress at the instance of or on the recommendation of the President of the United States to carry into effect either one of those campaign promises?

Mr. ALLEN. In answer to the question of the distinguished Senator from North Carolina, I will state that I know of no initiative taken by the President himself; but I will have to express deep appreciation to individual members of his party for standing with us on these principles. We have received splendid support from many members of the, shall I say, opposition party in this regard.

Mr. ERVIN. I share the gratitude that is expressed by the Senator from Alabama on that point, and I know that the Senator, from Alabama and North Carolina are both deeply grateful for the support we have received from individual Senators here in the Senate of the United States. But does the Senator from Alabama recall any occasion since President Nixon made those campaign promises to the people of the South when the Republican leadership, either in the Senate or in the House of Representatives, has supported any bill that was calculated to prevent busing of schoolchildren to achieve racial balance, or to correct racial imbalance, or to preserve the neighborhood schools?

Mr. ALLEN. In answer to that question, I will have to say that the nearest approach that the junior Senator from Alabama recalls was the fact that in connection with the Stennis amendment, the distinguished Senator from Pennsylvania, the Republican leader (Mr. SCOTT), produced a letter from one of the White House people, I believe Mr. Harlow—I am not sure that it was Mr. Harlow but he produced a letter from someone over there—saying that the President was opposed to the Stennis amendment; and another member of the group from across the aisle either produced a letter or reported a conversation with someone of equal rank over there saying that the President was for the amendment. So we had conflicting reports on that.

Mr. ERVIN. Has not the Senator from Alabama, in times past, heard of politicians who tried to work both sides of the street?

Mr. ALLEN. Not only heard of them, but observed them.

Mr. ERVIN. I will ask the Senator from Alabama if the Secretary of the Department of Health, Education, and Welfare is not an appointee of the President, and if that Department was not created to assist the President in carrying out his program.

Mr. ALLEN. Yes, sir, I so understand.

Mr. ERVIN. I ask the Senator from Alabama if the distinguished minority leader of the Senate, the able Senator from Pennsylvania did not read or refer to a letter from the Secretary of Health, Education, and Welfare during the consideration of the Jonas amendment, in which the Secretary of Health, Education, and Welfare expressed, in substance, his disapproval of the Jonas amendment.

Mr. ALLEN. Yes, sir; that is true.

Mr. ERVIN. Does the Senator from Alabama agree with the Senator from North Carolina that all the President has to do to control a member of his Cabinet is to tell that member of his Cabinet what to do?

Mr. ALLEN. I would say that the President's request would probably have considerable influence on the Cabinet member.

Mr. ERVIN. Does not one of the Whitten amendments expressly provide that the Department of Health, Education, and Welfare shall not use any of the funds appropriated by this bill to bus schoolchildren to achieve a variation in racial composition of any school?

Mr. ALLEN. That has been in the amendments in the past. I believe this one has been revised a little bit at that point. Yes, sir.

Mr. ERVIN. It is still, in substance, in the amendment?

Mr. ALLEN. Yes, sir, that is correct.

Mr. ERVIN. And if the President wished to implement his campaign promise he made in Charlotte, N.C., to the effect that there should be no busing to achieve a racial balance in the schools of the country, he could very well restrain his Secretary of Health, Education, and Welfare from writing a letter advocating a course of action which permits busing, could he not?

Mr. ALLEN. I believe he could have considerable influence over him, yes, sir.

Mr. ERVIN. Has the Senator from Alabama heard of what we call the President's southern strategy?

Mr. ALLEN. I have seen reference to that in the press.

Mr. ERVIN. Does the Senator from Alabama think that it is a part of the President's southern strategy to encourage or permit the Secretary of Health, Education, and Welfare to write a letter to the Senate, asking the Senate, in substance, not to carry out one of the campaign promises which the President made during the campaign?

Mr. ALLEN. I do not believe that would contribute to a successful strategy along that line.

Mr. ERVIN. I thank the Senator.

Mr. ALLEN. I thank the distinguished Senator from North Carolina.

I wonder whether I might ask the distinguished Senator from North Carolina a question. The letter from Secretary Finch was read by the distinguished Republican leader. Of course, we all know that Mr. Finch is no longer the Secretary, and the junior Senator from Alabama is wondering whether possibly remorse over the ruin and havoc that Mr. Finch has visited on the southern school systems might have contributed to his resignation as Secretary of the Department of Health, Education, and Welfare.

Mr. ERVIN. If I may make an observation by quoting an expression of Shakespeare, without the Senator from Alabama losing his right to the floor, I would like to say:

"Tis a consummation devoutly to be wish'd."

Mr. ALLEN. I thank the distinguished Senator.

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

Mr. ALLEN. I yield.

Mr. EASTLAND. Is there any difference in the policies of the Nixon administration toward the South from those of President Lyndon Johnson?

Mr. ALLEN. Does the Senator have reference to the public schools?

Mr. EASTLAND. Of course.

Mr. ALLEN. I would say, in answer to that question, that we have received much better statements and expressions of policy.

Mr. EASTLAND. Lipservice.

Mr. ALLEN. If the Senator would like to refer to it as that. We have received con-

siderably more expressions of looking with favor on our problems under the pesent administration than we received under the other.

Mr. EASTLAND. What has been the difference in policy?

Mr. ALLEN. The policy might be hard to define. Does the Senator mean the policy that has been implemented?

Mr. EASTLAND. That is right. The present administration is promoting school integration.

Mr. ALLEN. The administration is making their boast that they have desegregated more school districts than have ever been desegregated during a like period in the past, and I believe that is correct. It certainly will be by September.

Mr. EASTLAND. What were the promises that were made?

Mr. ALLEN. I believe the distinguished Senator from Mississippi heard the distinguished Senator from North Carolina outline them, and I would refer the Senator to his remarks. I would hesitate to speak in that regard, as to just what he did promise.

Mr. ERVIN. I would like to ask the distinguished Senator from Alabama whether the words which the President used during the late campaign are not quite different from the words which the Department of Justice is using in allegations it is making in complaints it is filing in the respective school districts down South.

Mr. ALLEN. Quite different.

Mr. President, we hope that relief can be had in time through the courts. At one time, it looked as though there was no possibility or hope of getting relief from the courts.

In that regard, I was questioned earlier about the actions of the President and his policies. I feel that his appointments to the Supreme Court have been excellent—all four of them, I might say—certainly the Chief Justice, and Justice Blackmun, as well as Judges Haynsworth and Carswell who were denied confirmation by the Senate.

I should like to call attention, as a possible basis for some hope along this line, to a portion of an opinion written by Chief Justice Burger with regard to some of the gray area having to do with the construction of the Constitution in the matter of our schools. He had this to say:

"As soon as possible, however, it is well to resolve some of the basic practical problems when they are appropriately presented, including whether, as a constitutional matter, (1) any particular racial balance must be achieved in the schools; (2) to what extent school districts and zones may or must be altered as a constitutional matter; and (3) to what extent transportation may or must be provided to achieve the ends sought by prior holdings of the court, and other related issues that may emerge."

Mr. President, that indicates a willingness on the part of the Chief Justice, and a welcoming on his part, of the acceptance of cases for review by the Supreme Court touching on these problems.

Also, in a Fourth Circuit Court of Appeals case, recently decided, Swann against the Charlotte-Mecklenburg Board of Education, the Circuit Court of Appeals for the Fourth Judicial District, in commenting on their adoption of the rules of reasonableness, said:

"We adopted the test of reasonableness—instead of one that calls for absolutes—because it has proved to be a reliable guide in other areas of the law."

They also said:

"Nevertheless, school boards must use all reasonable means to integrate the schools in their jurisdiction."

Certainly, we hope that the Supreme Court of the United States will go along with that policy and that ruling.

Mr. President, it seems to me that the two Whitten amendments do only this: They give to the southern school districts and the patrons of the southern school districts just a small amount—just a short step in the direction—of equal enforcement of the law, because what is granted to the citizens of the South, the patrons of the schools, is something that other areas of the country already have. There would be no need for an amendment if we had equal protection of our laws. If the people in the South, the patrons of the southern schools, had equal enforcement of the law accorded to them, equal application of the laws, there would be no need for these amendments. Lacking that equal enforcement of the law, and in the face of a dual standard for desegregating the public schools throughout the country, the Whitten amendments are needed. It is to be hoped that, for once, in the long history of these amendments, coming over to the Senate from the House, we will leave the amendments intact, that we will not strike them out, and that we will not dilute them, as has been done in the past.

Mr. President, I hope that the amendment of the distinguished Senator from Maryland will be rejected.

Mr. President, I yield the floor.

Mr. ALLEN. Mr. President, if the Whitten amendments are adopted by agreeing to the conference report, it will be the first time that these amendments have not been changed during the legislative process. Let us see what relief will be afforded under them to school districts in the South by the executive and judicial branches.

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

Mr. ALLEN. I thank the Chair.

The Senator from Mississippi has been allocated 15 minutes.

Mr. STENNIS. Mr. President, I am sure that most Senators recall that we have had these amendments before us in one form or another before, and they have been well debated. They have always received a very respectable vote in this body. I know they have been voted out of our subcommittee and our full committee three times, and I think perhaps this was the fourth. This time, these amendments have been before the House of Representatives, were voted into the bill and approved by the full Appropriations Committee of the House of Representatives, and came here and were approved by the full Appropriations Committee of the Senate. After debate on this floor, however, they were stricken out.

The Whitten amendments, as contained in this bill, then went back to the House of Representatives, where a motion was filed that, in effect, instructed the conferees to yield from the House's former position. That motion was tabled on a rollcall vote by an appreciable margin, I have forgotten just what it was, and that is the way the situation was when we went to conference.

After fullest consideration by the conferees of the House and the Senate, the Jonas amendment was dropped out and these two amendments were put back in. The matter then went back to the House of Representatives, and this conference report was agreed to there by a vote of 357 to 30. That is overwhelming support, Mr. President. So they come here after fullest consideration and the utmost debate. They have been debated in the press, and have been shown to have strength, firmness, and meaning, and represent a very definite contribution, I think, to the quality of education in those schools that are having to undergo this process of massive immediate desegregation.

With all respect to Senators who live in other parts of the country, outside the area that is being thus desegregated, I am sure they cannot realize the chaos, the confusion, the uncertainty, and the impact of this change on the faculties, the parents, and the students. I repeat, it is a situation of chaos and confusion, and, with all defiance, the court decisions are conflicting. The Supreme Court has never gone anything like as far, in my opinon, as have some of the courts of appeals; and the courts of appeals decisions conflict somewhat.

These amendments are not designed to stay and will not stay the hand of the court, or interfere with or defeat the action of any court, any decree or any court order. They are not intended for that purpose. The courts will function as usual.

These amendments mean exactly what they say, and I have great expectations of and great respect for the executive branch of the Government. Of course, if this becomes firm law, they will obey it. They cannot do otherwise. And the courts, I know, will respect it.

Mr. President, the Senator from Maryland requested some time. I ask unanimous consent that I may yield to the Senator from Maryland.

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

Mr. MATHIAS. Mr. President, I want to express my appreciation to the distinguished Senator from Mississippi for letting me respond very briefly to his remarks. He and I have discussed the Whitten amendments on a number of occasions, and I feel that he has stated to the Senate very fairly and very accurately the position in which we find ourselves today, and the way that we got here.

But, Mr. President, I would characterize that position a little differently.

I think Congress is acting in this matter as the old song said the kings of France used to act. In some ways, we have marched up the hill, and now we are marching down again.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. MATHIAS. I yield.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the time, except for voting, on the pending conference report be extended until 10 minutes past 2 o'clock today.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MATHIAS. Mr. President, I am dismayed that sections 209 and 210, the so-called Whitten amendments, remain in the conference report. The Senate has rejected the premise on which they are based on three separate occasions during the last 7 months. On June 24, the Senate struck sections 209 and 210 of H.R. 16916 by a vote of 47 to 33.

Because of the impending enactment of these sections into law, I rise today

in an effort to clarify their legal effect. As I pointed out last month, the Whitten amendments in their present form do not purport to modify constitutional responsibility for dismantling dual systems.

Let me quote sections 209 and 210 in their entirety:

Sec. 209. No part of the funds contained in this Act may be used—

To force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students;

To force on account of race, creed, or color the abolishment of any school so desegregated; or

To force the transfer or assignment of any student attending any elementary or secondary school so desegregated to or from a particular school over the protest of his or her parents or parent.

SEC. 210. No part of funds contained in this Act shall be used—

To force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students;

To require the abolishment of any school so desegregated; or

To force on account of race, creed, or color the transfer of students to or from a particular school so desegregated as a condition precedent to obtaining Federal funds otherwise available to any State, school district or school.

The key phrase here is "school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964."

The relevant portion of title IV of the 1964 act reads as follows:

(b) "Desegregation" means the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but "desegregation" shall not mean the assignment of students to public schools in order to overcome racial imbalance.

This provision of the 1964 act, and a similar provision relating to suits by the Attorney General, were intended to prevent Federal agencies from requiring that a school district do more than fulfill its constitutional obligation to desegregate. But they were not intended as an attempt to sanction less.

The provision originated in debate in the other body, of which I was then a Member, in 1964. My colleague, Representative CRAMER, of Florida, called our attention to a newspaper article concerning a desegregation case in Manhasset, N.Y. He later offered the amendment to section 401(b) which added the words "but 'desegregation' shall not mean the assignment of students to public schools in order to overcome racial imbalance."

Representative CRAMER explained that the purpose of the amendment was "to prevent any semblance of congressional acceptance or approval of the concept of 'de facto' segregation or to include in the definition of 'desegregration' any balancing of school attendance by moving students across school district lines to level off percentages where one race outweighs another."

In explaining section 407 of the proposed 1964 act, which denies authority for any official or court "to issue any order seeking to achieve a racial balance," Senator Humphrey stated that the section would "preclude an inference that the title confers new authority to deal with the 'racial imbalance' in schools, and should serve to soothe fears that title IV might be read to empower the Federal Government to order the busing of children around a city in order to achieve a certain racial balance or mix in the schools."

This legislative intent has been consistently recognized by the executive and judicial branches. In a letter of July 20, 1970, to the distinguished minority leader, HEW Secretary Richardson reiterates that "it is the position of the Department, based upon an analysis of the language by general counsel, that section 209 and 210 would not, if enacted, alter school desegregation requirements under title VI of the Civil Rights Act of 1964."

In a recent decision of the fourth circuit court of appeals, this interpretation was upheld. In dismissing an argument that sections 401(b) and 407(a)(2) of the Civil Rights Act of 1964 forbade the order of the district court, the fourth circuit stated:

This argument misreads the legislative history of the statute. Those provisions are not limitations on the power of school boards or courts to remedy unconstitutional desegregation. They were designed to remove any implication that the Civil Rights Act conferred new jurisdiction on courts to deal with the question of whether school boards were obligated to overcome *de facto* segregation.

The fifth circuit court of appeals has agreed. In United States against Jefferson County Board of Education, it held that—

Some of the difficulty in understanding the Act and its legislative history arises from the statutory use of the undefined term "racial imbalance." It is clear however from the hearings and debates that Congress equated the term, as do the commentators, with "de facto segregation," that is, non-racially motivated segregation in a school system based on a single neighborhood school for all children in a definable area.

The seventh circuit court of appeals has made a similiar holding in United States against School District 151.

Indeed, upon reading the July 16, 1970, debate in the other body on adoption of the conference report, I find nothing which derogates from this interpretation. Congressmen MICHAEL, for example, the distinguished ranking minority member of the Labor-HEW Subcommittee of the House Appropriations Committee, referred to his statement in April that "the so-called Whitten amendments did not really change basic law nor did they really require a change in HEW requirements." Mr. MICHEL's position, which was reiterated by Congressmen CONTE and COHELAN, went unchallenged in the House debate.

Mr. President, on June 24, I stated the basis for my opposition to the Whitten amendments:

The reason that these sections are objectionable is that their legal redundancy will not be evident to many Americans who are engaged in the process of bringing our school systems into accord with the Constitution; these citizens will only be confused by the passage of this latest version of the Whitten amendments. Regardless of their purpose, their effect will be that of further unsettling an already difficult situation.

The administration and the President favor the striking of this language. President Nixon recently stressed the importance of community leaders on March 24, when he stated:

"In those communities facing desegregation orders, the leaders of the communities will be encouraged to lead—not in defiance but in smoothing the way of compliance. One clear lesson of experience is that local leadership is a fundamental factor in determining success or failure. Where leadership has been present, where it has been mobilized, where it has been effective, many districts have found that they could after all desegregate their schools successfully. Where local leadership has failed, the community has failed and the schools and the children have borne the brunt of that failure."

These words of the President are measured and wise. We in Congress must aid the President in encouraging responsible leadership by defining as clearly as possible the role of the Federal Government in helping to dismantle dual school systems.

In view of the inclusion of the Whitten provisions in the conference report, I think we have a responsibility to make it abundantly clear that sections 209 and 210 of H.R. 16916 in no way diminish the constitutional obligation of school districts to eliminate dual school systems or the responsibility of HEW to assist in that effort.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. MATHIAS. Mr. President, will the Senator from Mississippi yield me 1 additional minute?

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

The PRESIDING OFFICER. The Senator from Mississippi has 8 minutes.

Mr. STENNIS. I yield 1 additional minute to the Senator from Maryland.

Mr. MATHIAS. I thank the Senator.

Mr. President, I ask unanimous consent that the full text of Secretary Richardson's letter of July 20, 1970, to the distinguished minority leader, be reprinted in the RECORD.

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

THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE,
Washington, D.C., July 20, 1970.

Honorable HUGH SCOTT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SCOTT: This is in response to your request of July 16 for a reiteration of the Department's views concerning the legal effect of adoption of Sections 209 and 210, the so-called Whitten Amendments, to H.R. 16916, the Fiscal Year 1971 Office of Education Appropriations Bill.

As my predecessor, Secretary Robert H. Finch, testified before the Senate Committee on Appropriations on April 21, 1970, and as I stated in my letter of June 23, 1970, to Senator Mathias, it is the position of the Department, based upon an analysis of the language by General Counsel, that Sections 209 and 210 would not, if enacted, alter school desegregation requirements under Title VI of the Civil Rights Act of 1964.

The proposed provisions neither change basic law nor affect HEW regulations. The

Department's obligation and commitment to conduct the school desegregation program in accordance with the nondiscrimination requirements of Title VI and constitutional standards, therefore, would remain unaffected by adoption of Sections 209 and 210.

With kind regards, I am

Sincerely,

ELLIOT L. RICHARDSON,
Secretary.

Mr. STENNIS. Mr. President, I yield 1 minute to the Senator from Pennsylvania.

Mr. SCOTT. Mr. President, I agree with the sentiments expressed by the distinguished Senator from Maryland, without further reviewing them. I am familiar with the letter.

I believe that the Department can live with the language and that there is, therefore, no need to press for a change or an amendment. I think we can, therefore, accept the language, while we would prefer that there be no such language whatever in section 209 or 210, as the case may be.

I thank the distinguished Senator from Mississippi.

Mr. STENNIS. I thank the Senator.

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

The PRESIDING OFFICER. The Senator has 6 minutes.

Mr. STENNIS. I thank the Chair.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of the two Whitten amendments together with the section of the Civil Rights Act to which those amendments refer.

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

SEC. 209. No part of the funds contained in this Act may be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students; to force on account of race, creed, or color the abolishment of any school so desegregated; or to force the transfer or assignment of any student attending any elementary or secondary school so desegregated to or from a particular school over the protest of his or her parents or parent.

SEC. 210. No part of the funds contained in this Act shall be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students; to require the abolishment of any school so desegregated; or to force on account of race, creed, or color the transfer of students to or from a particular school so desegregated as a condition precedent to obtaining Federal funds otherwise available to any State, school district or school.

[Public Law 88-352, July 2, 1964]

TITLE IV—DESEGREGATION OF PUBLIC EDUCATION

DEFINITIONS

SEC. 401. As used in this title—

(a) "Commissioner" means the Commissioner of Education.

(b) "Desegregation" means the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but "desegregation" shall not mean the assignment of students to public schools in order to overcome racial imbalance.

Mr. STENNIS. Mr. President, I ask unanimous consent to have printed in the RECORD a very brief, one-column statement by Representative WHITTEN, of Mississippi, which he made in the House on July 22.

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

Mr. WHITTEN. Mr. Chairman, I rise in support of the bill.

(Mr. WHITTEN asked and was given permission to revise and extend his remarks.)

Mr. WHITTEN. Mr. Chairman, on the 14th day of April 1970, the House adopted the provisions which I had offered, and which had been accepted in committee, to the bill making appropriations for the Department of Education, after refusing to strike them out by instructing the conferees by a vote of 191 to 157. These amendments are as follows:

"SEC. 209. No part of the funds contained in this Act may be used to force any school or school district which is desegregated as that term is defined in title I of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students; to force on account of race, creed or color the abolishment of any school so desegregated; or to force the transfer or assignment of any student attending any elementary or secondary school so desegregated to or from a particular school over the protest of his or her parents or parent.

"SEC. 210. No part of the funds contained in this Act shall be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students; to require the abolishment of any school so desegregated; or to force on account of race, creed or color the transfer of students to or from a particular school so desegregated as a condition precedent to obtaining Federal funds otherwise available to any State, school district or school."

Subsequent to this vote, in conference with the Senate these provisions were retained and when the matter came back to the House, the conference report, containing the language, was approved by a vote of 357 to 30.

Mr. Chairman, this makes quite clear the feeling of the Congress with regard to the use of force in the areas which these amendments cover, as well as the use of the power of the purse to withhold funds truly needed for education, which the Congress has provided, in order to force schools to voluntarily do that which is not required by the Civil Rights Act of 1964, a right not even claimed to be provided by the administration or the courts.

After consultation with members of the Committee on Appropriations, these amendments are not offered here because they are quite clear and for the Secretary of HEW or other officials to use funds in this bill, appropriated for other purposes, to attempt to evade the intent of the Congress as expressed in these provisions of the bill making appropriations for the Department of Education would be to break faith with the Congress and would certainly not be in line with the reputation for integrity which the Secretary enjoys.

After discussing this matter with members of the committee, it has been decided that, whatever we have provided or should provide, we have to rely on the good faith of the executive department and the courts to carry them out; for, if they cannot be relied on, it is to be doubted if any language could be written which could force them to leave the schools alone or parents and students alone where schools are completely desegregated, as that term is defined in the Civil Rights Act of 1964, because, after all, it is to the executive department that we must look for the carrying out, and the Federal courts to support, these provisions which are set out above and which appear in the conference report of the bill making education appropriations.

Any reading of these provisions would clearly show that they are completely sound and I feel will be followed by this administration not only because of commitments but because the system of education is essential to any organized society; and, unless we return again to putting education first, as these amendments would do, soon we will go down the drain as have other societies in years past.

Mr. Chairman, I thought it well to call these facts to the attention of the Members of the House at this time.

Mr. STENNIS. Mr. President, with reference to this amendment—it is reported in amendment No. 38 in the report of the managers on the part of the House—this matter came up as a part of the $150 million which was in the Senate amendment to the bill. We had the Jonas amendment and the two Whitten amendments in the House bill. This matter was settled in the conference. They agreed to drop the Jonas amendment and we agreed that they would keep the Whitten amendments, and the amount of money was split as a matter of adjustment, in conference, wholly within the meaning of the conference concept. There is no diminution or understanding or anything else about what they meant. They speak for themselves, of course.

Mr. President, here is a part of the rub. This amendment will do a great deal of good. The educators, the trustees, the parents who are trying to keep our public schools in operation and keep the doors open, who are trying to deal with court orders and HEW orders, have no hope for the future. It is an overbearing situation. They are not just integrating the schools. They are demanding racial balance of the faculty and the students. They do not deny it. Every judge knows it is true. Every HEW employee knows it is true. These court decrees are based on racial balance. In effect, they say, "Down with education. Our goal is to have racial balance." That is what is killing the spirit of this entire endeavor. You will never get education back to the foremost objective until some kind of reality is brought about, and these amendments will bring it. You cannot be withholding money and you cannot be busing children all over the district, from county side to county side, in order to bring about theoretical racial balance. It has never been required by the Supreme Court. It has never been required by Congress in the Civil Rights Act. It is only required in the minds and the practice of those who are trying not only to integrate the schools and the faculties but also to balance them off on some kind of racial proportion.

This amendment is designed to stop things short of going that far—not to try to defeat the law, but to carry out the real purpose and spirit of the law in the beginning.

I thank everybody for their consideration of this serious problem, all the way down the line. I am confident that these amendments will be carried out if

they become law and that they will help the situation and be a path in the future. Someday, the country outside the South will want to find its way through this jungle of readjustment, and they can look back to this law as one that lit the path, and with its help they will find their way.

I yield back the remainder of my time.

Mr. MAGNUSON. 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. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The question is on agreeing to the conference report.

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

The bill clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Connecticut (Mr. DODD), the Senator from Missouri (Mr. EAGLETON), the Senator from Tennessee (Mr. GORE), the Senator from Minneapolis (Mr. MCCARTHY), the Senator from Arkansas (Mr. MCCLELLAN), the Senator from West Virginia (Mr. RANDOLPH), the Senator from Georgia (Mr. RUSSELL) are necessarily absent.

I further announce that, if present and voting, the Senator from West Virginia (Mr. RANDOLPH) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from New York (Mr. GOODELL) and the Senator from California (Mr. MURPHY) are necessarily absent.

The Senator from Idaho (Mr. JORDAN) is absent on official business.

The Senator from South Dakota (Mr. MUNDT) and the Senator from Maine (Mrs. SMITH) are absent because of illness.

If present and voting, the Senator from New York (Mr. GOODELL), the Senator from Idaho (Mr. JORDAN), the Senator from South Dakota (Mr. MUNDT), the Senator from California (Mr. MURPHY) and the Senator from Maine (Mrs. SMITH) would each vote "yea."

The result was announced—yeas 88, nays 0, as follows:

[No. 250 Leg.]

YEAS—88

Aiken	Ellender	Mansfield
Allen	Ervin	Mathias
Allott	Fannin	McGee
Anderson	Fong	McGovern
Baker	Fulbright	McIntyre
Bayh	Goldwater	Metcalf
Bellmon	Gravel	Miller
Bennett	Griffin	Mondale
Bible	Gurney	Montoya
Boggs	Hansen	Moss
Brooke	Harris	Muskie
Burdick	Hart	Nelson
Byrd, Va.	Hartke	Packwood
Byrd, W. Va.	Hatfield	Pastore
Cannon	Holland	Pearson
Case	Hollings	Pell
Church	Hruska	Percy
Cook	Hughes	Prouty
Cooper	Inouye	Proxmire
Cotton	Jackson	Ribicoff
Cranston	Javits	Saxbe
Curtis	Jordan, N.C.	Schweiker
Dole	Kennedy	Scott
Dominick	Long	Smith, Ill.
Eastland	Magnuson	Sparkman
Spong	Thurmond	Yarborough
Stennis	Tower	Young, N. Dak.
Stevens	Tydings	Young, Ohio
Symington	Williams, N.J.	
Talmadge	Williams, Del.	

NAYS—0

NOT VOTING—12

Dodd	Jordan, Idaho	Murphy
Eagleton	McCarthy	Randolph
Goodell	McClellan	Russell
Gore	Mundt	Smith, Maine

So the report on H.R. 16916 was agreed to.

Mr. MAGNUSON. Mr. President, first, I am very grateful, on behalf of the committee, for the vote of confidence on this conference report, with no "nay" votes and 88 "yea" votes. I do not know when this has happened on an appropriation bill of this magnitude, but the Senator from New Hampshire and I are pleased.

Mr. COTTON. Mr. President, I join in those sentiments.

Mr. MAGNUSON. Mr. President, before I make a motion, I am sure the Senator from New Hampshire, as well as the members of the subcommittee and the full committee will join me, in commending the staff for the splendid work done on this very complicated bill. For the long, hard work that was done on the bill, in the hearings, during the mark-up, the floor action, and the conference by Mr. Harley Dirks of the committee staff and Mr. Bill Kennedy, on the minority side of the staff.

The PRESIDING OFFICER. The amendments in disagreement will be stated.

The legislative clerk read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 3 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter stricken and inserted by said amendment, insert the following:

"That this appropriation shall not be available to pay local educational agencies pursuant to the provisions of any other section of title I until payment has been made of 90 per centum of the amounts to which such agencies are entitled pursuant to section 3(a) of said title and 100 per centum of the amounts payable under section 6 of said title: Provided further, That $8,800,000 of this appropriation shall be available to pay full entitlement under section 3(a) of said title to a local educational agency where the number of children eligible under said section 3(a) represent 25 per centum or more of the total number of children attending school at such local educational agency during the preceding year."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 38 to the aforesaid bill, and concur therein with an amendment as follows:

Strike the sum of $150,000,000 named in said amendment, and insert in lieu thereof "$75,000,000."

Mr. MAGNUSON. Mr. President, I move the Senate concur in the amendments of the House to the amendments of the Senate numbered 3 and 38.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington that the Senate concur in the amendments of the House to the amendments of the Senate numbered 3 and 38.

The motion was agreed to.

ORDER FOR RECOGNITION OF SENATOR FANNIN TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that tomorrow, upon disposition of the reading of the Journal, the distinguished Senator from Arizona (Mr. FANNIN) be recognized for not to exced 20 minutes.

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

ORDER FOR ADJOURNMENT TO 11 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when it completes its business today, the Senate stand in adjournment until 11 o'clock tomorrow morning.

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

ORDER FOR RECOGNITION OF SENATOR BYRD OF WEST VIRGINIA ON THURSDAY NEXT

Mr. BYRD of West Virginia. I ask unanimous consent that upon the disposition of the reading of the Journal on Thursday next, July 30, 1970, I be recognized for not to exceed 1 hour.

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

ORDER FOR ADJOURNMENT FROM TOMORROW UNTIL THURSDAY, JULY 30, 1970, AT 11 A.M.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business on tomorrow, it stand in adjournment until 11 a.m. on Thursday next.

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

U.S. COMMITMENTS ABROAD AND THE MILITARY PROCUREMENT AUTHORIZATION BILL

Mr. SYMINGTON. Mr. President, nearly 18 months ago—on February 3, 1969—the chairman of the Senate Foreign Relations Committee, Senator FULBRIGHT, announced on the Senate floor the creation of a new subcommittee, the job of which he said would be to "make a detailed review of the international military commitments of the United States and their relationship to foreign policy."

As the chairman said at that time, it was hoped this subcommittee would develop facts on the "relationship between foreign policy commitments and the military capacity to honor them."

Some months later a distinguished member of the Senate Armed Services Committee, Senator GOLDWATER, declared on the Senate floor that factual information from "an exhaustive investigation of this Nation's treaty commitments around the world was essential to our efforts to reach any kind of sound judgment and legislative conclusions regarding the projected level of our military expenditures." I agree with that statement, for it focuses on exactly what the Foreign Relations Committee had in mind in establishing this subcommittee.

On the eve of the debate on this fiscal year 1971 military authorization bill, I believe it incumbent of me, as a ranking member of the Senate Armed Services Committee and chairman of that Foreign Relations Subcommittee on commitments, to offer a few observations on the investigation conducted by the latter, and its relationship to the upcoming legislation.

In the past year and one-half, our two-man staff traveled to 23 countries for on-the-scene investigation. We have thereupon held 37 days of hearings, with 48 major witnesses covering U.S. military forces, facilities, and security programs in 13 countries, plus NATO.

As of today, our subcommittee has published sanitized versions of hearings on the Republic of the Philippines, Laos, and Thailand; and last week on Taiwan.

With less than one-third of the transcripts released, the published record already has run over 1,000 pages.

The press, both here and abroad, and also officials of our Government as well as those of other countries have taken notice—perhaps they have learned something—from the factual material developed in the published records.

I regret that apparently there are some—even within the Senate—who do not consider ours a serious study. I regret also that others have complained we have gone too far. We will let our published transcripts, along with our report—which will be made public within a few months—speak for themselves.

Today, however, I would direct myself to some immediate points, particularly those raised by the chairman of the Senate Armed Services Committee in his interesting statement on defense requirements that he delivered on the floor of the Senate a week ago last Thursday.

Senator Stennis said, in part:

> We are committed to more than 40 nations by solemn, formal treaties or other formal agreements.

He also observed that:

> Congress should be well aware that our defense requirements are based in part on the need to be prepared to help defend other nations with whom we have mutual defense agreements approved by the Congress or whose defense is vital to our own national security interests.

Mr. President, one needs only to look at the situation in Laos where every year we are spending hundreds of millions of American dollars and—more important—the lives of our men fighting a war in the north—far from the Ho Chi Minh Trail—on behalf of a foreign country with whom we have no treaty of any kind whatsoever; with whom in fact the State Department has actually testified that we have no commitment.

Prior to these subcommittee hearings of the Foreign Relations Committee, the war in north Laos was actually a tightly held secret from most of the Congress. We on the Foreign Relations Committee were not informed of the pertinent facts. We on the Armed Services Committee were not informed of the pertinent facts. Prior to the publication of our transcript, this war in and over northern Laos was a secret from almost all of the American people.

The continuing attempts currently being made to keep much of this information secret are now a matter of public record.

In line with the thoughts of the Senator from Mississippi before we authorize more military spending in Laos; before we appropriate money to send more of our flyers to fight and die over that country, the American people deserve to know in more detail the truth about that war and the direction in which it is going. For as President Nixon told a nationwide audience last November:

> The American people cannot and should not be asked to support a policy which involves the overriding issues of war and peace unless they know the truth about that policy.

There are various other countries where Congress has never endorsed any military commitment through a treaty, but where—as our inquiry has established—commitments do exist.

Senator Stennis referred to some in his statement—those with whom he said we have bilateral agreements which impose military obligations on our part to come to their assistance in the face of aggression. There are additional ones, however, as our published records will show.

These records also show that the level of commitment varies even among nations with whom we have solemn treaties.

With some countries, our word alone is sufficient to insure that we will come to their assistance. With others, our commitment requires extensive military assistance. With others, not only our assistance, but also the physical presence of our own forces and bases are required. With others, joint military operations have secretly been agreed upon and are actually undertaken.

With still others, relations are deepened through clandestine agreements that permit us to store nuclear weapons on the land of the country in question, a policy which greatly increases chances for nuclear war.

As the subcommittee tries first to find out just what are our commitments, and then seeks to reassess them, our studies have demonstrated conclusively that not only the basic treaties and/or agreements need review, but also the level of military cooperation which has stemmed from those basic commitments. The latter should be examined in detail.

Senator Stennis noted in his Senate address:

> When we look at the military arsenal which we must build and maintain, we cannot afford to think only of defending our own shores but we have to think of what is needed in order to give some reasonable assurance that we will be able to meet the extensive commitments we have assumed so freely.

Now a few words of caution with regard to that statement.

There are commitments which we the Congress, the executive, and the American people have not "assumed so freely"; and the significance of that observation is the fact that the Congress cannot tailor the defense budget to commitments about which it knows nothing.

Is it not a proper question to ask—how can the Congress limit or end commitments at the same time the executive branch, either openly or in secrecy, creates new commitments on its own?

These are but a few of the thoughts I believe we should be considering incident to the taking up of this defense legislation.

An additional question comes to mind: Will the Congress—and hopefully the executive branch—realize that the primary commitment is to the American people; and that to honor some of these executive agreements—and even treaties—in the manner considered appropriate in recent years would bankrupt the Nation; and in the end, therefore, do irreparable harm to our own national security?

Surely there must be limits to what this Nation can do for other countries, particularly those nations which seem to want to do so little for themselves.

I believe that for this reason, if for no other, the Senate should face up to its responsibility in working with the executive branch to establish those limits. Is this not a legitimate and responsible role for the Senate?

In any case, it is a responsibility the Foreign Relations Committee has undertaken with the commitments resolution; and this action was followed last December, with administration support, by a bipartisan group of Senators first drafting and then passing into law the Laos-Thailand amendment.

It was a responsibility which was again recognized by Senators Cooper and Church in their Cambodian amendment to the Military Sales Act; and it is in that role I see the recent Armed Services Committee amendment to limit free world force equipment to the sanctuary area—lacking new authority—rather than in support of the Cambodian Government.

The Senate need not look to any future decision to meet, head on, the difficult question of what this Nation should do with its increasingly limited manpower, resources and assets. That has already begun, and my hope is that it will continue.

I believe it will continue if the responsible committees of the Congress obtain the same type and character of information about our worldwide military commitments that has been demanded, and in most cases thereupon obtained by the Senate Foreign Relations Committee. The political, military, and economic positions in which the taxpayers of this Nation now find themselves demand no less.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield, and if so to whom?

Mr. SYMINGTON. Mr. President, I yield to the distinguished chairman of the Committee on Foreign Relations.

Mr. FULBRIGHT. Mr. President, I commend the Senator for this statement. It is a very succinct and significant statement, in my opinion, and deserves a little elaboration.

First, I wish to say that the Senator, as chairman of his subcommittee, has done a remarkable job. He has been very thorough and his subcommittee has a

most able staff. Much of the information which he has developed was certainly not known by me, and I do not think it was known by the other members of the Committee on Foreign Relations or the Senate as a whole, as the Senator has so well stated.

I wanted to ask the Senator about one or two specifics in his statement. On page 3, the Senator says:

> The continuing attempts currently being made to keep much of this information secret are now a matter of public record.

The Senator has reference, I presume, to the deletions from some of the hearings of his committee, does he not?

Mr. SYMINGTON. Yes; that is correct; and in addition, as the Senator knows as chairman of the committee, for the first time in the history of the Foreign Relations Committee an ambassador has refused to testify, on instructions of the State Department, unless all stenographic tapes incident to his testimony were burned, and the only printed record would be kept by the State Department, with no record retained by the committee.

Mr. FULBRIGHT. That is the first time this has happened. I would remind the Senator that, in addition to that, on two other occasions ambassadors were told not to discuss certain questions with the committee, particularly as to nuclear weapons and some other areas.

Mr. SYMINGTON. The Senator is correct.

Mr. FULBRIGHT. However, they reconsidered the matter concerning the question of the pay to the Thai troops, and so on, and we finally got that information. But there has been a disposition to refuse to make public, or even to divulge in executive session, a good deal of very pertinent and important information.

With regard to publication of the subcommittee records of sworn testimony taken in executive session, the administration insisted on deleting a great deal of that information, did they not?

Mr. SYMINGTON. That is right.

Mr. FULBRIGHT. It took about 6 months to clear some of the testimony because of the difficulty in getting agreement on what was to be published; is that not correct?

Mr. SYMINGTON. That is correct.

Mr. FULBRIGHT. The Taiwan hearings, which have just been published, were held how long ago?

Mr. SYMINGTON. Last November, a good many months ago.

Mr. FULBRIGHT. That brings me up to the pending issue, which is the Spanish bases agreement. The first time this matter was gone into was by the Senator's subcommittee last year. There have been two agreements, an agreement in 1953 with an extension in 1963, and then last year they were considering a further extension, originally, I believe, of 5 years, and then it was compromised—largely because of the work of the Senator's subcommittee—to a brief period, I think, of 18 months. Those were executive agreements.

The executive branch is now negotiating another agreement about which we had a hearing last week. We urged the Department of State and the administration to submit this new agreement as a treaty, so that the Senate would have an opportunity to pass upon it.

What does the Senator think about that? Should it be a treaty, or should it be an executive agreement?

Mr. SYMINGTON. Mr. President, unfortunately I was not here when the latest executive hearing on the Spanish bases, and the proposed agreement with Spain, was held; but I do not see how formal arrangements which involve money, troops, and very possibly the lives of Americans can be agreed upon without any knowledge on the part of the proper committees of Congress, this in order that they can be voted on under the advice and consent clause, which gives the Senate authority to approve treaties.

Mr. FULBRIGHT. They have not positively decided on the proposal, I believe. Mr. Alexis Johnson, the Under Secretary, appeared before the committee and I urged him and other members of the department submit this as a treaty, to give the committee and the Senate as a whole the opportunity to study and to develop the meaning of this agreement, and then to approve or disapprove it.

It seems to me that is the only proper way to meet the suggestion that has been made by the Senator from Mississippi and the Senator from Arizona.

These Senators talk about tailoring our commitments to our necessities and to our capacities to pay for them. If the administration executes it as an executive agreement, then we will be confronted with a situation in which they will say, "We have made the agreement, we have promised to pay all of this, now we call upon you to pay it. If you do not, you will renege upon an agreement made by our President and the administration."

This would be a wholly intolerable procedure, and certainly inconsistent with the views expressed by the Senator from Arizona and the Senator from Mississippi; would the Senator not agree with that?

Mr. SYMINGTON. I would agree. I do not see how we can appropriate money—authorize it first and then appropriate it—for honoring commitments when we do not know what those commitments are.

Mr. FULBRIGHT. Even if the executive agreement is published in the newspaper—assuming that is done—then we have a situation in which the meaning of this agreement—the commitment, in effect—has not been developed in hearings in the normal way and in debate on the Senate floor.

I use this as a current example of what we have been talking about. This executive agreement with Spain, which I have seen—the administration has submitted it to the committee to look at; not for its approval, but simply because we requested it—is very ambiguous, I would say. There is some language in it which I have never seen in any executive agreement or treaty. What it means is very unclear.

The Under Secretary may interpret it one way today. He says that when the document uses language to the effect that we will support each other Defense Establishment it does not amount to a security commitment. I submit that reasonable men could have different views on this. I would interpret the language, plus the actual disposition of troops, as a commitment in the nature of a security treaty. If we station several thousand men there, with quantities of airplanes and other equipment, and we have a joint planning staff—all the usual arrangements which go with a security treaty—then I would say it is clearly in the nature of a security treaty.

So there is perhaps a basis for a reasonable difference of opinion about it. But this is exactly a classic case. What it actually means and what the nature of the commitment is, ought to be developed in hearings and in debate on the floor of the Senate and the agreement passed on by the Senate. I submit to the Senator that here is an example of trying to tailor our commitments with our capacities bearing in mind the needs of the country. We should do this now while the commitment is under consideration and not 2 or 3 years or several years later, when a commitment such as this has already been undertaken.

I would hope that the Senator would agree and that the Senate would agree that this kind of agreement should be submitted for the Senate's approval. I believe it is the only possible way in which the Senate can regain some control over the worldwide commitments which this country has undertaken in the past 20 or 25 years.

Mr. SYMINGTON. I appreciate the remarks of the able Senator.

As everyone knows, Spain is not a member of NATO; therefore, we have no treaty with Spain under NATO. It has been our policy to maintain airfields, naval bases and thousands of troops in Spain. I do not necessarily object to this; but, on the other hand, as the able Senator knows, we have been paying a tremendous amount of money, in effect, to defend Spain. It seems to me that if we are going to be there at all, it ought to be on a mutual basis; because everybody knows about the problems in the economy of the United States. In addition, any agreement with respect to the Spanish bases ought to be in the form of a treaty and not an Executive agreement. As the Senator will recall, at one time it was strictly a military agreement which was expanded upon later by people in the State Department.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial published in today's New York Times entitled "Vague Pledge to Franco," which discusses this matter.

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

VAGUE PLEDGE TO FRANCO

After the long and divisive debates about the legal and constitutional bases for United States military actions in Indochina, the last thing the Nixon Administration ought to be considering is another vague overseas defense commitment. It appears ready, however, to sign a pledge to "support the defense system"

of Spain in return for continued use of air and naval bases there.

Some members of the Senate Foreign Relations Committee say they are not clear, even after briefings from high-ranking State and Defense Department officials, just what would be involved in such a commitment. Neither are we. Nor is it clear exactly what is meant by the pledge that "both Governments will make compatible their defense policies"—more language from the draft agreement expected to be signed in a few weeks.

On one interpretation, the pledge of support for Spain's defense system could be considered stronger than the statement in all Spanish-American military agreements since 1953 that an attack on either country would be "a matter of common concern." In any case, before the agreement is signed, the Foreign Relations Committee ought to insist on clarification of its meaning and consider whether such a commitment should not be made in the form of a treaty, subject to Senate approval.

In fact, Congress should go further and raise the question whether the long-run interests of the United States are served by any renewal of military arrangements with the regime of Generalissimo Franco, now 77 and facing increasing opposition. A group of 120 members of this opposition argued in a petition to Secretary of State Rogers in May that it was unwise for this country to sign this kind of agreement with a regime that made such decisions without consulting its people.

Many among these opponents may be influential in future Spanish governments. Congress should weigh their arguments against the short-run military advantages of the bases in Spain while there is still time to reconsider the agreement with the Franco regime.

Mr. FULBRIGHT. I think the Senator's remarks are especially appropriate to the debate on the bill which is under consideration. I do hope the Senate will take seriously what he has said and also the findings or his subcommittee in this field.

This is entirely in line with the sense of the Senate as expressed in the commitments resolution. If we do not take action now on the current measure as well as the proposed agreement with Spain, I think it will be extremely difficult for us ever to regain control of the appropriating process of our Government.

One further remark: In the course of the Senator's hearings, there also have been other secret agreements, some of them verbal, which obligate us in countries other than Spain. I think these agreements should be submitted as treaties and thus give the Senate an opportunity to pass upon their wisdom and to decide whether or not we should undertake the responsibilities of paying rather large sums of money to other countries.

I congratulate the Senator on his statement.

Mr. SYMINGTON. I thank the chairman for his observations.

As far back as 1965, I became very worried about the nature and degree of our commitments all over the world, which even today, counting Europe and all the other parts of the world, are costing the American taxpayers some $100 million a day.

If we build a house or a road or a hospital or a school in this country, whether it is right or wrong, at least work would be created. One of the sad things that have developed recently in our country, incident to trying to pay for all these foreign adventures, is the high interest rates, along with the inflation, plus rising unemployment, due in part to the exporting of jobs.

Mr. HART. Mr. President, will the Senator yield for a question?

Mr. SYMINGTON. I am glad to yield to the distinguished Senator from Michigan.

Mr. HART. First, may I thank the Senator from Missouri for again attempting to bring to our conscience the obligation that rests on us to be informed before we act, whether it is on military procurement, commitments in defense of other nations, or the adequacy of our school lunch program. In all these programs, he has given us this leadership.

May I ask a question which indicates that I got an impression from the Senator's remarks that I would not want to labor under if I were wrong.

Does the Senator from Missouri suggest that the Senate, as of today, cannot intelligently act upon the military procurement bill that is now pending, for the reason, among others, that the extent of our commitments is not yet known?

Mr. SYMINGTON. I believe that we do not have the information before the Senate that any board of directors of any business—and I say this as a former businessman—would have before, in the interest of the stockholders—in this case, the American people—they would feel they had the right to approve or request funds to be spent by the management.

I know that some particular things cannot be discussed in the Senate because they involve the security of the United States. As one who spent many years in the Defense Department I understand that. But what we are talking about are the hundreds of millions of dollars—in fact, the billions of dollars—that we have been expending around the world under the guise of military authorizations and appropriations—some for wars that we have been fighting in countries like Laos, which not only were not approved by the Senate, but also, to the best of my knowledge, nobody in the Senate knew about in any detail.

Mr. HART. As a businessman, would not the Senator from Missouri agree that stockholders recognize the sensitivity of certain corporate information because, if treated too casually, it could wreak havoc with the company by feeding information to the company's competitors?

Mr. SYMINGTON. Yes, indeed. For example, a secret formula that made a product.

Mr. HART. Exactly. But, notwithstanding that problem, corporate law holds the director responsible for expenditures of money if all effort short of disclosing to the competitor has not been made before he makes the decision.

So that the suggestion of the Senator from Missouri in his remarks today is that until, perhaps in executive session, this board of directors—the Senate—knows more fully the extent of our commitments, this board of directors—the Senate—should not act to authorize or expend moneys?

Mr. SYMINGTON. That question is pretty direct. There are many people who believe, and have so stated, that before we vote on this bill, we should have an executive session just as we had last year on one component of the bill.

I would not criticize that suggestion and see many reasons to praise it; because, having been in business for many years, I know that the chance of making the right decision, especially when using other people's money, is almost invariably directly in proportion to one's knowledge of the facts.

Mr. HART. I thank the Senator from Missouri very much.

Mr. SYMINGTON. I thank my able colleague from Michigan.

Mr. PROXMIRE. Mr. President, I join in the general commendation of the Senator from Missouri on a most important and helpful speech.

However, I was especially depressed at the fact that although the Senator's subcommittee has held extremely comprehensive hearings, and his team investigated and visited 23 countries and held hearings on our responsibilities with regard to 13 of them, I am sure he would agree that this just scratches the surface in view of the commitments we have already made, so that a great deal more will need to be done before we can even investigate, let alone ascertain or determine the degree of our commitments.

Furthermore, the Senator from Missouri has told us that we have a big operation costing hundreds of millions of dollars with many lives having been lost in Laos, with no agreement at all. Is that not correct?

Mr. SYMINGTON. We have no formal treaty with Laos nor—the State Department tells us—do we have any commitments with Laos; yet, we have spent billions of dollars in Laos and many American boys have died fighting in and over Laos.

Mr. PROXMIRE. So it apears we have a situation which is about as open-ended as anyone can imagine, which can cost us literally billions of dollars to meet the specific commitments implied, or even where there is lack of commitments but situations which some President may construe necessary to help a country east, north, south, or west of another country with which we may have commitments.

Mr. SYMINGTON. The Senator is correct; these commitments and "noncommitments" are not only costing us money, but perhaps can draw us into a far greater war.

Take the case of the Philippines. The impression I had as a member of the Armed Services Committee and the Foreign Relations Committee was that the Philippine Government was anxious to support us in South Vietnam.

However, as a result of the hearings of the subcommittee, we found that the Philippine Government did not want to send any of its troops to Vietnam but finally agreed to do so under two conditions: the first one was that they would not have to fight as our boys fight there;

the second was that they would be heavily paid in addition to their normal salaries.

Then it turned out that the money for noncombatant soldiers who went from the Philippines to Vietnam apparently was never received by them. This matter was therefore turned over to the General Accounting Office and after extensive investigation they finally found the checks which showed that the money had been delivered to the Secretary of Defense of the Philippines, although apparently it never reached the Philippine soldiers for whom it was intended.

As a result of the disclosures of the subcommittee, open hearings were held in the Philippines about this matter, so that the Philippine people—as is the case so many times in other countries—today know so much more about what the United States was doing in their country than the people here know about what is going on in those countries.

We have waited many months in the hope of clearing up this matter after the revelations by the General Accounting Office, but we are now told by the State Department that they will not agree to have anyone appear before the Foreign Relations Committee, except in executive session. Thus, I think it is fair to say that——

The PRESIDING OFFICER (Mr. BELLMON). The time of the Senator from Missouri has expired.

Mr. SYMINGTON. Mr. President, I ask unanimous consent that I may proceed for such additional time as I may require.

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

Mr. SYMINGTON. I think it is fair to say that the people of the Philippines find out this information in public session of their Senate, but the people of the United States, unless State's policy is changed, will never know what happened to the money.

Mr. PROXMIRE. What I am trying to get at is, What do we do about the situation the Senator so well described in his speech? How do we meet it? The investigations by the Senator from Missouri have been enormously helpful, of course, and I hope that they will continue. I am sure that they can give us the kind of intelligence and understanding which will enable us to make better decisions in the future. But, meanwhile, we have a bill before us and a military budget this year asking us to commit $72 billion, overall $75 billion, for defense. How do we know how much to commit?

I say to the Senator from Missouri that if we try to do this on a basis of attempting to meet our obligations, and the Senator from Mississippi tells us we have commitments to 40 countries, for whatever kind of military costs that may involve—50, 60, 70—any number of countries, in terms of what secret agreements we do not know about, perhaps, or other commitments involved, as we did via South Vietnam, an obligation that spread into Laos. It is endless. Therefore, I would hope that the Senate would seriously consider—and I think that the Senator's speech goes quite a way to support this position—putting a limit on the amount of funds that will be made available.

It seems to me to return to the analogy of a board of directors, that when they feel the officers of a company are being extravagant and wasteful, not knowing what their obligations are and their limits, and are spending the funds they have in a way that the board of directors feel is not fully responsible, then they tell the officers of the company to cut the amount they can spend.

We in the Senate have this within our power. It is our responsibility to do it.

I would like to say to the Senator, furthermore, that in the event we took the administration seriously on its assertion that it will now proceed on a 1-plus war strategy and give it all the funds they say this needs—for strategic considerations, including the ABM, phase 1 and 2, the B-1 bomber, including $100 million which is more than the committee asked, and all the other weapons systems like MIRV, the Minuteman, and so forth, and give the Defense Department all of that, and assume that we have no reduction in the Vietnam level of activity below that planned by the Nixon administration, but if we would cut off funds on a general purpose basis that the Senator is talking about, that is, simply conform general purpose forces to the 1-plus war strategy plans, we can save $9 billion.

In other words, the cost of the general-purpose program will go down from $43 to $34 billion, and the cost of the overall budget will go down from $72 to $63 billion. This is pertinent and germane to what the Senator has been talking about. Because I do not know how long we can keep up the situation where we are committing ourselves to fighting all over the world, sometimes simultaneously.

One way to stop this effectively would be to say that we, as public officials, charged under the Constitution with the responsibility of spending money, will spend only so much and that is it.

The Defense Department is going to get along on the basis of obligations that will be limited and will involve 1-plus war maximum.

Mr. SYMINGTON. Mr. President, that is a very interesting idea. I would not say that I agree with it at this time; I would like to study it carefully.

I do think that we have to take steps today that a business takes before it gets into a situation such as the Penn Central did.

The man who in this century inspired the American people most to mobilize for adequate defense under a logical and efficient program was Mr. Bernard M. Baruch.

I think that we need more facts. I think that Mr. Laird has done a constructive job in reducing defense expenditures. But the main point was made in the speech of the Senator from Arizona (Mr. GOLDWATER) and again by the Senator from Mississippi (Mr. STENNIS)—that we tailor the Defense budget to our commitments.

It is essential, therefore, to find out what those commitments are. As the Senator from Arkansas (Mr. FULBRIGHT) just pointed out, no one in the Congress knows what all these commitments actually are. And I have found cases in the executive branch where people whom we would think, on the basis of trying to do their jobs, would know the commitments, did not know them.

My primary purpose in having this discussion this afternoon was to point out that before we proceed to spend tens of billions of dollars of the taxpayers money, we should do our best to get all the facts possible with respect to our commitments.

Mr. PROXMIRE. Mr. President, I congratulate the distinguished Senator from Missouri. Although I am very hopeful that in the next few weeks we can get this information, on our commitments I am very doubtful that we can.

I would appreciate any alternative suggestions that the Senator might have. I do not necessarily think that we should propose a $9 billion cut in the overall defense budget. That may or may not be realistic. However, this issue of the cost of our international commitments ought to be one of the questions that ought to go into the determination of how much money we permit the Defense Department to spend. We will have to make some kind of a decision based on very imperfect, limited, and unsatisfactory knowledge. Under the circumstances, it would seem to me that now is the time for a sharp, decisive reduction.

Mr. SYMINGTON. Mr. President, the Senator from Wisconsin, in his work on the Joint Economic Committee, is interested in the problem of waste. There is not a Member of the Senate who is more anxious to see that whatever money is necessary to spend for the security of the United States should be spent and that we should be taxed in order to do so. However, waste is another matter. Waste has destroyed some of the greatest of all corporations. Waste could destroy the United States.

In this connection I pay tribute to the Senator from Wisconsin who through his committee could well be the person who saves more money for the taxpayers of the country than any other Member of Congress.

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

Mr. SYMINGTON. I yield.

Mr. JAVITS. Mr. President, I first compliment the chairman of the subcommittee on which I have the honor to serve. He has been indefatigable in his work and has been tremendously useful to our country in making this inquiry.

I ask the Senator whether the problem we face is not a very deep, fundamental issue of Government which the people must help us to decide.

Mr. SYMINGTON. There is no question about that.

Mr. JAVITS. Mr. President, we are being told that for the health and security of our democracy, many of these things should be secret.

Indeed, the supposition is that we who pry into this matter are busybodies and that we would be better off as a nation if we did not pry into these matters—the

matter of the Spanish bases or the war in Laos which is an undeclared war.

Do we not need the support of the people? We are adult enough so that we will make an agreement even with Franco if we think it is in the interest of our Nation. We do not need any government to tell us about it or to spare us the trouble because they do not think we will consider the matter or are not interested enough or sophisticated enough to do it.

I ask the Senator whether he does not think there should be an appeal to the people of the country so that Congress and the people of the United States, as a result, will be cut in on the action. And, of course, if we do not think something should be done, it will not be done.

Mr. SYMINGTON. There is no question. A few years ago in an open hearing the Secretary of Defense testified that we had over 7,000 nuclear warheads in Europe. Yet for some reason, information with respect to country-by-country location of all U.S. nuclear weapons overseas is highly classified.

Everyone knows that the more nuclear weapons are spread around, the greater the danger of nuclear war. If anyone has any doubt about such danger they ought to look at the pictures in Life magazine this week of Hiroshima and Nagasaki. They should then recognize that we have hundreds of weapons that are 50 times more powerful than that.

I believe there is more protection of the world through disclosure in this field than less. Certainly the other superpower does not want to see a nuclear confrontation which they know would destroy them.

I hope the administration follows the thinking of the Senator from New York and realizes that in a democracy it is often better to tell the people more than less.

Mr. JAVITS. Mr. President, I point out that the Russians are also faced with a crisis in the Mideast as well as on the border of Red China.

Is it not a correct answer to the pertinent question of the Senator from Wisconsin to state that we would have a right to say to the executive branch, "We will give you money for everything you have disclosed. We are satisfied and will adjudge the amount. We will give you money for everything you have not disclosed if you give good reason for not having disclosed it. It is a fact that democracies may have to have some secrets. But we will not give you money in a very selective way for what you have not disclosed and for what you cannot give us good reason for not having disclosed."

Is that not a good rule in accord with Senate Resolution 85, the commitments resolution and the first in this whole direction adopted by the Senate?

Mr. SYMINGTON. The Senator from New York is one of the most able parliamentarians and debaters it has ever been my experience to be associated with.

He is in effect asking me the same question that the senior Senator from Wisconsin asked me but in a different way.

Mr. JAVITS. That is exactly right.

Mr. SYMINGTON. I would rather not answer that question immediately. I would rather answer it as a member of the board of directors of a corporation.

I would like to get as many facts as possible with respect to what I was going to do with stockholders' money before I agreed the money should be put up for the management to spend.

Mr. JAVITS. I think the Senator is correct, but I do think the Senator could answer me. I do not think I asked the same question that has already been asked, and I think the Senator could answer. I shall rephrase my question.

We are perfectly willing to appropriate money for what we know. There are many things the administration says we cannot know. I say if they give us a good reason why we should not know, then we should appropriate the money, but we have the right to judge if that reason is valid. Therefore, the only weapon available to us is to say no if they do not disclose to us or give us a good reason.

Mr. SYMINGTON. We have a right to ask. In certain fields I am not sure that they do not have the right to refuse and I am not completely sure that if they refuse we should, in turn, refuse to give them the money. But those cases would be very minute, and less than one-half of one percent of what we are talking about in the budget.

Mr. JAVITS. I thank the Senator.

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

Mr. SYMINGTON. I am delighted to yield to the distinguished Senator from Idaho.

Mr. CHURCH. Mr. President, I rise to commend the Senator for the very able address he has given.

The most basic question the Committee on Foreign Relations faces is the one to which the Senator has addressed himself today.

Ever since the end of the Second World War, we have regarded the world as our oyster. No country in history has formally undertaken to defend more foreign governments than the United States. No major power since Pearl Harbor has engaged in more active warfare than the United States. No country today has as many troops stationed in foreign lands as does the United States.

In the face of this situation and the calamity which has befallen our own policy in Southeast Asia, it is the responsibility of the Committee on Foreign Relations to review our commitments abroad to ascertain whether they are or are not vital to the interests of the United States. Also, we must find out whether we can afford them. These twin objectives have been very much in the mind of the distinguished senior Senator from Missouri; his subcommittee has given not only great attention to these two central questions, but has undertaken the most thorough and probing examination of American involvement abroad that any committee of Congress in either House has given to this fundamental question since the conclusion of World War II.

Mr. SYMINGTON. I thank the Senator for his kind remarks.

Mr. CHURCH. I hope the Senator will continue to pursue the examination of this question until all aspects have been probed and until all committee reports have been released. I hope the Senator will continue to insist on the maximum disclosure of information by the administration; I hope he will persist in his determination to see to it that the American people are fully informed. If he does that, as I am sure he intends to do, we shall have strengthened our democratic institutions and we shall have formed the basis for appropriate legislative action.

The Senate has already taken the first step by repealing the Gulf of Tonkin resolution. Hopefully, the House of Representatives will see fit to repeal that resolution as well. There are many other resolutions, passed in haste by Congress conferring carte blanche authority to the President to conduct our foreign affairs, that need to be reviewed and possibly repealed.

In fact, some of our formal treaties should be reviewed in light of current circumstances. SEATO is such a treaty, honored more in the breach than in the observance by major signatories such as the United Kingdom, France, and Pakistan.

SEATO no longer reflects the power structure that now exists in Southeast Asia. Indeed, it has been rendered obsolete by the events of recent years. It is our responsibility, therefore, to raise the question whether or not such treaty obligations, undertaken in years past, are of continuing pertinence.

Mr. SYMINGTON. If the Senator will yield at that point, the Senator could not be more right because under the SEATO treaty—and the able Senator knows because he is an authority on these treaties—no country is required to act unless it decides at the moment of the "crunch" to do so is in its national interest. In previous administrations, however, the Secretary of State justified going into South Vietnam on the basis of the SEATO treaty and not a single other signatory of the SEATO treaty agreed he was right and not a single other signatory of the SEATO treaty provided help proportionate to ours.

Mr. CHURCH. The Senator is correct. The United Kingdom, France, Pakistan, and others, including the United States, are signatories to SEATO. The time has come to ask if this treaty is or is not excess baggage.

Mr. SYMINGTON. We paid heavily to get the support of some of those signatories.

Mr. CHURCH. I agree. The amount we paid and the arrangements we made would not have come to light, in my judgment, but for the persistence of the press and the investigation the senior Senator from Missouri has undertaken in his subcommittee.

The time has come for us to remind the Senate and the country as a whole that we are at work in the Committee on Foreign Relations on the basic question, What role shall we play in the world at large? When the final record is written regarding this important matter,

great credit will be given to the senior Senator from Missouri. I again commend him on his address this afternoon, and I join him in the position he has taken.

Mr. SYMINGTON. I thank the distinguished Senator from Idaho. There is no one from whom I would rather have such tribute.

I would like to give credit to the relatively small staff I have had on this subcommittee: Mr. Walter Pincus and Mr. Roland Paul, of the Committee on Foreign Relations. They did not sit home and read the cables and listen to the discussions. They went out for weeks and months in these countries and talked to people high up and people not nearly so high up. They came back fortified with the facts. I would like to state for the RECORD, in all sincerity, that if it had not been for the superb work they did in preparing for the hearings we have held in executive session, and some of which we have been able to release to the public, it would not have been possible to get the information I think is so important before making decisions incident to national policy.

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

Mr. SYMINGTON. I am glad to yield to the able Senator from Rhode Island.

Mr. PELL. I, too, would like to congratulate the senior Senator from Missouri not only on his speech but on all the excellent work that has been done by the Subcommittee on National Commitments. I have been privileged to sit in for a short time at some of those hearings.

Mr. SYMINGTON. The Senator is always welcome.

Mr. PELL. I thank the Senator. One of the points he made today concerning secrecy struck me particularly. I happened to be out of town when there was an executive hearing of the Foreign Relations Committee. Later, I wanted a record of exactly what had occurred at that meeting. I asked the staff for a copy of the record, and I was told that it was so secret that the executive branch of the Government had declined even to permit a stenographic record to be made of the hearing. Senators' memories are no different from those of other people, and if we are not at a committee meeting, we should have a record at which to look to refresh our memories and, particularly, to examine in the event we could not be there.

I think the tendency of the executive branch to overclassify is a very real one, and I think the Senator from Missouri has done a real job in pointing it out.

One other thought: I am wondering if the Senator would agree that there is a sort of chicken-and-egg relationship between military potentials and military commitments. There are some countries, like Israel and Portugal, whose military potential is not up to what they judge is their national needs, in one case for their self-defense and in the other case for the carrying out of their objectives in Africa. On the other hand, there are countries like the Soviet Union and the United States with tremendous military potentials, and there we find that the commitments start to catch up to those potentials.

I think we must bear in mind that in Egypt, one of the reasons why the Russians are there is that the Egyptians have been inviting them in with open arms. They have not forced themselves on the Egyptians. One of the reasons we have our commitments is that we had such similar potentials, there was a vacuum area, and we filled up the vacuum in the days of the Dulles treaties. Those areas were filled in to the point where right now our national commitments and our military potentials are out of balance, in fact the commitments may have passed our potentials.

Mr. SYMINGTON. That is a difficult question to answer "yes" or "no." From the standpoint of the fiscal, economic stability of the United States, it worries me that this Nation, with all its problems at home, and with the increasing strength of the other superpower, has the tremendous expense of 374 major military bases abroad and over 3,000 minor installations, along with thousands of nuclear warheads placed in other countries. I think this is one of the reasons why it is important for the Foreign Relations Committee, as has been suggested by the chairman of the Senate Armed Services Committee, and for all committees involved in this matter to find out just what these commitments are, because we are having very serious troubles throughout the world today. We are spending a great deal of money and, what is far more important, we are losing many of the best young men we have.

Mr. PELL. In other words, the Senator believes that there is a very real relationship between, first, a nation's wealth, second, its military commitments abroad, and, third, its military potentials. And, when that balance gets out of line, the country starts to get in trouble?

Mr. SYMINGTON. I would think so. If it does not get in physical trouble, it certainly gets in economic trouble.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks, announced that the House had passed a joint resolution (H.J. Res. 1328) making further continuing appropriations for the fiscal year 1971, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H.J. Res. 1328) making further continuing appropriations for the fiscal year 1971, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER (Mr. BELLMON). The Chair, on behalf of the Vice President, appoints the Senator from Rhode Island (Mr. PASTORE) and the Senator from Utah (Mr. BENNETT) to attend the 14th session, General Conference of International Atomic Energy Agency, to be held at Vienna, Austria, September 22–29, 1970.

AUTHORIZATION OF APPROPRIATIONS FOR MILITARY PROCUREMENT AND OTHER PURPOSES

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 17123) to authorize appropriations during the fiscal year 1971 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

U.S. COMMITMENTS ABROAD AND THE MILITARY PROCUREMENT AUTHORIZATION BILL

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, I yield to the Senator from Arkansas for a question. I understand he has a time commitment.

Mr. FULBRIGHT. Mr. President, I shall not detain the Senate. I wanted to ask a question relative to what I was saying a moment ago. Has the committee had an opportunity to consider the proposed agreement with the Spanish Government?

Mr. STENNIS. No; we have not. I know, in a general way, about it, but we have not had.

Mr. FULBRIGHT. In that connection, does not the Senator believe it is very difficult to tailor our military appropriations if the Senate, and especially the Senator's committee and the Senate Foreign Relations Committee, have never had an opportunity to ask questions about it and discuss it and develop what it really means?

Mr. STENNIS. I know, in a general way, about the substance of it, but we have never had hearings on it or taken any formal action on it. I do not think there is any commitment there, frankly, as I understand it, that is of any shocking consequence one way or another, and it is not expected to involve a great deal of commitment on our part.

We have a continuing operation of bases, and we will have some consideration. I do not think it is a major matter, frankly.

Mr. FULBRIGHT. The Senator does not think it is a major matter?

Mr. STENNIS. No; I do not.

Mr. FULBRIGHT. If it were a major matter, does not the Senator believe the Committee on Foreign Relations and the Senate ought to approve of it, if it were a major matter?

Mr. STENNIS. Yes; that would suit me fine. But there is no doubt or suspicion, now, to be thrown on this bill

that is before the Senate, just because the Committee on Foreign Relations has not gone into the Spanish agreement.

Mr. FULBRIGHT. Well, they have not submitted it to the Senate for approval. That is the point.

Mr. STENNIS. It is up to the Senator and his committee to assert themselves on that. I do not think it has any substantial bearing on the military procurement bill.

Mr. FULBRIGHT. I am soliciting the support of the Senator from Mississippi. If we make commitments, if Spain is a commitment, then they should be submitted to the committee and the Senate for approval. The support of the Senator from Mississippi for this principle would be very important.

Mr. STENNIS. I am depending on the Senator from Arkansas to go into that. I am certainly not going to pass on the matter prematurely. I think the Senator's committee has jurisdiction over it, and has an interest in it, the way it looks to me.

Mr. FULBRIGHT. I thank the Senator.

Mr. STENNIS. Mr. President, the Senator from Missouri and I have sat side by side on the committee for a good number of years, and no one has profited any more than I have from his advice and counsel and association. The association has been very pleasant in a personal way, and his counsel and advice have been very pleasant and also very helpful in an official way. So my kind feeling toward him is constant and steady.

I know also that he has done a lot of hard work and he has done a lot of fine work as chairman of this subcommittee. He has worked on it and deserves credit, that is the way I look at it.

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

Mr. STENNIS. Yes, I yield to the Senator.

Mr. SYMINGTON. I fully reciprocate with my respect and regard, for the distinguished Senator from Mississippi.

Mr. STENNIS. I thank the Senator for his very fine and generous words. I value his statement.

I would just say this: This is a matter that I am interested in and concerned about, and it is a matter, if the Senator will remember, that we got into a little once, and started some hearings, several years ago, and had Secretary of State Rusk before us for two appearances, that I recall.

The war worsened about that time, and we did not get into it further. I mention that just as an expression of interest in this broad subject matter.

But at the same time, now, I do not want the Senator's concern—and he is sincere in it—and the concern of the Senator from Wisconsin about waste, and the Senator from Idaho mentioned haste—I do not want there to be built up here an atmosphere that will obscure anything about the merits of this military procurement bill. This is an important matter. It is a bill that we have to pass; and, as I said today in the presence of some Senators, I wish it were two bills, one for this military procurement which is so important, and the other about the war in Southeast Asia. That is important, too. But I think really they ought to be handled separately, and if I have anything to do with it next year, I am going to recommend that we bring it in in the form of two bills.

But now back to the main point. As to the discussion, here, about waste, I am sure there is some, but everything does not always come out just right in running a railroad, or running, a business, or running a military department, particularly with an important weapon that has to be created from the mind of someone on into a perfected instrument. There are going to be stops and starts and backs and fillings, and disappointments, and it is going to cost a lot of money. It is going to cost more and more money. If we are not going to have those weapons until we are certain there is not going to be any waste, we just will not have the weapons.

But I wish to address myself principally here to the idea that the people are entitled to know. That is a good sounding sentence, and generally speaking, it is good logic and commonsense.

But I think the people, for who have thought about this matter, there are a lot of things they do not want to know. They want it taken care of here, the best we can, so as to be effective, and they are willing to not be told all these matters. I am going to give an illustration.

In my humble opinion, of all the things we have had save us the most money since I have been at the Armed Services table, the most important is the U–2. I think the U–2 saved us billions of dollars. I shall not go into details on that, but if 537 Members of Congress had been told all about that instrument from the date it was started until, as time went on, it was almost shut down, there would not have been a chance for it to have been so effective, to have brought us so much information that, just in terms of money, was worth literally, as I see it, billions of dollars.

That is a mild illustration. I am not one who is possessed of a great deal of knowledge. What is in my mind is not more important than what is in anyone else's. I do not have a great many things in my mind that the average Senator does not know about. But it is just a part of the commonsense situation that somebody has to know about some of these secret matters, and I never have turned down any Senator, to tell him, if we were talking head to head, what I know about some of these matters that have not accrued.

But that is altogether a different situation from telling a roomful of men. In sitting down, as I see it, and talking to a person, and confiding with him about some plans that the military or any other department has, that you think are valuable—and many of them are—he will understand a whole lot better the seriousness of it, than to have a hearing of some kind, with people coming in and leaving the room, and having to have some staff members around. Some things just have to be kept quiet for a while. That is my attitude toward it. I shall be glad to surrender what special obligation I have in this connection. It is not something I solicit nor particularly like, but I know that we have to keep some of these things on the quiet.

I think that is what the people want us to do. I think they think we talk too much, rather than too little. I think sometimes what I need is more judgment to pass on the facts I already have, than just to be accumulating more and more facts. What we need to do is make the best judgment we can and then, when it comes our turn, we can make another judgment on what it before us.

It seems as though there is a suggestion that somebody is doing something wrong, that they are witholding matters.

Who are these malefactors? Who are these wrongdoers? Mr. Johnson was President of the United States for 5 years. Mr. Nixon has been President a year and a half. Mr. Laird has been over the Pentagon a year and a half, and Mr. McNamara was there before. We could name a great number. What is the source of these wrongdoings?

I know Senators are not accusing them of being traitorous, or anything like that.

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

Mr. STENNIS. I yield.

Mr. SYMINGTON. I am not accusing anyone of anything. The Senator from Mississippi mentioned the fact that he thinks we talk too much. Sometimes the American people think we spend too much.

Mr. STENNIS. Well, that is correct, too. I think myself I vote too many dollars sometimes.

But this bill is here, based on the best knowledge that we know anything about, and I think even though they do wear military uniforms, as the Department of Defense, it pretty well represents the best they can do; and we all know Mr. Laird, we knew Mr. McNamara, and we knew these Presidents.

I think it represents a lot of hard work and a lot of hard effort, and is the best they could do under the circumstances. I disagree with them myself on some points, but that is just a part of life here. The bill is a must to pass, I mean, and we have to make a start on it.

We will have a good debate, but I just do not want it to be beaten to death here on the grounds of just a difference of opinion about a weapon. The Senator from Missouri knows more about weapons than I do .

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

Mr. STENNIS. I yield.

Mr. SYMINGTON. The reason for my talk this afternoon is that the able Senator from Mississippi delivered an address before the Senate last week in which he said that the military budget was tailored to our foreign commitments. In that speech he suggested—in the original copy I received—that the Committee on Foreign Relations look into these commitments. Inasmuch as I am chairman of a subcommittee that has been looking into this matter for a year and a half, I appreciated the fact that later when he delivered the statement on the Senate floor he said we have to look into it more than we already are.

Let me assure the Senator that in no way am I criticizing any action on his

part. I would not have made this talk this afternoon if he had not gone into great detail as to the nature and character of the treaties we have and the importance of looking into the commitments arising from them.

Inasmuch as he, himself, advanced the idea of tailoring our defense budget to our commitments and inasmuch as apparently he was unaware of the extent of the efforts that had been made, I felt it was advisable to set the record straight about the work that has already been done.

Mr. STENNIS. I think the Senator's speech was relevant and very fine. I was addressing my remarks to the questions that were built up here to cast a doubt about the solidarity of this bill.

I understand that the Senator from Wisconsin would like me to yield. I yield to the Senator.

Mr. PROXMIRE. I am not sure that I understand what the Senator from Mississippi is saying. He is such a logical and thoughtful and considerate man, that I want to be sure that I do not misunderstand him.

The Senator from Mississippi seems to be saying that the American people do not want to know some of this information. I assume he is not saying that the American people do not expect their U.S. Senators and Representatives, when they vote on expending money, do not know fully the reason why they cast that vote, why it is necessary for us to spend over $19 billion in this procurement bill and, overall, more than $70 billion for the Defense Department, when a very vital reason for our spending so much as the Senator from Mississippi pointed out in the speech he made the other day, is that we have obligations not only on our own shores but all over the world as well.

Is it the position of the Senator from Mississippi that the American people do not want Congress to know fully about what these obligations are and the extent to which they require us to appropriate more funds to produce more weapons?

Mr. STENNIS. No. I did not make any statement to that effect. I said that sometimes the people want us to use our judgment and do the best we can on the facts we have; and I believe we have a good bill here, and we want to move on. The people know. They get plenty of this. The news media do a very good job. We have access to most of what we need here, I believe, as their representatives, and we must keep it that way.

Mr. PROXMIRE. I was disturbed by the reference the Senator from Missouri made to the Laotian situation, when he said that members of the Committee on Armed Services were not informed and members of the Committee on Foreign Relations were not informed of the pertinent facts, although we are spending hundreds of millions of dollars in Laos. This information had not been disclosed or revealed. This is the kind of information, it seems to me, that we, as U.S. Senators, have an obligation to insist on if we are going to appropriate funds.

Mr. STENNIS. The Senator certainly can get that information, too, I think. There are some matters which by their nature have to be handled by some committees. Some matters about which he is talking were not handled by the Armed Services Committee but some were.

Mr. PROXMIRE. The Senator from Mississippi would understand—and perhaps he would strongly disagree—that some Members of the Senate might feel that to the extent they are not given information, under those circumstances they have a right and a duty not to appropriate the full funds that are requested.

Mr. STENNIS. I have never discouraged them. There are many things I cannot say on the floor, for publication to our adversaries, weaponwise. But I said before that I have never refused to talk to a Senator in full about any matter about which he inquired; and I say that here again to the Senator.

Mr. PROXMIRE. I thank the Senator from Mississippi.

Mr. STENNIS. The Senator is entitled to anything I know.

Mr. PROXMIRE. The problem is that none of us really seems to have the answers on the extent of our obligations overseas to the many countries, which could involve the expenditure of billions of dollars. We do not have that information. It does not seem to be available. That is why I think the Senator from Missouri's speech was valuable today in delineating how vast our ignorance is.

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

Mr. STENNIS. I yield to the Senator from Colorado.

Mr. DOMINICK. I have been listening to this colloquy with great interest, and have read the statement of the distinguished Senator from Missouri.

I was struck particularly by the reference to Laos, to which Senator PROXMIRE has just made reference. I recall that the Members of the Senate, as a whole, were briefed on this subject by President Johnson during his tenure in office. I also recall that a number of Senators went to Southeast Asia and received briefings there on what was going on in Laos. In fact, some of them, including the Senator from Missouri, as I recall, actually went into Laos during that period.

I also know that some Senators have requested briefings on this subject before and have always received them. So far as I know, no briefings have been turned down either by our committee or by members of the Defense Department or other agencies.

I do not understand why, simply because this information was not made public—which might have had an adverse effect on national relationships around the world—somehow it is deemed to be culpable in the public eye. As the Senator has said, it seems to me that there are inferences which are unsaid, but they are inferences, which should not come into play in this bill and probably should not come into play at all, unless we are arguing about a whole change in foreign policy and a different bill. In that case, I think it is legitimate.

Mr. SYMINGTON. In reply to the able Senator from Colorado, let me say that in 1965 I requested approval to go to Laos. I have had a good many briefings in this town; some of them provided a great deal of information; some not very much.

It was requested by a representative of the State Department that I not go into Laos; so I went up to Udorn, in northern Thailand, and met the Ambassador.

As a result, the next year I was determined to go into Laos, and did arrange to go in, despite the fact that further objections were raised.

I can say to the Senator from Colorado, that some of the information as to just what we were doing in Laos I did not learn until we had witnesses under oath before our subcommittee of the Foreign Relations Committee. Perhaps I would not even have received that information if it had not been for information obtained by the staff when they went to Laos some time after I had been there.

Once again, it is important, as I see it, to go out in the field and get the facts in a case of this character.

I would be glad to talk to the Senator off the record about the details of what I never knew, even though I spent a great deal of time in Laos, particularly northern Laos.

Mr. DOMINICK. I shall be brief. This has been an interesting colloquy. It does one thing, if nothing else, it points out the results and the problems that the military and the Armed Services Committee have in trying to perform their functions when commitments have been made by other people elsewhere.

Mr. SYMINGTON. I could not agree more.

Mr. DOMINICK. Yet, all over the country we hear criticism of the military when, in fact, it has been in large part due to the civilians who have made the commitments which we have asked the military to fulfill.

Mr. SYMINGTON. There is no question about that. I fully agree with the Senator on that observation.

Mr. STENNIS. Mr. President, I shall conclude my remarks quite quickly now, if I may. The Senator from Missouri mentioned the Philippines and the Philippine Government and their soldiers in South Vietnam. We were also talking about Laos. I tell you, Mr. President, that the attitude of all of us has been to get all the help we can in this war in Southeast Asia. We have lamented the fact that we could not get very much help anywhere. I asked everyone in Western Europe that I talked to there in an official way about this thing years ago, and as late as 2 years ago. We were also trying to get people in the Asian part of the world to come in and help us and bring in men or send in men. I thought everyone knew that we were paying some soldiers from the Philippines. I did not know that that was secret. However, I did know a good deal about Laos.

Mr. SYMINGTON. We put the money out for the Philippine soldiers, that was the sworn testimony of the Acting Ambassador. But the General Accounting

Office investigation cannot prove it and the Philippine Government says that the soldiers did not get it.

Mr. STENNIS. My point is, we were trying to get all the help we could. I was pleased that they were there. We were trying to get the situation in Laos favorable. It might have been there was not any more said about it, and maybe some of those governments did not want any more said about it. That question is all mixed up in it, but we have not been successful in getting any help over there—at least any appreciable help. We do appreciate the help we did get, so that perhaps what money we did spend, even if it did not reach all of its destination, was worth something to us.

I want to be sure that the Senator understands this. I have paid my respects to the hard work of the Senator from Missouri. He never stops. He is after things that are important and things that count. I am glad that he is working on this subcommittee. However, I do not believe that we can create foreign policy here in opposition to a military bill, or even in support for it, so much. These problems are already on us, those that are in the bill. We have to move forward. I want to revise our foreign policy. I said so in the speech to which the Senator from Missouri referred. I have said that before. It is something that I think is the most serious matter now before the country outside of the war in Southeast Asia.

I hope that this will continue, but, we have got to create a foreign policy that is based on foreign policy and not just on a few weapons here and there. Thus, I hope that this debate can proceed. The Senator has made a great contribution. I hope that we can get down to some amendments and I expect good debate on them.

Mr. President, those are my remarks and observations on this subject, and I am glad now to yield the floor.

Mr. SYMINGTON. I am certain that all Members of the Senate and the American people know of the dedicated work of the distinguished Senator from Mississippi. As the Senator from Colorado (Mr. DOMINICK) points out, when we get into military matters, we automatically seem to get into matters of foreign policy and vice versa. As a result I think, inasmuch as the able Senator from Mississippi has been so gracious this afternoon, and in pointing out last week that the military budget is based on our foreign commitments, that the analysis and the details of these foreign commitments will be, in the long run, of great service to the American people.

I think it is clear the security of the Nation depends not only on our physical capacity to destroy an enemy, but also on a viable economy and the faith of the people in their government.

Let me assure the chairman of the committee, that nothing I have said this afternoon is in any way critical of the fine work he does in the interest of the armed services.

Mr. STENNIS. I thank the Senator and I fully understand his remarks and the spirit in which he made them. I believe he does mine as well. Again, his speech was relevant and pertinent and very helpful.

Mr. President, I yield the floor.

ORDER FOR RECOGNITION OF SENATOR SPONG TOMORROW

Mr. BYRD of West Virginia. Mr. President, following the remarks of the able Senator from Arizona (Mr. FANNIN) on tomorrow, I ask unanimous consent that the able Senator from Virginia (Mr. SPONG) be recognized for not to exceed 30 minutes.

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

ORDER FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS AND CONSIDERATION OF UNFINISHED BUSINESS TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, following the orders under which speeches by Senator FANNIN and Senator SPONG will be made tomorrow, there be a period for the transaction of routine morning business, with statements therein limited to 3 minutes; and that, upon completion of the transaction of routine morning business, the unfinished business be then laid before the Senate.

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

ORDER FOR RECOGNITION OF SENATOR CANNON TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, when the unfinished business has been laid before the Senate on tomorrow, the able Senator from Nevada (Mr. CANNON) be, at that time, recognized for not to exceed 1 hour.

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

ORDER FOR RECOGNITION OF SENATOR McINTYRE TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, following the statement by the Senator from Nevada (Mr. CANNON) on tomorrow, the Senator from New Hampshire (Mr. McINTYRE) be recognized for not to exceed 1 hour.

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

ORDER OF BUSINESS

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ORDER FOR RECOGNITION OF SENATOR GOLDWATER TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on tomorrow, following the remarks of the able Senator from New Hampshire (Mr. McINTYRE), the able Senator from Arizona (Mr. GOLDWATER) be recognized for not to exceed 30 minutes.

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

SENATOR RANDOLPH SPEAKS ON PRIORITIES AND PLANS FOR FUTURE DEVELOPMENT OF APPALACHIA

Mr. BYRD of West Virginia. Mr. President, earlier today my colleague from West Virginia, Senator RANDOLPH, spoke in our State at Charleston to approximately 400 citizens from several areas of the Appalachian region.

My colleague had hoped to return to Washington in time to be in the Senate for the vote on the conference report on education, which was agreed to by a unanimous vote of 88 to 0.

Senator RANDOLPH is a member of the Senate Subcommitee on Education and has labored constructively to develop legislative programs to strengthen our educational effort. He was, in fact, addressing his remarks in West Virginia to an audience of educators of the Appalachian region.

I ask unanimous consent to have printed at this point in the RECORD the speech of Senator RANDOLPH given in our State this morning which caused him to be absent for the conference report vote, which he would have supported by voting aye had he been able to be present.

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

PRIORITIES AND PLANS FOR FUTURE DEVELOPMENT OF APPALACHIA

(Address by Senator JENNINGS RANDOLPH at the annual membership meeting, Appalachia Educational Laboratory, Morris Harvey College, Charleston, W. Va.)

In recent weeks there has been much interest in the census reports as released by the Federal Government. In some instances predictions have been proven correct and in others the forecasters have again been shown to possess the usual human shortcomings.

It was 10 years ago that the last census pointed up in rather dramatic terms many of the problems of the Appalachian region. At that time cold, hard statistics showed clearly that the freewheeling days of careless dependence on a largely one-industry economy had come to a halt.

There was an awakening to the past neglect, at least in part, of Appalachia and a new realization that something unique was needed if this region were not only to compete economically with the rest of the Nation but to provide a good life for its citizens.

The result was new thinking and new institutions, such as the Appalachian Regional Commission and the Appalachia Educational Laboratory.

Now we are beginning to see the fruits of these innovations and can look more hopefully to the future. Those of you who heard Ralph Widner on Sunday night know what has been going on in the Appalachian region and have a good idea of the direction in

which we are going—not, I stress, without your very real contributions.

The 1970 census and what it means for Appalachia, both in terms of what has transpired in the past decade and the indications it gives for future action, is of concern.

First, it is obvious that many of those involved in the affairs of Appalachia missed their mark with predictions of a significant population growth in the past decade. It is apparent that several governing factors, notably a lower birth rate, were not properly considered. Accordingly, the regional population increase of only about one per cent was below estimates.

And while the ten-year population trend as a whole looks discouraging, particularly in states like West Virginia, a closer analysis softens this blow. We are told that two or three years ago a turning point was reached at which the net outward migration virtually stopped.

Portions of Southern Appalachia now are actually areas of in-migration and the trend appears to be moving northward. Information indicates that the out-migration movement should stabilize in Central Appalachia within the next year or two.

This is encouraging news and is indicative that our efforts have not been in vain.

Meanwhile, however, there has been concern and considerable wounded civic pride over the greater-than-expected population loss in West Virginia. To a degree, I can understand this. We have accepted the notion that big is best and population growth is a mark of progress. It is therefore damaging to our collective ego to find that, despite all our labors, there continue to be fewer people within our boundaries.

I hope preoccupation with numbers will not become so compelling that the real goals of Appalachian development are obscured. Producing a larger population is not an end in itself. What we must strive for is a happier, more secure and productive life for the people who live here, however many of them there may be living in this state.

Yes, there must be opportunities and encouragement for people to stay here if they want to remain in their homeland, and for those persons who come into the area from other sections of the country. And if this good life is available in our mountains, then there is a lesser need to worry about declining populations.

Population shifts, though, do give added emphasis to the necessity for altering existing institutions and creating new mechanisms whereby the wishes and needs of citizens can be met effectively.

Prominent among these is the need in many instances for government revision. The population decline in West Virginia, for example, strengthens what I believe are already real reasons for thinking about serious alterations to the structure of government.

As you know, many of the ways we act today are the end products of historical development that may bear no rational relationship to contemporary needs. In West Virginia, to take the situation with which I am familiar, there are 55 counties, each with its own courthouse and full set of local officials and government organization. This may have been necessary 30 years ago when travel was difficult, particularly in these mountainous areas, and county seats needed to be reasonably accessible.

Today, of course, public affairs can be conducted over a large area, and the local government structure under which West Virginia operates is probably ripe for serious revision. The same holds true, I hardly need tell you, for educational systems, operating as they do under the same restrictions not only of geography but of laws and regulations tailored for an earlier day. With new and improved roads we have strengthened our educational system through consolidated schools.

There is movement—slow, but real—toward consolidation of local governments and, perhaps just as important, cooperative efforts among local governments with common problems. This trend, I believe, needs to be nurtured and expanded, especially in Appalachia where we acknowledge that the resources are inadequate to realistically cope with the accumulated demands for public services.

I am aware of the practical problems involved in any consolidation of governmental units. There is, however, a challenge to which cooperative effort and increased efficiency can contribute to the strengthening of local institutions.

I am glad that organizational streamlining has been encouraged through the Appalachian development program and educationally through the laboratory. The local development districts organized under the sponsorship of the Appalachian Regional Commission are, in my thinking, an important breakthrough in getting varying groups to join ranks in a common cause.

This movement has not progressed as far in West Virginia as in some other states or as I would have hoped, but this state has moved in other areas, including the creation under Appalachian sponsorship of a central information system on Federal grants coming into the state. This type of government modernization is an important part of the entire Appalachian development effort.

There is also another, perhaps less apparent, need in Appalachia. This is the requirement for capital funds with which to finance economic development.

The problem is not necessarily a shortage of money in the region. It is, instead, a question of pooling these funds and encouraging their investment in Appalachia. A recent study by the Appalachian Regional Commission disclosed that in a 60-county area covering parts of West Virginia, Virginia, Kentucky and Tennessee, $51 million in local capital was invested outside the area in one year.

This problem is recognized, and steps are being taken to correct the situation. Again using this state as an example, the West Virginia Housing Fund was created by pooling money from 74 banks in the state. This money, much of which was leaving the state, is now being used to build much-needed housing in West Virginia.

I think we all recognize that Appalachia's greatest resource is its people. And the people often receive their greatest strength from the land—a land we have scarred to too deep a degree. This fact is coming more and more to be generally accepted. It is evident in what I see as a new spirit among the people of Appalachia, to correct abuses and create a more wholesome climate and condition to rebuild, and to build anew.

Hope and enthusiasm are rapidly replacing the despair and resignation that we accepted as the norm not too many years ago. I am convinced that the creative nature of the Appalachian efforts and the results they have produced have released and fostered the growth of this spirit.

Citizens have rejected the notion that failure and deprivation are their fate. With the encouragement of you and people like you, people, including youth, are coming to know that a better life is available, but it can be had only if we are willing to work together.

We in government and industry and business can provide the tools and the assistance, but in the final analysis the future of Appalachia rests with the people. I do not pretend we have done much more than make a good start, but we now have a base on which to build.

The Appalachian development in which we are engaged is already having an impact outside the region. This unique form of Federal-state relationship has proven to be a viable concept and is being scrutinized throughout the country.

President Nixon's recent meeting with the Appalachian governors in Louisville is indicative that our work is being studied in the highest circles of government. What is going on here in Appalachia could well be the pattern for changing certain government operations throughout the United States.

Much good has been accomplished in Appalachia, and I know we will have even greater accomplishments ahead.

ORDER OF BUSINESS

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. 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.

AIRPORT OPERATORS COUNCIL QUESTIONS APPROPRIATIONS FOR THE SST

Mr. PROXMIRE. Mr. President, there are new cracks in the SST's armor. The growing opposition to the SST now includes some of the most respected voices within the industry itself. In a letter to the Subcommittee on Transportation Appropriations dated July 24, 1970, the Airport Operators Council International has asked the Senate not to appropriate any more funds for the SST until it can be demonstrated that the SST can meet the stringent noise standards now in effect for subsonic jets.

A copy of the council's letter to the subcommittee was sent to me with a covering letter by Mr. J. J. Corbett, the council's vice president for Federal affairs. I ask unanimous consent that both letters be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. PROXMIRE. Mr. President, the concern expressed by the Airport Operators Council should not be lightly regarded by the Senate. The council comprises the operators of airports which handle 90 percent of U.S. domestic traffic, and nearly 100 percent of international traffic in this country. If any group should be attuned to the problems of aircraft noise, and what should be done to control it, it is the Airport Operators Council. Indeed, the council's letter notes that:

> We are ever mindful of the fact that new aircraft must be compatible with existing airports and with the communities near them.

The council's unequivocal recommendation: Postpone any funds for the SST until Congress and the public can be assured that the SST will meet existing noise criteria:

> We therefore respectfully urge the Senate to approve the expenditure of public funds for further development of the SST only if the Congress and the country can be assured beyond doubt that the SST will meet the stringent noise standards necessary to permit it to operate at existing airports.

Mr. President, under the recently enacted Aircraft Noise Abatement Act—Public Law 90–411—the FAA has set airport noise limits of 108 decibels for new jet aircraft. To date, these limits apply only to subsonic aircraft. As the council's letter notes:

> We have no assurance as yet that the SST will meet this requirement.

In fact, it is likely the SST will not even come close to meeting these limits. The only question is, how much noisier is it going to be?

All the experts are in pretty close agreement on the number of decibels the SST registers. These include Boeing technicians, Department of Transportation officials, and Government science advisers. They agree upon a range of 124 to 130 decibels of sideline—airport—noise for the SST. The dispute on this issue, such as it is, centers on what this noise will sound like.

Dr. Richard Garwin, science adviser to Presidents Kennedy, Johnson, and Nixon, told the Joint Economic Committee in May that:

> The SST will produce as much noise as the simultaneous takeoff of 50 jumbo jets.

Russell Train, Chairman of the Council on Environmental Quality, told the committee that:

> In terms of . . . annoyance, the SST would be 3–4 times louder than current FAA sideline noise standards and 4–5 times louder than the 747. And William Magruder, who directs the Office of Supersonic Transport Development, simply stated to the Committee that "we have a problem on the sideline."

Mr. President, I am in no position to predict whether the SST's sideline noise will be 50 times as great as existing jets, or "only" four to five times louder. It is not particularly significant who has the better of this argument. What is significant is that the SST on the ground will produce far more noise than any presently existing aircraft, and will exceed present FAA noise standards by several multiples at a minimum. On this point there is no dispute.

In light of this, the recommendation of the Airport Operators Council is hardly surprising:

> The magnitude of the appropriation now considered by your subcommittee for further development work on the SST requires that the key question of noise be settled *before the expenditures are authorized. We do not believe that the Department of Transportation should be authorized to spend funds for the SST project in the hope that the noise level will be limited at some future date by the FAA,* another branch of the same department. We urge the Senate to get the necessary assurance on noise performance now or to write noise limitations on the SST into law as a condition of any future appropriations. (Emphasis supplied.)

Can we avoid these problems by building new airports? The council's letter also sets this notion to rest:

> It is completely unrealistic to believe that the public would permit or tolerate the introduction of an SST which requires new and larger airports. On the contrary, we think the public will demand that any new aircraft represent a meaningful improvement in the noise level for community acceptance.

Mr. President, whenever the question of noise, or other environmental pollution, is raised, the SST's proponents tell us that we have no way of knowing whether the SST will be compatible with the environment until we go ahead and build it. They argue:

> Let's go ahead and build it, and we're confident that American ingenuity will somehow solve these problems. If it can't, then we'll just scrap the whole thing.

Aside from the tremendous waste of money and resources implicit in this argument, there is good reason to believe that the FAA, in its dual role as overseer of construction and arbiter of noise standards, may be less than exacting in setting and enforcing SST noise standards. Under Secretary of Transportation Beggs tipped the Government's hand on this when he testified before the Joint Economic Committee this spring. He told the committee that the Department's concern was with the "total footprint" made by the SST. He then told the committee that when the time comes to certify the SST, if the total footprint made by the plane is acceptable, then "even though it does not quite meet one of the criteria, then we will modify the rule."

Mr. President, that is precisely my concern. And that is precisely the concern of environmentalists everywhere. Once this plane is built, whether or not it can satisfy the various environmental standards, the FAA will be forced to "modify the rule" in order to protect the Government's huge investment in this plane.

The Department of Transportation is extremely vague on this point. Just what does Mr. Beggs mean by "not quite" meeting noise criteria? Is 125 to 130 decibels acceptably close to the 108 decibel standard? Does three to four times existing standards qualify as "not quite" measuring up?

Mr. President, it is clear, to this Senator at least, that we cannot go ahead and build this plane and then rely on the FAA to set appropriate standards.

I urge the Senate to heed the council's advice that no funds be provided until we are "assured beyond doubt" that the SST will meet existing noise standards. Judging by the testimony of all the experts we have heard, such assurance will be a long time in coming.

Mr. President, I ask unanimous consent that in addition to the two letters I mentioned earlier, an article on this subject from the July 24, 1970, edition of the New York Times be printed in the RECORD.

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

AIRPORT MEN URGE CAUTION BY SENATE ON NOISE OF SST

RED BANK, N.J., July 23—The Airport Operators Council International urged today that the Senate get assurances on noise limits before authorizing further expenditures on the United States supersonic jetliner.

The directors of the council, representing executives of all major airports in the country, released the text of a letter to Senator John C. Stennis, the Mississippi Democrat who is chairman of the Appropriations subcommittee on the Department of Transportation.

It was signed by Matthias E. Lukens, president of the council, who is executive director of the Port of New York Authority. The authority operates the major airports in the metropolitan area.

It recommended further funding of the supersonic transport "only if Congress and the country can be assured beyond doubt" that it will meet "the stringent noise standards necessary to permit it to operate at existing airports."

The letter said it would be "completely unrealistic to believe that the public would permit or tolerate introduction of an SST which required new and larger airports."

It said the council had no assurance as yet that the SST would meet the noise standards recently adopted by the Federal Aviation Administration. The council added that it saw no reason for exemption from these standards.

In view of the magnitude of the appropriations required, the council said, "the key question of noise" should be settled first.

The three-day council meeting at the Molly Pitcher Inn here will end tomorrow.

EXHIBIT 1

AIRPORT OPERATORS COUNCIL INTERNATIONAL, INC.,
July 24, 1970.

Hon. WILLIAM E. PROXMIRE,
Washington, D.C.

DEAR SENATOR PROXMIRE: For your advance information we are enclosing a copy of our letter of this date to Senator Stennis, Chairman of the Senate Department of Transportation Appropriations Subcommittee, with regard to the views of major U.S. airport operators on the proposed Fiscal Year 1971 appropriation for U.S. civil supersonic transport.

As you will note, this policy recommendation of the AOCI General Board of Directors urges the Senate to approve the expenditure of public funds for further development of the SST *only if* the Congress and the country can be assured beyond doubt that the SST will meet the stringent noise standards necessary to permit it to operate at existing airports. In addition, the Board policy suggests that the key question of the aircraft noise characteristics of the SST be settled before the requested expenditures are authorized.

Sincerely,

J. J. CORBETT,
Vice President, Federal Affairs.

AIRPORT OPERATORS COUNCIL INTERNATIONAL, INC.,
July 24, 1970.

Hon. JOHN STENNIS,
Chairman, Subcommittee on Transportation, Committee on Appropriations, U.S. Senate, Washington, D.C.

DEAR SENATOR STENNIS: The General Board of Directors of the Airport Operators Council International would like to submit for your consideration some thoughts on the appropriation now pending before your subcommittee for further development of the supersonic transport.

As the operators of the airports which enplane 90 percent of the country's domestic passengers and virtually all of its international airline travelers, the members of AOCI are vitally interested in the continued progress of aviation, including the development of new aircraft. But we are ever mindful of the fact that new aircraft must be compatible with existing airports and with the communities near them. In view of the fact that local opposition to aircraft noise is one of the most serious problems facing aviation today, it is apparent that community acceptance of new aircraft must

be the key to continued aviation progress and growth.

We therefore respectfully urge the Senate to approve the expenditure of public funds for further development of the SST only if the Congress and the country can be assured beyond doubt that the SST will meet the stringent noise standards necessary to permit it to operate at existing airports.

During the early stages of the development of the SST, airport operators, airlines and the public were told that compatibility with existing airports would be one of the major design criteria. More recently, the Federal Aviation Administration, as directed by the Congress in Public Law 90–411, has adopted a requirement that new aircraft must not exceed a noise level of 108 EPNdB (effective perceived noise decibels). But we have no assurance as yet that the SST will meet this requirement.

It has taken all the energies and resources of the world airport operators to provide adequate airports for existing aircraft. Our efforts to do so have been hampered because the overwhelming public reaction to excessive aircraft noise has resulted in restrictions to operations and opposition to expansion of existing airports and development of badly needed new airports. Under these circumstances, it is completely unrealistic to believe that the public would permit or tolerate the introduction of an SST which requires new and larger airports. On the contrary, we think the public will demand that any new aircraft represent a meaningful improvement in the noise level for community acceptance.

The new Federal standard of 108 EPNdB is an important step forward. We see no reason why an aircraft should be given special exemption from the Federal maximum noise regulations, no matter how great a technological advance it may represent.

The magnitude of the appropriation now considered by your subcommittee for further development work on the SST requires that the key question of noise be settled *before* the expenditures are authorized. We do not believe that the Department of Transportation should be authorized to spend funds for the SST project in the hope that the noise level will be limited at some future date by the FAA, another branch of the same department. We urge the Senate to get the necessary assurance on noise performance now or to write noise limitations on the SST into law as a condition of any future appropriations.

Sincerely,

MATTHIAS E. LUKENS,
President.

Mr. PROXMIRE. Mr. President, I conclude by pointing out that a number of expert competent witnesses with a great deal of experience in this area told the Subcommittee on Economy in Government of the Joint Economic Committee that even though the FAA should certify a higher noise standard, that the airport authorities would be in a position to refuse to let the plane land. In my judgment, on the basis of this latest information from the Airport Operators Council there is every reason to expect that the airport authorities would preclude the SST from landing and they would start, in my view, when the British-French Concorde SST comes. Of course, the British-French Concorde people feel the Federal Government is supreme and could overrule airport authorities. This is not the case.

We have had the testimony of top officials in the FAA who admit it is not only possible but very likely that the airport authority itself would and could have every right to exercise any judgment they want on what planes would land. To expect them to submit the community in which the SST would operate to this terrific noise is to expect a most unlikely situation.

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

Mr. PROXMIRE. I yield.

Mr. HANSEN. Mr. President, I am very pleased that the distinguished Senator from Wisconsin raises the questions he does at this time. I have been concerned for some time. I have written to officials I considered appropriate expressing some very grave doubts and anxieties that are held by me and many other people in Wyoming.

We happen to be in one of those corridors throughout the United States wherein jet aircraft are permitted to fly at supersonic speeds. As the Senator knows, all of this aircraft has to be military aircraft. There are no commercial aircraft flying at supersonic speeds in the United States.

The impact on the environment is not yet known but there is certainly adequate reason now to question the wisdom of further appropriations to fund this project that has been launched by the Federal Government.

I refer specifically to the impact it can have on our environment. As the distinguished Senator from Wisconsin knows, I live in an area of Wyoming that is very mountainous and which is characterized throughout several months of the winter with heavy snowfalls.

Dr. D. G. McCloud, of Wyoming, who was trained as a forester and who has had considerable experience in the outdoors, tells me he personally mapped and traced out the extent of avalanches in one small area of the Teton forest, Granite Creek. This is a tributary of the Hoback River, which is a tributary of the Snake River, which flows into the Columbia River. In this area last year, or the winter before last, whichever it was, he found areas of avalanche activity extending to more than 3,000 acres on this small part of the Teton forest. These avalanches swept away trees, some more than 400 years old, as they moved down those steep mountainous slopes. The evidence clearly indicated something triggered the snow slides that had not happened for at least that length of time. As a consequence, he is greatly disturbed that if we go ahead and build the SST we may find the adverse impact on our environment will be far greater than any of us realize now.

To be more specific, we do not know what effect supersonic booms will have on wildlife. They tell me the path that will be struck by the SST will be 50 miles wide. The effect it may have on this delicate ecological balance, which is of such concern to us, is not known.

Drs. Frank and John Craighead, two eminent Western biologists, are concerned with what effect it will have on the endangered species—what it will do to the grizzly bear, bird life such as the bald eagle, and other birds in this area. No one knows. But this much can be said. There is no question what it can do to fish life. On Granite Creek alone there were a sufficient number of avalanches blocking that stream so that for a 12-mile area there were no fish in any part of it. Snow slides of sufficient magnitude blocked the stream flow sufficiently long to destroy all the fish within the 12-mile strip of Granite Creek.

Now is the time to stop and further explore the damage that may result not only to man but to plant and other animal life before we proceed with something that may be much more than we bargain for.

I propose not to support further funding of the SST until we have better and more complete answers than we now have to a problem I think is of supreme importance to us.

I know also in this area it is a common thing for plateglass windows to be broken. I was talking to the superintendent of the Grand Teton National Park. I said, "I notice the plateglass is broken behind your desk." He said, "Yes, we have replaced it a number of times and invariably it is broken almost every time there is a sonic boom."

I know the distinguished occupant of the chair at the moment, the distinguished junior Senator from Oklahoma (Mr. BELLMON), told me that when he was Governor, Oklahoma City was chosen as a place where the people would be subjected to constant supersonic booms to see how well they could withstand that constant banging on their ears and other side effects that can be very disturbing. I have not had an opportunity recently to know what has been concluded there. But I can say this based on the experience people have had in Jackson Hole: We have had enough of the sonic booms. We do not need any more up there. And I do not think it has been fully determined what may be the effect on wildlife, what may be the effect on the flora of the area, what it can do to the profile of the country. We have a very beautifully timbered area. I am sure the Senator will excuse me evidencing a little pardonable pride in a part of the country that is truly majestic. To subject it to the type of external pressures which could bring about a marked change in it is something we should do only on very careful reflection and be certain that the advantages that could be gained from the few minutes' time we could save would be worth the cost. At the present time I have very serious reservations about the wisdom of going ahead with these very costly experimental programs and withstanding the damage to property, animals and natural beauty in order to bring that plane into production.

While it has been contended that in time enough of these planes will be sold to repay the investment the Government has made in them, based upon the experience that I personally have had in western Wyoming, my guess is the planes will not be much more popular in any other part of our country than they are in those areas which have experienced the constant barrage of the booms that follow every overflight.

I join my distinguished colleague in

saying that I think now is the time to stop, to look, and to listen before we decide further to pursue this very costly investment.

Mr. PROXMIRE. I thank the Senator from Wyoming. The Senator has made a remarkable impromptu speech, without notes or previous preparation. He spoke with great authority, and I think with very great persuasiveness, on the impact that the SST has on the environment. On the basis of his detailed experience in Wyoming, I think the Senator from Wyoming has made a most moving statement.

I may state that in Milwaukee we had the same experience they had in Oklahoma City. Milwaukee was chosen to see what impact the supersonic B–58 Hustler bomber would have as a result of sonic booms. Believe me, the mail I got from Milwaukee was "something else." If it had not been a military plane—and the people of Milwaukee, like people in other parts of this country, are patriotic, and will put up with what they have to in our defense and for our military strength—but if it had been a commercial plane, the protest would have been overwhelming.

The proposal now by the FAA is not to fly over land or populated areas. However, the Senator from Wyoming has pointed out what the problem will be there. The FAA now says they will not be permitted to fly over land, but every economic analysis shows that the only way this plane can pay off is to fly over land. The payoff is not in the glamorous flights to Paris or Tokyo, but in the flights from Philadelphia, New York, Chicago, to the west coast, and back. Those are overland areas. So, if we continue to provide funds, the pressure is going to be constantly to have the SST pay off the investment made in its development by allowing it to fly over land. We are going to have that pressure before us constantly. The FAA, which is in the position of having promoted the plane and also serving as the agency which will determine whether it can fly over land or not, is very likely to cave in under that pressure.

I thank the Senator from Wyoming for his comments. The question is whether we should appropriate this year $290 million, which is by far the biggest appropriation of any year, and which makes the total appropriation we have made through this year $1 billion, with the great likelihood that we are not going to get much, if any, of that investment back.

Mr. HANSEN. Mr. President, just let me say that I appreciate the very generous observations made by my distinguished colleague from Wisconsin. Permit me to add one further word. I have received a considerable volume of mail in my office from people in western Wyoming wanting to know how they ought to go about filing claims for damages from sonic boom.

Anyone familiar with the widespread damage that has resulted from those overflights cannot help but be aware of, and be concerned with what would happen if we were to bring in a plane capable of delivering the sort of decibel count the Senator referred to, I think in the magnitude of 135. Was that it?

Mr. PROXMIRE. Yes; 124 to 130 decibels, because this is ground noise. As one scientist testified, equal to the sound of 50 jumbo jets taking off together. The sound would be literally deafening. It would not surprise me if people had their hearing seriously damaged as a result of this kind of noise.

In addition, it would have a devastating effect on the surrounding area.

Mr. ALLOTT. Mr. President, I am happy that I happened to get to the floor while this discussion was going on. The views of the Senator from Wisconsin on the SST are well known. He has opposed it for many years. I remember doing my best about 5 years ago to get him to go with me to the west coast and study the two companies that were then in the course of competing for the SST contract. Those were Boeing and Lockheed. At that time the Senator had already advanced arguments against the SST.

I am reminded of the sign I see in many little country offices around the Nation which reads:

Don't confuse me with the facts. I have already made up my mind.

I offered to make myself available to the Senator on any one of several weekends, but I could not prevail on him to go to the source and discuss the facts.

I am fully aware that, with the power of his committee, he can bring in people day after day who are willing to voice opinions to fortify the opinion he arrived at about 8 years ago.

When we get into this matter, we will discuss some of the facts. I want to say, for example, that there is no justification for the statement he recently made here that nobody knows what effect the possible SST pollution is going to have on the environment. When the engine is already designed, when the number of gallons that will go into the jet in order to achieve flight is already known, with the very advanced technology we have in this area, I am sure the Senator is not saying they do not know what the engine is going to emit into the air. I do not intend to make a long discussion of this matter—I did not come to the floor for that purpose—but the fact is that in terms of passenger miles, there will be less emission from the SST than takes place from any plane in operation today.

Mr. PROXMIRE. Mr. President, if the Senator will yield at that point——

Mr. ALLOTT. I am happy to yield.

Mr. PROXMIRE. When I talked about the pollution of the atmosphere, I was talking about the testimony of Russell Train, former Undersecretary of the Interior who indicated that the supersonic plane, flying at the height it would fly, in the stratosphere, would affect the moisture content of the upper atmosphere very seriously and severely—so severely that it could have what he called—and I think the Senator would agree that Russell Train is a very competent environmentalist—a disastrous effect.

Mr. ALLOTT. He is a competent environmentalist. I would not say he is an authority on the SST.

Mr. PROXMIRE. Well, he is an authority on the environment. That is more important when we are talking about what the SST would do to the environment.

Mr. ALLOTT. I will say this, Mr. President: You cannot contend, when you are carrying x number of passengers through the sky, and the SST emits less per passenger per mile than our present planes, that it is going to increase the presently existing antienvironmental qualities in the atmosphere.

Mr. PROXMIRE. No; what I am saying is something entirely different. That is that the kind of pollution you would get with the supersonic transport, at the height it would fly, the speed it would fly, and the kind of emissions it would provide, and its effect on the environment, would be entirely different from subsonic jets, in degree as well as in kind, on the stratosphere and on the environment in general. The SST could have an effort on the ozone that could increase ultraviolet radiation on earth with an unknown but potentially disorder effect. This is not true of subsonic planes.

You cannot simply compare the number of passengers that would fly in each plane and the amount of emission that would come out of each plane, because this is an entirely different kind of effect.

Mr. ALLOTT. Mr. President, I do not agree with the Senator. They do come out at a different altitude. It is a difference of 25,000 feet over what is presently being utilized; depending on what altitude they fly, between 15,000 and 25,000 over what our planes are flying today. I do not know whether the Senator is aware that we do have planes flying at 45,000 feet over this country today. But I do intend to look into this.

Mr. President, there are many other arguments about this matter. Of course, my good friend from Wyoming—I do not know where he went—had to leave the floor. But it is not contemplated that these planes will be used over the land areas of the United States at all. I am fully acquainted with the tests that were conducted over Oklahoma City, in the great State of the present occupant of the Chair (Mr. BELLMON); but the truth of the matter is that while there are certain arguments, I think, that can be made against the SST, I do not think that some of those propounded by the Sierra Club are completely accurate.

Mr. PROXMIRE. Mr. President, if the Senator will yield, I did say, and the Senator from Wyoming agreed, that they will not be used over land areas at this time. But in order to obtain the full economic benefit, the FAA will be under great pressure to come to that, and eventually we will have to permit flights of these planes over land. There will be a great deal of pressure to bring that about.

Mr. ALLOTT. I suppose there will be pressure, but this is not primarily the responsibility of Congress. It is the responsibility of the FAA and the CAB. In the first instance, the CAB would be the agency that would have to certificate the routes, and they certainly could not fly unless they receive this certification. Later, the actual flights of the airplane would be under the authority of the FAA.

Mr. President, I wish to say that I intend to discuss this matter at great length. We are being subjected, in this area, to a propaganda barrage from the Sierra Club. As with many previous issues, I believe that the position of the Sierra Club is extreme. They would have us stop all development in the West and preserve it for future generations—what the rest of us would do for a living in the meantime I am not sure; but that is the attitude of the Sierra Club, and it has been consistent all the time.

Mr. HANSEN. Mr. President, will the Senator yield at that point?

Mr. ALLOTT. I am happy to yield.

Mr. HANSEN. Mr. President, let me say to my distinguished colleague from Colorado, he is certainly one of the most respected Members of the Senate, and I yield to no man in my high regard for him, for his integrity, and for his championship of things important to the West.

I did say more than a year ago, in quite another vein, that it was difficult for me to support a program that would bring about the investment of Federal dollars in the development of a supersonic transport while, at the same time, we were witnessing a phase-out of local service airlines.

My good friend from Colorado, I know, feels as I do that what we need in order to open up the West and make full use of the important contribution that potentially we can make to this country, to better living and to fuller enjoyment of these most unique areas found in such abundance in the States of Colorado and Wyoming, is better local service airlines, in addition to the transcontinental lines that we have. So in that respect, the Senator and I stand shoulder to shoulder.

I would like to say that I have not been on the side of the Sierra Club as many times, I suspect, as I have been on the other side, and what I said insofar as environmental damage went does not reflect the urgings of the Sierra Club. It does reflect my trust in the discernment, and the honesty of an old friend, Dr. D. G. McLeod of Jackson, Wyo., who is a most astute observer. He is an ecologist. Certainly his training as a forester complements the experience he has had.

He is concerned, as am I, about what sonic booms can do to a mountainous area with some people living in it, and that was as far as I meant to go, I say to my good friend from Colorado.

Mr. ALLOTT. Mr. President, I am not critical of anyone. I just feel very strongly that some people in the Senate made up their minds years ago, without even taking the trouble to have access to the facts; others of us have tried to study the matter through the years, and I think that is the situation.

Mr. President, the real problem here is how long are we going to keep exporting jobs?

There was a paper sent from Mr. Shriver, when he was Ambassador to France, to the State Department saying that the British and the French were not going to proceed with the second version of the Concorde. In the few months since he left there, a new communication has come to the State Department saying that they are.

We are talking about a minimum of 300 airplanes, at $35 million to $40 million per plane to be made in American plants. We can keep on exporting jobs, as we have done with regard to textiles, shoes, many of our radios, many of our TV's and many of our automobiles. How long are we going to be such utter fools as to keep exporting jobs to every country in the world, while at the same time making it tougher for the American workman?

The only place we are really competing in the world market today, is in the area of advanced technology. The minute we come up with something that is copied and produced in Japan or someplace else, at wages below what we have to pay in this country, we export jobs. And if we are such utter fools as to export the market and the jobs that are represented by this development in the next 10 years, then I say that Congress deserves to be criticized.

One other aspect of this matter, Mr. President, is that, on the most conservative estimate, it means a $16 billion trade advantage in the next 10 years—$16 billion—that means whether the money comes into the United States for sales, or whether we sell it in other countries. Both the Russians and the French-British version, the Concorde, are ready to move ahead.

So I would say to people who oppose this on environmental grounds—and I am also for preserving and improving the environment, and in this regard I think I have done more than some of the breastbeaters who do not have to assume responsibility for what happens—that we have to look at all aspects of this matter. I am thinking about the many thousands and thousands and thousands of jobs—if the Senate does not act favorably on the SST—not for a day, not for a month, not for a year, but over a period of years, which are going to be exported to Russia and France and England. If somebody wants to participate in that, they can do it, but I do not think the Senator from Colorado will.

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

Mr. ALLOTT. I yield.

Mr. HANSEN. Mr. President, let me pay my sincere respects to the distinguished senior Senator from Colorado. He has very accurately and appropriately characterized himself as one concerned with jobs in this country. I agree completely, and I would go beyond what he has said and observe that few Senators, so far as I know, have been more ardent advocates of the development of American industry through the protection of American jobs, through the development of processes and materials and machines that will make possible a higher standard of living for all of us. I take my hat off to him, because his leadership has been truly noteworthy.

I agree with him. Insofar as I have been able, it has been my intention to support the distinguished Senator from Colorado.

Let me say in this regard that the question I meant to raise was simply this. The last time the appropriation came before the Senate, I voted for the SST. Since that time, I have had reason to question the long-time desirability of an aircraft which would fly for commercial purposes at a speed in excess of sound, and with that in mind I said what I did.

My feeling is that it could very well be that the Boeing 747 version of aircraft may in time prove to be far more popular than the SST. As I note the relative speeds of these planes, it does occur to me that the economies that would go with a plane flying at subsonic speeds, able to carry more passengers, might have much greater appeal to the average traveler than would the more costly ticket on a plane flying at supersonic speeds.

Nevertheless, I would like the RECORD to indicate the very high regard I have for the distinguished Senator from Colorado. I hope he will not take personal umbrage from what I have said.

one of us has to protest our friendship that I just happen to disagree with him on this. We have worked in common in so many things that I do not think either one of us has to protest our friendship or our respect. If we do, we will be paraphrasing an excerpt from Shakespeare and saying:

Methinks thou dost protest too much.

But it is a fact that we have that great mutual respect, and it is one of the great satisfying things of the Senate that we find people like the Senator from Wyoming for whom we can entertain that respect.

THE O'NEILL STUDY PANEL: SAFEGUARD EVALUATED IN REPORT

Mr. ALLOTT. Mr. President, last Sunday the Baltimore Sun published an Associated Press dispatch that accurately and briefly summarizes the O'Neill panel report, a study prepared through the Department of Defense by a team of independent experts on ballistic missile defense.

The study itself is now of minor consequence. It was originally commissioned by Dr. John Foster, Director of Defense Research and Engineering, because the Pentagon wanted "expert technical opinions on the Safeguard before President Nixon made a decision to go ahead with a second phase of the project."

The study became the subject of some controversy in the Senate not because its conclusions were themselves controversial, but, rather, because there was some disagreement by two of the panel members over the characterization of the study made by Dr. Foster in a remark before the Foreign Relations Committee. The result of the disagreement was to convey the impression that the study made recommendations unfavorable to the further deployment of Safeguard. The study has now been declassified, and it is clear that this was not the case.

Mr. President, because of the interest in this matter shown by a number of Senators, I ask unanimous consent that the Associated Press article, entitled

"Safeguard Evaluated in Report," be printed in the RECORD at this point.

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

SAFEGUARD EVALUATED IN REPORT—PHASE II WOULD PROVIDE THIN AREA COVERAGE, MINUTEMAN DEFENSE

WASHINGTON, July 25.—A report censored for security reasons on the Safeguard antimissile defense system says the full Phase II program would provide protection against a limited Red Chinese missile attack and some defense of U.S. Minuteman missiles from a Russian blow.

"It provides thin area coverage and some defense of Minuteman," said the report by seven civilian scientists to Melvin R. Laird, Secretary of Defense.

The January report, secret until now, was the center of a dispute before the Senate disarmament subcommittee last month.

WILL DO THE JOB

Dr. John S. Foster, the Pentagon's research and engineering director, told the subcommittee the report said equipment proposed for the Safeguard system "will do the job the Department of Defense wants to do."

Two members of the panel—Sidney D. Drell, a professor at the Stanford Linear Accelerator Center, and Marvin L. Goldberger, a Princeton physics professor—disagreed with Dr. Foster.

They testified that the report's conclusions were misstated.

The 14-page report resulted from a study requested by Dr. Foster who, Pentagon officials said, wanted expert technical opinions on the Safeguard before President Nixon made a decision to go ahead with a second phase of the project.

RANGE OF VIEWS

The document notes that "Although members of the group hold a range of views concerning the desirability of a BMD [ballistic missile defense] deployment and concerning the interactions between a deployment and diplomatic, strategic and political factors, it was not asked for and did not offer advice based on such things."

The censored version of the report contained no explicit criticism of any of the Safeguard's components. Defense officials said no criticisms were contained in the sections kept from public view.

The group did say it believes a more cost-effective system can be devised for terminal defense of the Minuteman and urged an approach featuring smaller, less costly and "less technically formidable" radars.

The panel said "it is necessary to proceed vigorously" with developing better components for the system, which defense authorities say they are doing.

The advisory committee seemed to imply that there are not enough short-range Sprint missiles provided in the first phase of Safeguard, which was limited to protecting two Minuteman intercontinental ballistic missile bases in Montana and North Dakota. Pentagon officials noted this year's Safeguard proposals put more Sprints at these sites.

The report, signifying it was approved by all members, was dated January 27. Nearly a month later, on February 24, the Nixon administration came up with its modified Phase II program.

Falling short of the 12-site plan, it calls for one additional Safeguard site at Whiteman Air Force Base in Missouri to protect more Minuteman missiles, and preliminary work on five additional sites as the administration once again took account of prospects that the Red Chinese may deploy an ICBM system in the 1970's.

The scientific group analyzed the Safeguard system in the light of President Nixon's three stated objectives announced last year:

1. To protect key elements of the U.S. retaliatory deterrent, the missile and bomber forces.

2. To shield the U.S. population against the potential Chinese atomic threat.

3. To protect the country against damage from an accidental missile launch against the United States.

Among other things, the group called for a policy decision "on whether to give emphasis to Minuteman terminal defense or to divide effort between Minuteman defense and area defense in the next step."

CHOSE BOTH

The Nixon administration, in moving into a modified Phase II, made a decision on the side of both deterrent protection and population defense.

A couple of suggestions dealing with fund obligations differed from the route the administration took.

There were no clear indications of major differences within the scientific group.

However, the report at one point noted that estimates within the panel of the effectiveness of a feasible thin area defense against a Chinese ballistic missile attack varied.

The opinions were said to range between a belief that there was a high probability a thin area defense would be highly effective and a belief that the Chinese would respond to a U.S. area defense by using penetration aids to get missiles through or bypass the defense entirely by using such devices as clandestine weapons.

WHAT STUDENTS ARE TAUGHT

Mr. ALLOTT. Mr. President, yesterday's Wall Street Journal contained an editorial which speaks with uncommon good sense on a subject that is generating a lot of nonsense these days.

The editorial concerns students and their manifold and manifest problems. It is entitled "What Students are Taught," and its thesis is straightforward. The editors of the Journal believe—correctly, I think—that the way students behave has something to do with the ideas they ingest in their roles as students. In short, the behavior of students reflects the ideologies of their professors.

This thesis is simplicity itself. It is also obviously true—so true and obvious that only professional academics seem unable to comprehend it.

As the Journal says:

To an important extent, surely, student disruption grows out of the intellectual currents of our time. In this and other ways we are only beginning to understand, these currents have grown extraordinarily perverse to the interests of society.

The Journal adds this:

For our part we are quite convinced that disruption by students has deep roots in the attitudes of professors. This is not merely a matter of an academic fringe actually advocating anarchy, though that plays a certain part. Nor is it merely a matter of the typical faculty lacking the courage and cohesion to discipline unruly students. For a faculty could hardly be expected to expel students for an excess of zeal in expressing the very attitudes the faculty is so proud to have instilled in them.

Mr. President, the Journal is dead right in stressing the importance of the fact that a tedious, suffocating orthodoxy is holding sway on American campuses. And I must say that this orthodoxy is depressingly evident in some of the recent news here in Washington.

The President's Commission on Campus Unrest—the Scranton Commission—is hearing a seemingly unending series of academic witnesses anxious to say that the universities' problems are the fault of war, poverty, disease, greed, pestilence, and other sins that are attributable to society, the military-industrial complex or almost anything other than the men who today are proving so strikingly inept at the business of running academic affairs.

Worse still, the President recently received from Vanderbilt University's Chancellor Alexander Heard a report which was just what the Journal editorial describes it as being a "typical apology for students."

With so much faulty diagnosis and bad advice being merchandised in this town in recent days, it is especially useful for the Journal to give us the benefit of its customary good sense.

Mr. President, so that all Senators may benefit from this good sense, I ask unanimous consent to have the Journal editorial printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. ALLOTT. Mr. President, today's Washington Post contains an illuminating column that tends to confirm the views of the Journal. The column is by Joseph Kraft and its thesis is stated in its headline: "Attitude of Educated Elite Is Causing Social Tensions."

So that all Senators may profit from this remarkably sensible column, I ask unanimous consent that it too be printed in the RECORD.

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

(See exhibit 2.)

EXHIBIT 1

[From the Wall Street Journal, July 27, 1970]

WHAT STUDENTS ARE TAUGHT

With due respect for the distinguished individuals involved, we doubt that especially penetrating insights into the causes of campus disruption are likely to result from either the typical panel investigation being run by former Governor Scranton or the typical apology for students offered last week in Vanderbilt Chancellor Heard's report to President Nixon.

Not that it's difficult to list some of the obvious factors in student unrest—the war, the draft, student boredom, the tortured course of the decade that has been the whole of a 20-year-old's politically conscious experience. Yet when you have said all that an unsatisfied feeling remains; you are left still wondering why all those things worked themselves out the way they did.

What these explanations leave out is the power of ideas. This is also an area most inquiries are likely to overlook, though one would think examining events at universities without reference to ideas would be like examining events in banking without reference to money. To an important extent, surely, student disruption grows out of the intellectual currents of our time. In this and other ways we are only beginning to understand, these currents have grown extraordinarily perverse to the interests of society.

A number of scholars have in various ways touched on this malaise among the intellectually oriented elite. To take only the academic luminaries, we think of Daniel P. Moynihan, Nathan Glazer, Edward C. Banfield, Zbigniew Brzezinski, Daniel Boorstin. We might also add Michael Lerner, for his article on "elite bigotry" in The American Scholar, and Andrew M. Greeley, for his recent witty and perceptive contribution to the New York Times Magazine, "Intellectuals as an 'Ethnic Group'." It might pay Governor Scranton's group to ask such people whether student disruption might be related to the current mood of the adult intelligentsia.

For our part, we are quite convinced that disruption by students has deep roots in the attitudes of professors. This is not merely a matter of an academic fringe actually advocating anarchy, though that plays a certain part. Nor is it merely a matter of the typical faculty lacking the courage and cohesion to discipline unruly students. For a faculty could hardly be expected to expel students for an excess of zeal in expressing the very attitudes the faculty is so proud to have instilled in them.

Chief among these is the notion that the ills of the nation and the world would prove quite tractable if only everyone listened more to the intellectuals. The intellectual has always felt himself uniquely qualified to run society, but never before the 1960s had this feeling found such support: A growing social class oriented to the intellectual, almost complete penetration of the media, acceptance at court during the Kennedy era.

As the intellectual class grew in prestige and influence though, the content of its thought grew only in dogmatism. The Vietnam war became not only mistaken but immoral; American society became irredeemably racist. The dogma carries a suspect tinge.

Too many of the mistakes in Vietnam were made by representatives of the intellectual class that gave the State Department its undersecretaries, the White House its basement advisers and the Pentagon its civilian whiz-kids. Too often the denunciations of racists served mostly to make the denouncer feel virtuous. But no matter, the conclusions became part of the intellectual classcreed, and history may yet view the 1960s as the decade in which the prevailing liberal orthodoxy reduced itself to an absurdity.

For many students, university experience during this decade amounted to a force-feeding in these doctrines: That intellectual prescriptions can solve all problems (even those that have resisted solution for a millennium), that the proper prescriptions are those favored by the intellectual class (no matter how narrow a social stratum it occupies), that failure to adopt these "obvious" prescriptions must mean political leaders are stupid or venal (never that they are sensitive to a broader range of society or a broader range of reality).

There are of course outstanding professors who apply their critical skills even to this creed, but they are few. The intellectual class is remarkably inbred; a sample survey of political scientists finds, for example, that only 12% of them voted for President Nixon. Given an intense and one-sided socialization in this narrow class, students not surprisingly develop a sturdy sense of self-righteousness, which is the stock-in-trade for those who would occupy buildings, close campuses and bully professors who dissent from the dogma.

The recent outbreak of disruption is not too surprising in light of the intellectual trends on campus, but it certainly is ironic. For the notions of intellectual preeminence that did so much to foster the disruptions have also proved their first casualty. How will serious men take an intellectual class that is unable to govern a university, but presumes to govern the whole society?

EXHIBIT 2

[From the Washington (D.C.) Post, July 28, 1970]

ATTITUDE OF EDUCATED ELITE IS CAUSING SOCIAL TENSION

(By Joseph Kraft)

BERKELEY, CALIF.—Social tension in the United States, being a subject usually studied by the educated, is generally blamed on the less educated. But every day announces that a main source of trouble is an overconfident attitude of snobbish contempt on the part of the American elite. Some underlying reasons for this attitude are now explained in the fascinating study of American universities conducted by Dr. Harold Hodgkinson for the Carnegie Commission on Higher Education here in Berkeley.

The starting point of the study is the diversity that used to characterize higher education in this country. Most colleges were started on the principle that led to the establishment of Yale as a barrier against the dangerous thoughts of certain Harvard divines.

Throughout the South, the Midwest, and the West thousands of institutions were set up to build provincial elite, vaccinated with local spirit and old-time religion against the sophisticated viruses distilled by the Eastern Babylons. College graduates, as a result, tended to differ widely from region to region. They had ties with local people and local institutions. They had roots.

But in the past two decades professional and graduate schools have become the dominant feature of higher education in America. Colleges exist not to turn out local gentry, but as way-stations on their route to higher learning. The standards of the biggest and best graduate schools—at Berkeley, Harvard, Columbia, Chicago, and Michigan—have come to dominate the system.

The domination of these few centers has as a first consequence the elimination of diversity among colleges. Hodgkinson found only slight regional differences in a wide variety of educational categories including student body composition, faculty attitudes, teaching effectiveness, and administrative methods. Even student protests, supposedly concentrated most heavily on the two coasts, turned out to run across the board.

"The data," Hodgkinson observed, "refute the commonly held assumption that there are major differences in educational institutions in different sections of the country . . . The monolithic status system exists in American higher education and pervades all colleges and universities."

This "monolithic status system" has a marked effect on the student body at most universities. The signals that come down from the great cosmopolitan graduate schools have led to a tremendous drop in the racial and religious barriers that used to limit the higher educational opportunities for Jews, blacks, browns, and other minority groups. "The most widespread change," Hodgkinson reports in his survey, "was the increased heterogeneity in the ethnic composition of the student body."

But the sympathies generated in the great educational centers for racial minorities did not extend to those on the lower rungs of the economic ladder. The colleges open their doors wider to middle-class members of ethnic minorities, but not to low-income groups—particularly low-income whites.

As Hodgkinson puts it: "Institutions appear to be more racially open than in the past, but they have become less open to social classes than they have to races . . . A black middleclass male may have a better chance of getting into . . . a college or university than would a lower-class person of any race . . . Higher education is fundamentally a middle-class institution that has little dedication to those who are simply poor and do not represent any particular minority group."

The social effects of all this are visible every day. Student groups, newly infused with ethnic minorities, tend to be highly sensitive to discrimination and prejudice. That is one reason for the hostility to all kinds of superiority and authority—whether at the university, in the society, or the government.

At the same time, there is no great concern for the economic problem of getting along. That is one reason why there is so much contempt for those who have to grub for a living—mainly low-income whites in the blue-collar jobs.

Finally, the students have a burgeoning sense of exuberant strength. Not only do they think they are right morally, but they keep encountering their own likeness all over the country. They have the illusion of great numbers and of power and they tend to indulge their beliefs and inflict their feelings without the restraint that comes from the awareness of being weak.

In fact, however, the American elite is probably weaker now than at any time in the past. It is aligned with unloved minority groups. It has lost the camouflage that comes with being the champions of local interests. The college-educated in particular are out in the open as never before. They are marked men, set apart from others. And unless the students restrain themselves, unless they curb their exuberantly different life style, they are going to find out the hard way what it is like to be a visible elite in what is basically an egalitarian country.

ENVIRONMENTAL CONCERN IN COLORADO

Mr. ALLOTT. Mr. President, the summer 1970 issue of Action Report—a newsletter by the Chase Manhattan Bank and described as "a digest of corporate approaches to public problems"—contains an interesting and encouraging article about the high sense of responsibility demonstrated by a firm operating in Colorado.

The firm is Climax Molybdenum Co., which is currently constructing a $200 million mine at Red Mountain in Colorado.

As Action Report explains, the company is going to considerable expense to be a responsible developer of natural resources. So that all Senators may read this story, I ask unanimous consent to have it printed in the RECORD.

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

FROM 9-MILE TUNNEL TO COLORED BUILDINGS, ENVIRONMENTAL CONCERN MARKS COLORADO MINE

At Red Mountain in the heart of the Colorado Rockies, Climax Molybdenum Company, a division of American Metal Climax, Inc. (AMAX), is constructing a mine that will play a key role in satisfying the free world's future needs for molybdenum.

But construction of the $200 million Henderson mine is proceeding in ways that would have puzzled engineers in the 1950's. Facilities are being put in out-of-the-way places by traditional standards, some of the work being done is not essential to strict operating efficiency and certain expenses be-

ing incurred are equally inessential to efficiency.

Max Gelwix, chief engineer for the company's western operations, explains the reasoning succinctly in terms of rising public demand for protection of the environment. "An engineer has to recognize the needs of the country and the temperament of the times," Gelwix says. "And there's been a tremendous change in temperament in the last 10 years."

Some of the actions taken by AMAX have been "little" steps. Instead of using ordinary galvanized steel for buildings at the mine site, it is installing colored siding which blends with the local setting. It has planned the culverts and trestles of a surface railroad in such a way that it does not cut off wild animal trails. It has piled up and saved the topsoil and dirt removed from the mine site so that the land can be restored when the site is no longer needed. It has kept construction operations as compact as possible to minimize effects on the terrain.

Around a smaller mine recently completed at nearby Urad, as well as at the Henderson mine, slopes that have been cut are being reseeded by means of a truck-mounted hydromulcher that throws a stream of water, mulch fiber, seed and fertilizer onto the soil.

The Public Service Company of Colorado adopted a similar philosophy when it brought in power lines to the mines. Instead of bulldozing a swath through the forests, it cut just a few trees selectively and had them pulled out by horses, which could weave their way through the woods without doing the damage that a bulldozer would do. The utility also brought in the transmission towers by helicopter. The towers are made not of shining aluminum but of green-painted wood designed to weather and blend into the setting. The telephone poles also are painted forest green.

Other steps taken by AMAX have been bigger, more expensive ones. When company officials began working closely with representatives of the Colorado Open Space Council back in 1966, the major problem to solve was disposal of rock tailings, the finely ground waste material which comes from the mill. More than 300 million tons of rock tailings are expected to be produced before the Henderson mine is exhausted.

Ideally from an economic standpoint, AMAX would have placed the mill and tailing disposal area next to the mine site. But, since this would have put the operation very close to a major highway through the Rockies, the company investigated possible alternative sites with a 25-mile radius. It finally chose a location on the opposite side of the Continental Divide, 14 miles from the mine. Hidden from public view, the site could be connected with the mine by driving a 9.3-mile long railroad tunnel beneath the Divide. This is being done—at a cost of $25 million.

The mill where ore will be processed, after the mine's scheduled opening in 1975, is located next to the tailing pond and will use water recycled from the pond. A series of canals will be built above the pond so that water running down the mountain will not flood into the pond, become polluted by the tailings and sweep on down the mountainside.

Company officials continue to meet frequently with members of the Open Space Council in an effort to work out problems "before they happen." James Gilliland, director of environmental control for Climax Molybdenum, has also arranged for experts in outside firms to make several new environmental studies before heavy construction work starts at the mill site. Assuming a company can learn to make multiple use of the land, insists Ian MacGregor, chairman of the board for AMAX, "the goals of conservation are compatible with full utilization of our mineral resources."

Mr. President, among the things that Climax Molybdenum did over a period of years was to make very careful plans to conduct the mine and operate it in such a way that it would not disturb the environment in the least degree. They have also spent a considerable amount of money to construct a 17-mile tunnel through the mountains of Colorado. They also expended many hours, weeks, and months in working with environmental experts in Colorado. This is truly a great step forward in the type of development that we hope to see in this Nation.

Mr. President, I yield the floor.

MRS. OGDEN REID—A REMARKABLE WOMAN

Mr. JAVITS. Mr. President, I state to the Senate tonight, with sadness, that a very remarkable woman, Helen Rogers Reid, of New York, former president of the New York Herald Tribune, and mother of Representative OGDEN REID of New York, who represents Westchester County, has passed away.

Mrs. Reid was a woman of unique character who made a great contribution to her time. The wording of the 1935 Medal of Award, given to her by the American Womens Association, states: "For professional achievement, public service, and personality."

That fully described Mrs. Reid. She was an inspiration to me and to many others who knew her during her lifetime. I suppose she numbered as friends in her lifetime as widespread a galaxy of the great of the world, including this country, as can be imagined, as well as the most humble, who loved her equally.

Her life and activities will inspire our time, particularly women.

She was certainly in inspiration to her children, Ogden and Whitelaw, to whom Mrs. Javits and I extend our deepest sympathy.

Mr. President, I know that on the floor of the Senate we do not speak of the passing of every prominent person, but Mrs. Reid had such an important influence on journalism in New York as president of the New York Herald Tribune, and such a distinguished life as a person and on the whole of the community that surrounded her, as to deserve a front page obituary in the New York Times this morning, as well as a deep place in my heart, and in the hearts of her fellow countrymen.

Mr. President, I ask unanimous consent to have printed in the RECORD the obituary notice published in the New York Times today, which is entitled "Mrs. Ogden Reid Is Dead at 87; Ex-President of Herald Tribune."

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

MRS. OGDEN REID IS DEAD AT 87; EX-PRESIDENT OF HERALD TRIBUNE

Mrs. Helen Rogers Reid, former president of The New York Herald Tribune, died of arteriosclerosis yesterday at her home, 834 Fifth Avenue.

Mrs. Reid who was 87 years old, was the widow of Ogden Reid, president of The Herald Tribune until his death in 1947.

In her 37 years on The Herald Tribune and its predecessor, The Tribune, Mrs. Reid was an unflamboyant but powerful force in the newspaper world and in the city's civic and social life.

Her business acumen, first displayed as an advertising salesman, and her editorial judgment, in making the paper attractive to women and suburban readers, helped to transform The Herald Tribune into a modern newspaper.

Entering journalism as a by-product of her marriage to Ogden Mills Reid, whose father Whitelaw, had acquired The Tribune from Horace Greeley, its founder, Mrs. Reid gradually established herself as a newspaper personality in her own right. Never overtly aggressive, she won her reputation by quiet tenacity, dowagerlike charm, and a clear and orderly mind.

There was little in Mrs. Reid's appearance to suggest the influence she wielded, nor the force of her character. She stood only an inch over 5 feet; and she looked as fragile as a piece of expensive china. Her hair, at first brown, then gray and later white, was a fine soft fuzz that curled close to her head. Her large green eyes, however, were alert and probing. According to advertising salesmen who dealt with her, they could be quite unnerving.

In dress Mrs. Reid was feminine but not fancy. Her taste ran to bright colors, with various shades of purple predominant. Day in and day out she wore a plain beret-like hat embellished with pearls, a diamond clip, sequins, flower petals or feathers.

Although she was pleasant and informal in conversation in the office or at dinner, her talk did not run much to chit-chat, and she did not encourage it in others for long. For many years Mrs. Reid included her editors and columnists at luncheons, dinners and weekend parties she gave for guests notable in national and world affairs.

A gathering might include a Presidential aspirant, an international statesman, a best-selling author, an economist, an editor and a few couples from the Reids' social circle on the upper East Side. With dessert, Mrs. Reid would swizzle a glass of champagne with a piece of melba toast and throw out a general question on current affairs.

DINERS SUMMONED TO SPEAK

Going around the table, she would call on the diners, one by one, for their views. According to one account of these affairs, some gave their opinions seated, but a number were wont to rise and address Mrs. Reid as though she were a public meeting.

Mrs. Reid's interest in the political and economic forces that shaped the world about her was reflected in the establishment, in 1930, of The Herald Tribune's annual Forum on Current Problems. Although the Forum was at first a promotional device aimed at club-women, it was expanded to include the public generally.

With Mrs. William Brown Meloney, the Forum director for many years, Mrs. Reid took a hand in choosing and obtaining prominent speakers, many of them from abroad. She presided at the big sessions in the Waldorf-Astoria, and published the proceedings in a special supplement for high school and college students.

Mrs. Reid's own politics were Republican, but the forums were nonpartisan and dispassionate presentations of world news and issues. They were discontinued after 1955, for emphasis on the paper's Youth Forum.

At The Herald Tribune Mrs. Reid raised her voice for moderate Republicanism and for internationalism. In 1952 she supported Dwight D. Eisenhower for the Presidency; she had backed Thomas E. Dewey in 1948.

Mrs. Reid was a leader in civic affairs. She served for nine years as chairman of the board of trustees of Barnard College, her alma mater. A dormitory built in 1963 with funds she helped to raise is named for her. She was

a trustee of the Metropolitan Museum of Art. She was active in the New York Newspaperwomen's Club, and she was president of the Reid Foundation, established by her husband in 1946 to give fellowships to journalists for study and travel abroad.

NEEDY CHILDREN HELPED

Another of Mrs. Reid's civic interests was her newspaper's Fresh Air Fund, which raised public contributions to send needy children to summer camps and homes in the country.

As a society figure Mrs. Reid was far less formidable than her mother-in-law, a vigorous matriarch who died in 1931. Mrs. Reid's style in entertaining was informal—and indefatigable. There was a constant round of guests at her 15 East 84th Street apartment, at 30-room Ophir Cottage in Purchase, N.Y., at a summer place in the Adirondacks and at a hunting lodge in North Carolina.

To those who sought to assay her career, Mrs. Reid appeared as a Cinderella who became Queen Helen. She was born in Appleton, Wis., on Nov. 23, 1882, the youngest of 11 children of Benjamin Talbot Rogers and Sarah Louise Johnson Rogers. Her father died when she was 3. Although the family was not poverty-stricken, she was obliged to earn part of her way through boarding school and then through Barnard, which she entered in 1899.

EARNED DEGREE IN ZOOLOGY

She enrolled to study Latin and Greek and perhaps to become a teacher, but she shifted her interest to zoology and took her degree in that. She established a reputation among her classmates as a crisp, attractive, enterprising girl who could even turn a profit on the senior yearbook. The class poet summed her up in this quatrain:

"We love little Helen, her heart is so warm
And if you don't cross her she'll do you no harm.
So don't contradict her, or else if you do
Get under the table and wait till she's through."

In June, 1903, when Helen Rogers received her Bachelor of Arts degree, she heard that Mrs. Whitelaw Reid, one of the city's grande dames, was seeking a social secretary. She applied, was accepted and went to work in the Reids' sumptuous Florentine fortress on Madison Avenue, across from St. Patrick's Cathedral. Mrs. Reid, who had a dinner table seating 80 people and the wealth to festoon it with elegant viands, never lacked for social engagements; a secretary to handle this facet of her life had few idle moments.

SECRETARY FOR 8 YEARS

Helen Rogers was in Mrs. Reid's employ for eight years, dividing her time between the United States and London, where Whitelaw Reid was Ambassador to the Court of St. James's from 1905 to his death in 1912. During this time she met the Reids' only son, Ogden Mills Reid, fresh out of Yale. The couple were married in Wisconsin March 14, 1911.

Tall, handsome, genial and convivial, Oggie Reid was deeply interested in swimming, tennis, shooting and sailing—activities in which his wife learned to excel by putting her mind to them.

She at first took only a passing interest in The Tribune, which her husband inherited on his father's death. In the first six years of her married life she devoted herself to her children, Whitelaw, Elisabeth, who died in childhood, and Ogden. Her chief outside concern was women's suffrage. She helped raise $500,000 for suffrage campaigns in New York.

"When I was at Barnard, working my way through," she explained later, "the necessity for complete independence of women was borne in on me."

JOINED PAPER IN 1918

Mrs. Reid's newspaper career began in 1918, when she became an advertising solicitor for the palsied Tribune, into which the Reid family was reported to have poured $15 million since 1898. "Come down to the office," Ogden Reid asked his wife, "and work the paper's success out with me." Within two months she was its advertising manager, a post she held under slightly different titles on The Herald Tribune until she became its president in 1947.

Immensely loyal to the Reid name and eager to make The Tribune a great, self-supporting paper, Mrs. Reid channeled enormous energy into advertising salesmanship. Between 1918 and 1923 the paper, competing in the morning field with The Times, The World, The American and The Herald, more than doubled its linage.

Then and later she was relentless in pursuit of space buyers.

"She had the persistence of gravity," an associate once remarked. She called on advertisers or had them to luncheon. Banter, deft flattery and an array of voluminous and precise facts constituted her arguments.

ADVERTISING STAFF DRIVEN

She was as unsparing of the paper's other ad solicitors as she was of herself. "You get so you sneak up the back stairs rather than confess you're not a wonder boy," a member of her harried but admiring staff once said.

On The Herald Tribune in the nineteen-thirties and forties, Mrs. Reid was accustomed to hold advertising staff meetings on Mondays at 9 A.M. sharp to get an accounting of each salesman's work. At one point she presided from a platform decorated with a cardboard apple tree and red cardboard apples. Each apple represented an account the paper was seeking.

She called up the salesmen by turn, and whenever one announced a new account she would remove the appropriate cardboard apple from the tree with a ceremonious flourish to the accompaniment of the assemblage's applause.

By means of this and other encouragements to salesmanship, including at one time impromptu choral singing, Mrs. Reid kept the advertising flowing in. For her doggedness and for her conviction that The Herald Tribune was the finest advertising medium in the city she was much admired by her sales staff.

INFLUENCE ON PAPER STRONG

Mrs. Reid had a pervasive influence on the paper's news and editorial content, although its precise demarcations were a matter of speculation.

One story is that Mrs. Reid once protested to her husband about a news article and that he retorted:

"Helen, will you get the hell back to your department and run it while I run mine."

She is said to have departed meekly.

Mrs. Reid always denied the story. "In the first place," she once explained to an interviewer, "my husband wouldn't speak to me that way. In the second, I wouldn't leave meekly. Besides, nothing like that ever happened."

Actually, when Mrs. Reid put her mind to it, she usually got her way. One exception was in trying to make the paper dry during Prohibition. On this point her husband was unyielding.

SPURNED DEAL FOR HERALD

Mrs. Reid's editorial presence was felt especially after the Tribune, at her prompting, acquired Frank Munsey's Herald in a $5-million deal in 1924.

Shortly after the purchase, The Herald Tribune moved uptown from Nassau Street to quarters at 230 West 41st Street, and began to expand its news coverage and increase its circulation.

Mrs. Reid was generally credited with being responsible for its concentration on the suburban, middle-class field of circulation. She frequently suggested story ideas and advised on coverage of others. The paper devoted, under her stimulus, much space to the news of gardening and allied interests of suburban dwellers and women.

STAFF MEMBERS RECRUITED

Mrs. Reid's influence was also reflected in the appointment of the late Mrs. Irita Van Doren as editor of Books, the Sunday literary supplement, and of the late Mrs. Maloney as editor of This Week, the Sunday fiction and articles supplement. She added the late Dorothy Thompson and Walter Lippman, the commentator, to the staff. She was also responsible for the paper's Home Institute, a widely known experimental kitchen that devised and tested recipes for publication.

When Ogden Reid died in 1947 his widow succeeded him as president of The New York Herald Tribune, Inc. She became chairman of the board of directors in 1953. Her elder son, Whitelaw, who had joined the staff in 1940 and had been named vice president in 1947, succeeded to the presidency.

In 1955, at the age of 72, Mrs. Reid resigned as chairman but continued as a member of the board. Whitelaw succeeded her as chairman, and her other son, Ogden, who had joined the staff in 1950, became president, publisher and editor.

RETIRED IN 1958

For some time The Herald Tribune had not been gaining sufficient circulation and advertising in a period of rising costs and intense competition. A loan of $2.5-million from the Massachusetts Life Insurance Company in the fall of 1954 proved insufficient to restore the paper to prosperity. In September of 1957 John Hay Whitney, the financier, invested $1.2-million in the paper with an option to buy. He took up the option a year later, leaving the Reid family with a minority interest. Mrs. Reid retired at that time from the board of directors.

Mr. Whitney ran The Herald Tribune until 1966, when it merged with The Journal-American and The New York World-Telegram and The Sun. The new paper, The World Journal Tribune, expired in May, 1967.

In retirement, Mrs. Reid lived quietly in her apartment at 834 Fifth Avenue, entertaining her friends and members of her family and venturing out socially from time to time.

Many organizations honored Mrs. Reid. In 1935 she received the medal of award of the American Women's Association "for professional achievement, public service and personality." The Cuban Red Cross gave her the Commendador Cross of the Order of Honor and Merit for her "helpful understanding of world problems and friendliness toward Latin America."

At the annual dinner of the Hundred Year Association of New York, an organization of business institutions with more than a century of unbroken existence in New York, she was awarded a gold medal in 1946 for services in behalf of the welfare and prestige of the city. The 1949–50 seal of the Council Against Intolerance was presented to her for "outstanding service in the cause of tolerance and equality."

ELECTED TO ARTS ACADEMY

She was selected by the editors of "The Book of Knowledge" as one of 12 women who are "inspiring examples of intelligence and accomplishment." She was one of four women elected fellows of the American Academy of Arts and Sciences in 1950. In 1951 she was listed among 10 notable women in industry, communications, labor and the professions in New York State.

Mrs. Reid was also the recipient of a number of honorary degrees, and she was a member of the Colony Club, the Women's City Club, the Women's University Club, the New

York Newspaperwomen's Club, the River Club, and, in Paris, of the University Women's Club.

She is survived by her sons, Whitelaw Reid and United States Representative Ogden Reid of Westchester, and by 10 grandchildren.

A funeral service will be held Thursday at 10 A.M. at St. Thomas Episcopal Church, Fifth Avenue and 53d Street.

DEATH OF HON. MICHAEL J. KIRWAN, OF OHIO

Mr. YOUNG of Ohio. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on House Resolution 1161.

The Presiding Officer laid before the Senate a resolution of the House of Representatives (H. Res. 1161), which was read as follows:

Resolved, That the House has heard with profound sorrow of the death of the Honorable Michael J. Kirwan, a Representative from the State of Ohio.

Resolved, That a committee of fifty-four Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. YOUNG of Ohio. Mr. President, I send to the desk a resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The resolution was read, as follows:

S. RES. 434

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. Michael J. Kirwan, late a Representative from the State of Ohio.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate do now adjourn.

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

There being no objection, the resolution (S. Res. 434) was considered and unanimously agreed to.

The PRESIDING OFFICER. Under the second resolving clause, the Chair appoints the two Senators from Ohio (Messrs. YOUNG and SAXBE) as the committee on the part of the Senate to attend the funeral of the late Representative Kirwan.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, I move, in accordance with the previous order, and, pursuant to Senate Resolution No. 434, as a further mark of respect to the memory of Representative Michael J. Kirwan, of Ohio, that the Senate now adjourn.

The motion was unanimously agreed to; and (at 5 o'clock and 3 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, July 29, 1970, at 11 a.m.

EXTENSIONS OF REMARKS

AUTHORIZE CRIMINAL PENALTIES FOR MERCURY POISONING

HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 1970

Mr. MONAGAN. Mr. Speaker, on July 24, the Department of Justice announced plans to bring suits under the Refuse Act of 1899 to prohibit the discharge of mercury into navigable waters. I previously urged the Department to use the Refuse Act together with the Federal Water Quality Act to protect the public's health and safety from mercury poisoning. I commend the Department for apparently revoking its previous guideline—an indefensible position—to only utilize the 1899 Refuse Act in cases of "accidental and infrequent" pollution and to ignore cases to continuous day-to-day dumping of potentially poisonous wastes.

Interior Secretary Hickel warns that the presence of mercury in much of the Nation's waters "constituted an imminent health hazard." He now terms mercury contamination of water "an intolerable threat to health and safety of Americans." He disclosed that the polluters were requested to act voluntarily to end mercury pollution. Their failure to comply forced Mr. Hickel to recommend that the Department of Justice initiate legal proceedings. Mr. Hickel appears to have acted reasonably and constructively.

Because mercury pollution is a very serious matter, where the evidence indicates it may be threat to the health and safety of Americans, and the polluter fails to attempt to comply voluntarily after request, the Department of Justice should authorize and seek criminal penalties as well as civil injunction proceedings under the Refuse Act of 1899 against polluters. To do otherwise is an attempt to defend the intent and strength of the 1899 Refuse Act and to possibly ignore Government responsibility for existing law.

SPECIAL DOCUMENTARY PROGRAM WILL APPEAR ON ABC

HON. ROY A. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 1970

Mr. TAYLOR. Mr. Speaker, I take special pride in calling to the attention of my colleagues in the House and Senate a special documentary program entitled "Help," which will appear on the ABC Television Network this coming Monday, August 3, 1970, at 10:30 p.m., as part of ABC's "Now" series.

This hour-long, prime-time color film will portray the phenomenal success story of AFRAM, Inc., a black owned and operated business located in the congressional district which I represent at Asheville, N.C. Asheville, incidentally, was designated earlier this year as an "All America City," due in part, the judges said, to the progress which the city has made in improving race relations.

AFRAM, which manufacturers a variety of disposable paper garments, is truly an example of what can be done when people of all races in a community combine their resources to achieve a mutually beneficial goal.

The film, which I hope every Member of Congress will have an opportunity to see, will show what the blacks in Asheville have done to help themselves in a unique and enterprising industry.

Special credit must be given to Mr. Robert V. Mathison, of Asheville, a prime mover in initiating and helping to organize AFRAM, and to Mr. Mort Cohn, vice president and general manager of WLOS–TV in Asheville, who had much to do with arranging the documentary.

Mr. Cohn recently expressed the belief that the film will serve to provide ideas for similar projects elsewhere in the Nation.

MEDICAL CARE BENEFITS FOR DISABLED COAL MINERS

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, July 28, 1970

Mr. SCHWEIKER. Mr. President, this morning I received, as did a number of other Members of Congress, a letter from W. A. "Tony" Boyle, president of the United Mine Workers of America.

Mr. Boyle proposes in his letter that Congress enact legislation to provide medical and hospital benefits to disabled coal miners who are too young to qualify for either medicare or their retiree's pension from the UMW Welfare and Retirement Fund.

Mr. Boyle's letter raises an issue that is becoming critical not only among coal miners but among every group of industrial workers in the Nation. This issue is: When a worker becomes disabled several years before he could draw medicare benefits, how can he cope with the enormous expense of medical and hospital care for himself and his family?