ment, participation by little people in important affairs, and where the evens of the market place govern the economy.

Marxism and its totalitarian trappings have failed. Certainly the cold aggression in Budapest, where Soviet tanks confronted Hungarian flesh and blood, was not a manifestation of success.

The brutal aggression by the Soviet Army in Czechoslovakia—seen on millions of television screens—was by no means a mark of triumph.

The erection of the Berlin wall—living monument to frustration—was not an example of Communist progress.

The cold murder of thousands, perhaps millions, of Chinese, the raging of the Red Guards, the forcible seizure of peasants' crops by the People's Liberation Army are no evidence that Marxism is succeeding in China.

The ejection of the Communists from Indonesia, the largest Moslem nation in the world, was a major setback.

Nor is the propaganda drumfire regarding Vietnam that we hear coming from every Communist source around the world—a drumfire that seeks to shake our own convictions in the ability of our nation to solve its problems—a manifestation of strength.

All of these symptoms, plain for every one of us to see and analyze on his own, sound a note which should resound from one end of our country to the other.

It is this: While the American system has made tremendous strides, our enemy is in trouble all over the world and what he is doing, by every means possible, is to try and divert our attention from his plight, to create doubts, apprehensions and cynicism in our minds so that we will not make capital of his weakness.

What is needed desperately today is for the great mass of silent America to come out of their shells—to acknowledge publicly and openly what they already know—that ours is a great, a dynamic, and successful country, that the ragings of those who condemn our system are false.

Now, above all, is no time for people whose work has brought our country to greatness to be silent or uncertain.

Over a generation ago, Calvin Coolidge said, "Doubters do not achieve, skeptics do not contribute, cynics do not create."

The 20th century is certainly a battlefield. Of this, there can be no doubt. And, to win the battle of the 20th century, our country can afford no doubters, no skeptics and no cynics.

If the American people will show the guts to face the issues as they really are and to make themselves heard over the din of those who would destroy our society, the future has to be bright. This particularly has to do with the military, with the preservation of its image, with the damping of the downward tilt of the curve of our popularity with the protection of our strength, of our right to fight, of our opportunity to defend our land.

Each of you midshipmen with the broad education that is coming your way here, certainly see the magnitude of the stakes involved in today's battle for military survival. We face shortages—shortages, of course, of money, of men, of information, of organization, of leadership, of time.

And the shortest of all is time.

SENATE—*Friday, July 31, 1970*

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

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

God of our fathers, our God, and our children's God, before Thee the generations pass. We thank Thee for the work of hand and speech and pen in every age by which life has been enriched and Thy kingdom advanced. We bless Thee for our place in the making of history, for the sturdy warriors of the spirit who have moved ahead, and for the vital youths in the ranks which follow. However few or many our days, we thank Thee for life, and that it is lived now when new vistas are opened, new wonders of creation revealed, and new disciplines demanded. O Lord, make us adequate for our time.

To the President, to the Congress, and to all our leaders give that higher wisdom and that nobler courage which belongs to free men under Thy protection and rulership.

In the Redeemer's name. 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 assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., July 31, 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.

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 the bill (S. 3586) to amend title VII of the Public Health Service Act to establish eligibility of new schools of medicine, dentistry, osteopathy, pharmacy, optometry, veterinary medicine, and podiatry for institutional grants under section 771 thereof, to extend and improve the program relating to training of personnel in the allied health professions, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15733) to amend the Railroad Retirement Act of 1937 to provide a temporary 15-percent increase in annuities, to change for a temporary period the method of computing interest on investments of the railroad retirement accounts, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16915) making appropriations for the legislative branch for the fiscal year ending June 30, 1971, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 1 through 22, 24 through 31, and 37 through 41 to the bill, and concurred therein; and that the House receded from its disagreement to the amendments of the Senate numbered 23, 32, and 35 to the bill, and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H.R. 18104) to amend section 15(d) of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore (Mr. ALLEN):

S. 3348. An act to amend title 38, United States Code, to increase the rates of compensation for disabled veterans, and for other purposes; and

H.R. 15733. An act to amend the Railroad Retirement Act of 1937 to provide a temporary 15-percent increase in annuities, to change for a temporary period the method of computing interest on investments of the railroad retirement accounts, and for other purposes.

HOUSE BILL REPORTED

The bill (H.R. 18104) to amend section 15(d) of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority, was read twice by its title and referred to the Committee on Public Works.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, July 30, 1970, be dispensed with.

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

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, following the remarks of the distinguished senior Senator from Ohio (Mr. YOUNG), there be a

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

period for the transaction of routine morning business with a time limitation of 3 minutes therein.

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

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, with the concurrence of the distinguished Senator from Ohio, who is to be recognized at this time, and taking no time away from him, 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.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 1041 and 1046.

The ACTING PRESIDENT pro tempore. Without objection, the clerk will state the first measure.

RESOURCE RECOVERY ACT OF 1970

The Senate proceeded to consider the bill (S. 2005) to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such act, and for other purposes, which had been reported from the Committee on Public Works, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Resource Recovery Act of 1970".

TITLE I—RESOURCE RECOVERY

SEC. 101. Section 202(b) of the Solid Waste Disposal Act is amended to read as follows:

"(b) The purposes of this Act therefore are—

"(1) to promote the demonstration and application of solid waste management systems which preserve and enhance the quality of air, water, and land resources;

"(2) to demonstrate on an areawide systematic basis techniques for resources recovery and the management of solid wastes, including systems for collection, separation, recovery, and recycling of solid wastes, and the environmentally safe disposal of nonrecoverable residues;

"(3) to provide technical and financial assistance to States and local governments and interstate agencies in the planning and development of resource recovery and solid waste disposal programs;

"(4) to promote a national research, development, and demonstration program for improved management techniques, more effective organizational arrangements, and new and improved methods of solid waste collection, transport, and disposal including studies with emphasis on conserving and reducing wastes by separation, recovery, and utilization of potential resources in solid wastes; and

"(5) to provide for the promulgation of guidelines for solid waste collection, transport, separation, recovery, and disposal systems, and for training grants in occupations involving the design, operation, and maintenance of solid waste disposal systems."

SEC. 102. (a) Section 203(1) of the Solid Waste Disposal Act is amended to read as follows:

"(1) The term 'Secretary' means the Secretary of Health, Education, and Welfare."

(b) Section 203 of the Solid Waste Disposal Act is amended by inserting at the end thereof the following:

"(7) The term 'municipality' means a city, town, borough, county, parish, district, Indian tribe, or other public body created by or pursuant to State law and having jurisdiction over the disposal of solid wastes.

"(8) The term 'intermunicipal agency' means an agency established by two or more municipalities with responsibility for planning or administration of solid waste disposal or regional environmental protection systems.

"(9) The term 'recovered resources' means materials or energy recovered from solid wastes.

"(10) The term 'resource recovery system' means any solid waste management system which improves the application of technology for collection, separation, recycling, and recovery of solid wastes, including disposal of nonrecoverable waste residues."

SEC. 103. (a) Section 204(a) of the Solid Waste Disposal Act is amended to read as follows:

"SEC. 204. (a) The Secretary shall conduct, and encourage, cooperate with, and render financial and other assistance to appropriate public (whether Federal, State, interstate, or local) authorities, agencies, and institutions, private agencies and institutions, and individuals in the conduct of, and promote the coordination of, research, investigations, experiments, training, demonstrations, surveys, and studies relating to—

"(1) the health and welfare effects of the environmental release of material present in solid waste and methods to eliminate any adverse effects;

"(2 the operation and financing of solid waste disposal programs;

"(3) the reduction of the amount of such waste and unsalvageable waste materials;

"(4) the development and application of new and improved methods of collecting and disposing of solid waste and processing and recovering materials and energy from solid wastes; and

"(5) the identification of solid waste components and potential materials and energy recoverable from such waste components."

(b) Section 204(d) of the Solid Waste Disposal Act is amended to read as follows:

"(d) There is hereby authorized to be appropriated to carry out this section, not to exceed $31,500,000 for the fiscal year ending June 30, 1971, not to exceed $40,500,000 for the fiscal year ending June 30, 1972, not to exceed $40,000,000 for the fiscal year ending June 30, 1973, and not to exceed $38,500,000 for the fiscal year ending June 30, 1974. Such sums as are appropriated shall remain available until expended."

SEC. 104. The Solid Waste Disposal Act is amended by redesignating sections 205 and 206 as sections 206 and 207, respectively, and by inserting after section 204 a new section as follows:

"LIMITITION ON GRANTS

"SEC. 205. No grant-in-aid shall be made under this Act to any private profitmaking organization."

SEC. 105. Section 207 of the Solid Waste Disposal Act, as redesignated by the previous section of this Act, is amended to read as follows:

"GRANTS FOR STATE, REGIONAL, AND LOCAL PLANNING

"SEC. 207. (a) The Secretary may from time to time, upon such terms and conditions as he finds appropriate make grants to State, interstate, municipal, and intermunicipal agencies, and organizations composed of public officials which are eligible for assistance under section 701(g) of the Housing Act of 1954, of not to exceed 66⅔ per centum of the cost in the case of any single State or municipality, and not to exceed 75 per centum of the cost in the case of an area including more than one State or municipality (but less than an entire State), for the purpose of (1) making surveys of solid waste disposal practices and problems within the jurisdictional areas of such agencies, (2) developing and revising solid waste disposal plans as part of regional environmental protection systems for such areas, providing for recycling or recovery of materials from wastes whenever possible and including planning for the reuse of solid waste disposal areas and studies of the effect and relationship of solid waste disposal practices on areas adjacent to waste disposal sites, (3) developing proposals for demonstration of resource recovery systems to be carried out pursuant to section 208 of this Act, or (4) planning programs for its removal and processing of abandoned motor vehicle hulks.

"(b) Grants pursuant to this section shall be made upon application therefor which—

"(1) designates or establishes a single agency (which may be an interdepartmental agency) as the sole agency for carying out the purposes of this section for the area involved;

"(2) indicates the manner in which provision will be made to assure full consideration of all aspects of planning essential to areawide planning for proper and effective solid waste disposal consistent with the protection of the public health and welfare, including such factors as population growth, urban and metropolitan development, land use planning, water pollution control, air pollution control, technological change, and the feasibility of regional disposal and resource recovery programs;

"(3) sets forth plans and budget for expenditure of such grant, indicating the compatibility of budget items with the purposes of this section;

"(4) provides for submission of such reports of the activities of the agency in carrying out the purposes of this section, in such form and containing such information, as the Secretary may from time to time find necessary for carrying out the purposes of this section and for keeping such records and affording such access thereto as he may find necessary to assure the substantial accuracy of such reports; and

"(5) provides for such fiscal-control and fund-accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the agency under this section.

"(c) The Secretary shall make a grant under this section only if he finds that there is satisfactory assurance that so far as practicable, the planning of solid waste disposal will be coordinated with and not duplicate other related State, interstate, regional, and local planning activities, including those financed in part with funds pursuant to section 701 of the Housing Act of 1954."

SEC. 106. The Solid Waste Disposal Act is further amended by redesignating the last four sections in such Act as sections 213 through 216, respectively, and by inserting after section 207, as redesignated by this Act, the following new sections:

"DEMONSTRATION OF RESOURCE RECOVERY SYSTEMS

"SEC. 208. (a) The Secretary is authorized to make grants pursuant to this section to any State, municipal, or interstate or intermunicipal agency for the demonstration of resource recovery systems (including the improvement of existing systems).

"(b) Any such grant shall be made only if it (1) is consistent with any plans for resource recovery systems developed in accordance with the requirements of section 207(b)(2) of this Act; (2) is consistent with any guidelines developed pursuant to section

209 of this Act; (3) is designed to provide areawide resource recovery systems consistent with the purposes of this Act, as determined by the Secretary, pursuant to regulations promulgated under subsection (c) of this section; and (4) provides an equitable system for distributing the costs associated with construction, operation, and maintenance of any resource recovery system among the users of such system.

"(c) The Secretary, within ninety days after the effective date of this section, shall promulgate regulations establishing a procedure for awarding resource recovery system demonstration grants, which—

"(1) provides that projects will be carried out in communities of varying sizes, under such conditions and in such localities as will assist in solving the community waste problems of urban-industrial centers, metropolitan regions and rural areas, under representative geographic and environmental conditions; and

"(2) provides a timetable for submission of plans and grant requests, and a timetable for approval of such plans and awarding of such grants.

"(d) In determining the eligibility of demonstration systems for grants under this section, consideration shall be given by the Secretary to (1) the public benefits to be derived by the construction and the propriety of Federal aid in such construction; (2) the economic and commercial viability of the project including contractural arrangements with the private sector to market any resources recovered; and (3) the potential of such project for general application to community solid waste disposal problems.

"(e) No grant for any demonstration system under this section shall exceed 75 per centum of the estimated total design, construction, and first-year operation and maintenance costs. No assistance under this section may be provided for operating or maintenance costs after the first year, nor shall any assistance be provided for land acquisition. The non-Federal share may be in any form, including, but not limited to, lands or interests therein needed for the project or personal property or services, the value of which shall be determined by the Secretary.

"(f) There is hereby authorized to be appropriated to carry out this section, not to exceed $20,000,000 for the fiscal year ending June 30, 1971, not to exceed $30,000,000 for the fiscal year ending June 30, 1972, not to exceed $50,000,000 for the fiscal year ending June 30, 1973, and not to exceed $55,000,000 for the fiscal year ending June 30, 1974. Such sums as are appropriated shall remain available until expended.

"RECOMMENDED GUIDELINES

"SEC. 209. (a) The Secretary shall, in cooperation with appropriate State, Federal, interstate, regional, and local agencies, allowing for public comment by other interested parties, as soon as practicable after enactment of this section, recommend to appropriate agencies and publish in the Federal Register guidelines for solid waste recovery, collection, separation, and disposal systems (including systems for private use), which shall be consistent with public health and welfare, and air and water quality standards and adaptable to appropriate land-use plans. Such guidelines shall apply to such systems whether on land or water and shall be revised from time to time.

"(b) The Secretary shall, as soon as practicable, recommend model codes, ordinances, and statutes which are designed to implement this section and the purposes of this Act.

"(c) (1) The Secretary shall issue to appropriate Federal, interstate, regional, and local agencies information on technically feasible solid waste collection, separation, disposal, recycling, and recovery methods, including data on the cost of construction, operation, and maintenance of such methods.

"(2) In disseminating such information, the Secretary shall employ models and visual demonstrations which can be transported to communities where such demonstrations would be a useful addition to ordinary sources of technological information, and provide funds to representatives of public and private solid waste disposal agencies or corporations for useful on-site review of solid waste disposal and resource recovery facilities and methods.

"TRAINING GRANTS

"SEC. 210. (a) The Secretary is authorized to make grants to, and contracts with State and interstate agencies, municipalities, educational institutions, and to any other organization which is capable of effectively carrying out a project which may be funded by grant under subsection (b) of this section.

"(b) (1) Subject to the provisions of paragraph (2), grants may be made to pay all or a part of the costs, as may be determined by the Secretary, of any project operated or to be operated by an eligible institution or organization, which is designed—

"(A) to develop, expand, or carry out a program of training persons for occupations involving the management, supervision, design, operation, or maintenance of solid waste disposal and resource recovery equipment and facilities;

"(B) to train persons, including teachers, adult basic education personnel, and supervisory personnel, to train or supervise persons in occupations involving the design, operation, and maintenance of solid waste disposal and resource recovery equipment and facilities; or

"(C) to carry out occupational training projects which involve a combination of training, education, and employment in the design, operation, and maintenance of resource recovery systems.

"(2) A grant or control authorized by paragraph (1) of this subsection may be made only upon application to the Secretary at such time or times and containing such information as he may prescribe, except that no such application shall be approved unless it—

"(A) provides such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this section, and provides for making available to the Secretary or his designate, for purposes of audit and examination, such books, documents, papers, and records as relate to any funds received under this section;

"(B) provides for making such reports, in such form and containing such information, as the Secretary may require to carry out his functions under this section, for keeping such records, and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports; and

"(C) provides for (i) a periodic examination of the effectiveness with which the goals set forth in the application are being met while the project is in operation; (ii) the conducting of such examination by an organization not affiliated with the institution or organization whose project is being examined; and (iii) furnishing a report of the results of such examination to the Secretary within thirty days after such examination is completed.

"(c) The Secretary shall—

"(1) encourage business with operations or products in the solid waste disposal and resource recovery field to participate in and cooperate with occupational training programs established with the assistance of grants or contracts made under subsection (b) (1) (C) of this section; and

"(2) disseminate information which relates to teaching and training methods, materials, and curriculums developed by projects assisted under subsection (b) of this section.

"(d) The Secretary shall make a complete investigation and study to determine—

"(1) the need for additional trained State and local personnel to carry out plans assisted under this Act and other solid waste and resource recovery programs;

"(2) means of using existing training programs to train such personnel; and

"(3) the extent and nature of obstacles to employment and occupational advancement in the solid waste disposal and resource recovery field which may limit either available manpower or the advancement of personnel in such field.

He shall report the results of such investigation and study, including his recommendations to the President and the Congress not later than one year after enactment of this Act.

"COOPERATION BY ALL FEDERAL AGENCIES IN THE CONTROL OF SOLID WASTE POLLUTION

"SEC. 211. (a) Each Federal agency having jurisdiction over any real property, facility or activity of any kind, shall insure compliance with guidelines developed under section 209 and the purposes of this Act in the administration of such property, facility, or activity.

"(b) Each Federal agency which leases any Federal property or facility of any kind or which contracts for the operation of any Federal property or facility or which contracts for the entire operation of any other facility, or which permits or licenses the use of any Federal property shall insure compliance with guidelines developed under section 209 and the purposes of this Act in the administration of such lease, contract, license, or permit.

"(c) Each Federal agency which issues any license or permit for disposal of solid waste, shall prior to the issuance of such license or permit consult with the Secretary to insure compliance with guidelines developed under section 209 and the purposes of this Act.

"NATIONAL DISPOSAL SITES STUDY

"SEC. 212. The Secretary shall submit to the Congress no later than two years after the effective date of this section, a comprehensive report and plan for the creation of a system of national disposal sites for the storage and disposal of hazardous wastes, including radioactive, toxic chemical, biological, and other wastes which may endanger public health or welfare. Such report shall include: (a) a list of materials which should be subject to disposal in any such site; (b) current methods of disposal of such materials; (c) recommended methods of reduction, neutralization, recovery, or disposal of such materials; (d) an inventory of possible sites, including existing land or water disposal sites operated or licensed by Federal agencies; (e) an estimate of the cost of developing and maintaining sites including consideration of means for distributing the short- and long-term costs of operating such sites among the users thereof; and (f) such other information as may be appropriate."

SEC. 107. Section 216 of the Solid Waste Disposal Act, as redesignated by this Act, is amended to read as follows:

"APPROPRIATIONS

"SEC. 216. (a) There is authorized to be appropriated for carrying out the provisions of this Act, other than those for which specific authorizations are made, such sums as may be necessary for the period ending June 30, 1974.

"(b) Such portion as the Secretary may determine, but not more than 1 per centum, of any appropriation for grants, contracts,

or other payments under any provision of this Act for any fiscal year beginning after June 30, 1970, shall be available for evaluation (directly, or by grants, or contracts) of any program authorized by this title."

SEC. 108. The amendments made by this title shall be effective for fiscal years beginning after June 30, 1970.

TITLE II—NATIONAL MATERIALS POLICY

SEC. 201. This title may be cited as the "National Materials Policy Act of 1970".

DECLARATION OF PURPOSE

SEC. 202. It is the purpose of this title to enhance environmental quality and conserve materials by developing a national materials policy to utilize present resources and technology more efficiently, to anticipate the future materials requirements of the Nation and the world, and to make recommendations on the supply, use, recovery, and disposal of materials.

ESTABLISHMENT OF COMMISSION

SEC. 203. (a) There is hereby created the National Commission on Materials Policy (hereafter referred to as the "Commission") which shall be composed of seven members chosen from Government service and the private sector for their outstanding qualifications and demonstrated competence with regard to matters related to materials policy, to be appointed by the President with the advice and consent of the Senate, one of whom shall be designated as Chairman.

(b) The members of the Commission shall serve without compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out the duties of the Commission.

DUTIES OF THE COMMISSION

SEC. 204. (a) The Commission shall make a full and complete investigation and study for the purpose of developing a national materials policy which shall include, without being limited to, a determination of—

(1) national and international materials requirements, priorities, and objectives, both current and future, including economic projections;

(2) the relationship of materials policy to (a) national and international population size and (b) the enhancement of environmental quality;

(3) recommended means for the extraction, development, and use of materials which are susceptible to recycling, reuse, or self-destruction, in order to enhance environmental quality and conserve materials;

(4) means of exploiting existing scientific knowledge in the supply, use, recovery, and disposal of materials and encouraging further research and education in this field;

(5) means to enhance coordination and cooperation among Federal departments and agencies in materials usage so that such usage might best serve the national materials policy; and

(6) the feasibility and desirability of establishing computer inventories of national and international materials requirements, supplies, and alternatives.

(b) In order to carry out the purposes of this title, the Commission is authorized—

(1) to request the cooperation and assistance of such other Federal departments and agencies as may be appropriate;

(2) to appoint and fix the compensation of such staff personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of such title relating to classification and General Schedule pay rates; and

(3) to obtain the services of experts and consultants, in accordance with the provisions of section 3109 of title 5, United States Code, at rates for individuals not to exceed $100 per diem.

(c) The Commission shall submit to the President and to the Congress a report with respect to its findings and recommendations no later than June 30, 1973, and shall terminate not later than ninety days after submission of such report.

(d) Upon request by the Commission, each Federal department and agency is authorized and directed to furnish, to the greatest extent practicable, such information and assistance as the Commission may request.

SEC. 205. When used in this title, the term "materials" means natural resources intended to be utilized by industry for the production of goods, with the exclusion of food.

AUTHORIZATION OF APPROPRIATIONS

SEC. 206. There is hereby authorized to be appropriated the sum of $2,000,000 to carry out the provisions of this title.

TITLE III—RESOURCE RECOVERY INVESTIGATIONS

SEC. 301. (a) The Secretary of Health, Education, and Welfare shall as soon as practicable carry out an investigation and study to determine—

(1) means of recovering materials and energy from solid waste, recommended uses of such materials and energy for national or international welfare, including identification of potential markets for such recovered resources, and the impact of distribution of such resources on existing markets;

(2) changes in current product characteristics and production and packaging practices which would reduce the amount of solid waste;

(3) methods of collection, separation, and containerization which will encourage efficient utilization of facilities and contribute to more effective programs of reduction, reuse, or disposal of wastes;

(4) the use of Federal procurement to develop market demand for recovered resources;

(5) recommended incentives and disincentives (including Federal grants, loans, and other assistance) to accelerate the reclamation or recycling of materials from solid wastes, with special emphasis on motor vehicle hulks;

(6) the effect of existing public policies, including subsidies and economic incentives and disincentives, percentage depletion allowances, capital gains treatment and other tax incentives and disincentives, upon the recycling and reuse of materials, and the likely effect of the modification or elimination of such incentives and disincentives upon the reuse, recycling, and conservation of such materials; and

(7) the necessity and method of imposing disposal charges on packaging, containers, vehicles, and other manufactured goods, which charges would reflect the cost of final disposal, the value of recoverable components of the item, and any social costs associated with nonrecycling or uncontrolled disposal of such items.

The Secretary shall report the results of such investigation and study to the President and the Congress no later than two years after the enactment of this Act.

(b) There is hereby authorized to be appropriated to carry out this section, not to exceed $2,000,000 for the period ending June 30, 1972.

TRIBUTE TO SENATOR MUSKIE AND SENATOR RANDOLPH FOR RESOURCE RECOVERY ACT OF 1970

Mr. MANSFIELD. Mr. President, as the Senate considers this highly important measure it should have the benefit of the thoughts and remarks of the two Members of this body who have provided the outstanding leadership that has been vital to this aspect of our environmental campaign. I refer, of course, to Senators ED MUSKIE of Maine and JENNINGS RANDOLPH of West Virginia.

By necessity, both Senators are occupied on business away from the Chamber this morning. They have prepared statements, however, which address every feature of the Resource Recovery Act with great depth and understanding. In summing it up, I note that Senator MUSKIE says:

The intent of this bill is to stimulate the development of resource recovery methods which will provide for the more economic use of wastes.

That is truly a worthy goal, and, it must be said, that when achieved—when we solve the problems created by residue, by unusable byproducts, by litter and by all the useless materials that clutter our lives—it will have been because of the efforts of men like ED MUSKIE and JENNINGS RANDOLPH. The Senate is deeply grateful.

I ask unanimous consent, Mr. President, that these excellent statements of Senator MUSKIE and Senator RANDOLPH on this measure, along with certain attachments be printed at this point in the RECORD.

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

STATEMENT BY SENATOR EDMUND S. MUSKIE, CHAIRMAN, SUBCOMMITTEE ON AIR AND WATER POLLUTION

Mr. MUSKIE. Mr. President, today the Senate considers the Resource Recovery Act of 1970, S. 2005. This bill marks a major new Federal commitment to recycling of materials and energy as an alternative to the wasteful and often environmentally damaging solid waste disposal practices of the past.

Solid waste is the residue of production and consumption—a by-product of air and water pollution control—the litter that people promiscuously discard on the countryside—the "unusable" over-burden of mining operations and the inedible remainder of agricultural production.

Solid waste falls into two categories: (1) planned disposal materials which are part of the Nation's production and consumption patterns, and (2) resources which have no known or economic use. In both instances solid waste is almost always a resource which, with ingenuity, can be used and re-used.

This Nation has always enjoyed resource abundance and has acted as though that abundance would last forever. Studies prepared for the Senate Committee on Public Works, testimony before the Subcommittee on Air and Water Pollution, and information generally available suggest that anticipation of continued resource abundance is not only unwise—it is folly.

Our resources fall in three categories—renewable, nonrenewable, and recoverable. Many, including forest and agricultural resources, and renewable resources. Nonrenewable (energy) resources produce only small amounts of solid waste while contributing substantially to air and water pollution problems if uncontrolled. Recoverable resources are those which maintain useful physical or chemical properties throughout their process of use and therefore can be continuously recycled in the production-consumption process.

And the nation has no choice. Consumption increases at a greater rate than population growth. Exhaustion of the Nation's resource base is a very real possibility. Already some industries see recycled waste as a more economic source of materials than primary sources.

But this recognition has neither reversed the trend toward greater waste generation nor reduced the burden on communities

and other units of government which have assumed, albeit unwillingly, in the some cases, the task of waste disposal.

Community waste disposal has, for centuries, been solved by a simple method—combustion. Open burning dumps in less urban areas and huge incinerators in major communities have provided major sources of stench and air pollution.

Today few communities are allowed the luxury of simple waste combustion. Most areas of the nation have turned to sanitary landfills (most of which are not at all sanitary) and "clean" incinerators (many of which are not at all clean). In both cases a solid waste problem is solved, but often air and water pollution problems result, and resources are always wasted.

This legislation is designed to develop systems which will change the present method of dealing with solid waste problems of communities, of farms, and of industries. The intent of this bill is to stimulate the development of resource recovery methods which will provide for more economic use of wastes.

The bill would authorize intensified research and demonstration of methods to improve collection and transportation of wastes, and development of environmentally safe methods to dispose of non-reusable waste residues. In those cases where wastes are too toxic for traditional disposal methods, the bill would authorize a study of the development of national toxic waste disposal sites. And, for those wastes which can be converted to energy, the bill would authorize development of efficiency energy conversion units.

The Committee carefully evaluated the desirability of legislation to provide direct financial assistance to communities to construct solid waste disposal facilities. This provision, included in S. 2005 as originally introduced, was rejected for three reasons: (1) construction grants at this time could lock in existing conventional technology, (2) even clean incinerators and sanitary landfills would not conserve resources, and (3) a large Federal grant authorization program at this time might retard present community efforts unless appropriations kept pace with authorizations, which is not likely.

As the reported bill clearly reflects, there is an urgent need to redirect the thrust of waste management from disposal to the maximum recovery of reusable materials and energy. The authorization of a construction grant program at this time could result in a massive commitment to presently available technology oriented towards disposal. To avoid stimulating investment in inadequate technology the Committee has substituted a systems demonstration provision for the proposed construction grant provision.

Consistent with the judgment that the National cannot afford merely to dispose of the tremendous volume of material that is generated by an industrial and consuming society, especially in urban concentrations, and recognizing further that a great deal of research has been done on resources recovery, the Committee has substituted for the construction grant proposal a new program of grants to municipalities to achieve demonstration of resources recovery systems on an areawide basis. This program is designed to stimulate, in the shortest time, the development of systems designed to manage growing volumes of community wastes and achieve maximum recovery of materials and energy from such wastes.

Throughout the hearings on resources recovery, testimony was received describing various technologies and systems to achieve resources recovery. The Committee believes it is urgent national policy to move these proposals into actual application and operation in as many different areas, from large metropolitan complexes to smaller communities, as necessary to demonstrate demonstrative innovation and responsive resources recovery systems. Such systems can then be applied, as appropriate, to all areas of the country in which similar problems exist.

The program would provide 75 percent Federal assistance to develop and construct advanced systems of resources recovery in various categories of communities established by the Secretary in order to demonstrate systems applicable in different urban and rural conditions.

It is the Committee's intent that the program authorized shall be one which will, in many respects, parallel the type of research and development procurement conducted by the Department of Defense and the National Aeronautics and Space Administration in the sense that the Secretary is authorized to promulgate regulations describing the categories of systems for which applications will be received, specifying that such applications are to be received by a certain date and further establishing guidelines for review of such applications.

Grants are to be awarded only to those applications which the Secretary finds to be clearly superior with respect to the system of resource recovery proposed, the economics of the system, and the potential for general application for solution of the myriad of waste problems. It should be emphasized that the selection procedure thereby established is not competition based strictly upon low cost, but rather is competition to stimulate innovative systems, which recover the maximum amount of materials and energy.

The Committee looks upon the proposed demonstration grant program as a method of stimulating not just the development of technology, and its areawide application, but it will also cause communities to study their own circumstances with respect to waste management. Through such studies, communities will be able to provide better public service to their citizens in the future and be in a position to apply systems that are developed pursuant to these demonstration grants, as they become available. The Committee hopes that communities will take immediate advantage of this program, and seeks to encourage that result by Section 207(a)(3) of the reported bill, which would authorize Federal assistance to develop proposals for resource recovery demonstration grants for submission to the Secretary.

The Committee believes that future Federal financial assistance to communities for construction of facilities may be necessary. Demonstration systems developed pursuant to this act will provide guidance as to what kinds of construction should be assisted, what recovery techniques will be most economical, and what collection innovations will most effectively reduce the cost of waste handling.

Further, other studies authorized by this bill will provide insights into methods to reduce the production of waste in packaging in manufacturing of goods, design of vehicles and other consumer goods which are discarded after use.

This provision, in Title III of the bill would require a study of recommended incentives and disincentives (including grant programs) to accelerate recycling, with special emphasis in motor vehicle hulks, and on examination of the necessity and method of imposing disposal charges on vehicles, was well as on packaging, containers, and other manufactured goods. The latter concept, proposed by Senator Nelson, would require the imposition of disposal charges on products reflecting the cost of final disposal, the value of recoverable components of the item, and any social costs associated with noncycling or uncontrolled disposal of such goods.

Senator Nelson's proposal, as well as Senator Javits' amendment which would have imposed a fee on motor vehicles sufficient to cover the cost of disposal of vehicle hulks, were of great interest to the Committee. However, both the Nelson and Javits legislation would require consideration by the Senate Committees on Finance and Commerce prior to enactment. It was the conclusion of the Committee that these two proposals should be referred to these Committees for comment and later action. This action of the Committee on Public Works should not be interpreted as rejection of the concepts included in S. 3665 and amendment 705. Evidence presented at the hearings suggests that some products will require disposal charges in order to assure orderly marketing and recovery. Identification of the specific amount of any charge and the manner in which it might be levied is, however, beyond the jurisdiction of the Senate Committee on Public Works.

The study required by this section should include a discussion of the above question in order that the appropriate congressional committees can carry out their responsibilities.

Also, the study of disposal charges and other incentives to accelerate recycling of motor vehicles and other products should include careful examination of the system recommended by Leonard S. Wegman which would require the imposition of a flat fee on all waste produced, with the revenue to be used to finance waste disposal and recovery facilities. This is a concept which might subsequently be demonstrated under section 204 of the Solid Waste Disposal Act.

Legislation offered by Senator Gurney in Committee to establish a program of financial assistance to dispose of motor vehicles was not included in this bill because little evidence was available in the hearing record to substantiate the need for direct grants to the States to dispose of abandoned cars. Approximately 1 million motor vehicles are abandoned each year, amounting to 1 to 2 million tons of waste. Since urban waste amounts to approximately 180 million tons annually, abandoned motor vehicles comprise only 0.6 to 1.1 percent of the Nation's urban solid waste problem. The Committee was concerned that the Federal costs of a grant program would be borne by the general taxpayers, without transferring the costs of disposal to the vehicle owners who are responsible for creating this form of waste.

The Committee on Public Works sees merit in the proposals by Senators Javits and Gurney on solutions to the growing problem of abandoned motor vehicle hulks. Therefore, in order to more fully explore this particular aspect of solid waste, the Subcommittee will hold hearings, August 18 and 19 on Senator Javits' and Senator Gurney's legislation.

At these hearings, the Subcommittee will invite the views of the Administration, the Council of State Governments, the Automobile Manufacturer's Association, and the Institute of Scrap Iron and Steel, as well as other interested parties. This will allow the Subcommittee to examine in greater detail the questions raised above.

A study under title III of the bill, proposed by Senator Eagleton will examine the interrelationship between efforts to encourage recycling and a broad range of public policies, including subsidies, percentage depletion allowances, capital gains treatment, and other inducements to the exploitation of raw materials. The study will indicate how such policies might be altered to encourage, rather than discourage, the recycling of materials and recovery of energy.

This bill expands the planning grant programs presently contained in the Solid Waste Disposal Act, including an eligible recipients municipalities, intermunicipal agencies, and metropolitan councils of governments. Also it increases the Federal share from 50 percent to 66⅔ percent for single State or

municipality planning units and 75 percent for multi-jurisdictional interstate or intermunicipal planning areas.

New planning activities are embraced in this bill: developing proposals for demonstration resource recovery systems to be funded under this Act, and planning programs for the removal and processing of abandoned motor vehicle hulks.

The bill contains an amended form of the training grant program proposed by Senator Javits in Amendment Number 652. This provides grants for training personnel in the design, operation, and maintenance or resource recovery and solid waste disposal facilities. It also authorizes a study of the need for additional trained personnel and obstacles to employment or occupational advancement in the solid waste field.

Title II of the bill is the National Materials Policy Act, which Senator Boggs proposed in Amendment Number 153. This title creates a National Commission on Materials Policy, which would report within two years on future materials requirements and means for the extraction, development and use of materials susceptible to recycling or nonpolluting disposal.

S. 2005, as reported, would authorize $309.5 million over four years in specific program authorizations and such additional sums as may be necessary for administrative expenses and the other programs in the Act. This open-ended authorization is estimated to require about $114 million total over the four fiscal years.

Of the $309.5 million in specified authorizations, $2 million is authorized for the National Commission on Materials Policy under title II and $2 million for the two year resource recovery investigations carried out under title III.

Out of the balance, demonstration grants for resource recovery systems would receive $20 million in fiscal year 1971, $30 million in fiscal year 1972, $50 million in fiscal year 1973, and $55 million in fiscal year 1974, for a total of $155 million.

The research program under the Act, expanded to emphasize recycling, would receive $31.5 million in fiscal year 1971, $40.5 million in fiscal year 1972, $40 million in fiscal year 1973, and $38.5 million in fiscal year 1974, for a total of $150.5 million.

This compares to an authorization in existing law of $32 million for fiscal year 1970, primarily for research, planning grants, and administrative expenses. The House-passed bill, H.R. 11833, authorizes for all programs $100.5 million in fiscal year 1971, $172 million in fiscal year 1972, and $238.5 million in fiscal year 1973, a total of $511 million for the three year authorization period.

Section-by-Section Analysis

Title I. Resources Recovery

Section 202 (findings and purpose).

New language is added describing the purposes of the Act, to emphasize recycling, local planning, and training functions.

Section 203 (definitions).

The Department of Interior's responsibility under existing law for disposal of mineral solid waste is eliminated, and HEW assumes complete authority. Several new definitions are added, including municipality, intermunicipal agency, recovered resources and resource recovery systems, to which other provisions of this Act are keyed.

Section 204 (research).

This section adds new language to the ongoing research program, shifting the emphasis from disposal to recycling and adding instructions to investigate the public health and welfare effects of solid waste.

Section 204(d) authorizes annual research appropriations of $31.5 million, $40.5 million, $40 million, and $38.5 million through fiscal 1974.

Section 205 (new-grant limitations).

This section provides that no grant under any program of the Solid Waste Act can be made to a profit-making organization. Note that Section 204(b) presently allows research contracts with such an organization.

Section 206 (interstate cooperation).

Unchanged (renumbered).

Section 207 (regional and local planning grants).

This replaces 50 percent State grants for planning activities with 66⅔ percent grants for single municipalities and States, and 75 percent grants for planning solid waste programs in an area of more than one municipality or State.

The grants may be used for (1) making surveys of solid waste problems, (2) preparing solid waste disposal plans for the area (especially those emphasizing recycling), (3) developing proposals for Section 208 demonstration system grants, and (4) preparing plans for collecting and recovering abandoned motor vehicle hulks.

Section 208 (new-demonstration grants for resource recovery systems).

This section provides for grants to varying sizes of communities to demonstrate resource recovery systems. These systems have to be area-wide, reflecting a variety of solid waste problems (including those of smaller towns and rural areas). A system must be consistent with plans developed in accordance with Section 207(b)(2) and with Section 209 guidelines. A proposal for a system grant must also provide assurance than an equitable means exists for distributing the costs amount the users of the system.

The bill authorizes annual appropriations of $20 million, $30 million, $50 million and $55 million through Fiscal Year 1974.

Section 209 (new—recommended guidelines)

This section directs the Secretary to prepare guidelines on solid waste management practices for circulation to State and local governments. These guidelines are advisory except when such State of locality applies for a demonstration grant under Section 208. This Section also requires the Secretary to recommend model codes and ordinances, and to issue technical information on solid waste and resource recovery methods to solid waste agencies, and includes authority to transport models to various communities and funding of on-site review of solid waste disposal and resource recovery facilities by solid waste personnel.

Section 210 (new—training grants).

This section provides training grants to assist in the development of personnel trained in the design, operation and maintenance of solid waste disposal and recovery equipment and systems.

Section 210(d) directs a study within one year on the need for additional trained personnel and obstacles to employment or occupational advancement.

The Bureau of Solid Waste Management estimates the cost of this section to be about $8 million a year, but the bill provides no specific authorization.

Section 211 (new—cooperation by all Federal agencies in the control of solid waste pollution).

This section requires Federal installations and federally licensed activities to meet solid waste guidelines of Section 209. This would include ocean dumping activities licensed by the Corps of Engineers.

Section 212 (new-national disposal sites study).

This section authorizes a two-year study to create a system of national disposal sites for hazardous materials.

Section 213–215. Unchanged (renumbered).

Section 216 (appropriations).

This section authorizes "such sums as may be necessary", excluding the funds specifically provided for (1) research, and (2) resource recovery system demonstration grants. These two specific authorizations provide for fiscal 1971 a $51.5 million authorization, fiscal 1972 a $70.5 million authorization, fiscal 1973 a $90 million authorization, and fiscal 1974 a $93.5 million authorization.

Title II (National Commission on Materials Policy)

This title creates a Commission to develop a national materials policy. In developing this policy the Commission would study materials requirements (national and international), the relationship of materials policy to population and environmental quality; means for utilizing more materials "which are susceptible to recycling, reuse, or self-destruction"; and general ways to improve or coordinate knowledge of materials usage. The commission would be required to report by June 30, 1973, with an authorization of $2,000,000.

Title III (Resource Recovery Study)

This title places special emphasis on the policy implications of a change from disposal to resource recovery. It authorizes a two-year study of issues in resource recovery, including means of recovering materials and energy; examination of the economic impact of recovered resources; changes in production and packaging practices (including disposal charges) to reduce wastes; efficient solid waste facilities utilization; the use of Federal procurement to develop market demand for recovered resources; and incentives and disincentives to recycling (including tax policies).

S. 2005 AUTHORIZATIONS

[In millions]

Program	Fiscal year 1971	1972	1973	1974	Total
Sec. 204: (Research pilot programs, component demonstrations)	31.5	40.5	40.0	38.5	150.5
Sec. 208: (Resource recovery system demonstrations)	20.0	30.0	50.0	55.0	155.0
Title I. total	51.5	70.5	90.0	93.5	305.5
Title II: (National Commission on Materials Policy)		2.0			2.0
Title III: (Resource recovery investigations)		2.0			2.0
Total: (Specific authorizations)	51.5	74.5	90.0	93.5	309.5

Program	Fiscal year 1971	1972	1973	1974	Total
General authorizations (such sums as may be necessary, estimated by program):					
Training (sec. 210)	8.0	8.0	8.0	8.0	32.0
Planning (sec. 207)	8.6	14.9	12.9	10.8	47.2
Other activities	7.9	8.5	8.6	9.7	34.7
Total	24.5	31.4	29.5	28.5	113.9
House bill	100.5	172.0	238.5		511.0

STATEMENT BY SENATOR JENNINGS RANDOLPH, CHAIRMAN, COMMITTEE ON PUBLIC WORKS

Mr. RANDOLPH. Mr. President, the Solid Waste Disposal Act of 1965 launched a new program to develop efficient means of collecting and disposing of the millions of tons of solid wastes generated by our society each year. Although considerable progress was made in State and local planning under the 1965 act toward solutions of the solid wastes problems facing our country, it was apparent as early as 1967 that additional efforts were needed.

President Johnson, in his conservation message of March 11, 1968, called for a comprehensive review of current solid waste disposal technology by the Director of the Office of Science and Technology working with the appropriate Cabinet officers. This review was to consider two key problems: first, how to lower the present high costs of solid waste disposal, and second, how to improve and strengthen Government-wide research and development in this field.

In order to facilitate this study and to further action on the problem, the Congress provided a 1-year extension of the Solid Waste Disposal Act.

The Office of Science and Technology Task Force was chaired by Professor Rolf Eliassen of Stanford University. The Task Force report was entitled, "Solid Waste Management," and was released by the Office of Science and Technology on October 1, 1969.

Concurrently, a study was undertaken by the Ad Hoc Committee on Solid Waste Management for the National Academy of Engineering. The Committee's chairman was Donald N. Frey, president of the General Cable Corporation and its report was entitled, "Policies for Solid Waste Management."

Both of these reports stress the magnitude and crisis proportions of solid waste disposal problem facing the United States.

The average amount of solid waste actually collected in this country is over 5.3 pounds per person per day, or more than 190 millions tons per year. There are estimates that this will increase to 8 pounds per person per day of 1980. And this doesn't include industrial wastes amounting to another 3 pounds per person per day.

Presently, the Nation spends an estimated $4.5 billion a year to handle and dispose of this material from which, practically speaking, we do not recover anything of useful value.

As a matter of fact, in almost every area, the present methods of handling and disposing of solid waste are polluting our environment.

The problem in the District of Columbia is not greatly different from that which is being experienced in cities and urban areas throughout the Nation. Here, for instance, we are producing 875,000 tons of solid waste per year—an increase from 650,000 tons in 1965.

The problem, however, involves more than just dealing with large quantities of solid wastes. There is a long association between health hazards and inadequate collection and disposal of solid wastes.

For example, studies have demonstrated the relationship between poorly managed solid waste during collection, transport, and disposal operations and more than 22 diseases transmitted by cockroaches, rats, and flies. In the last 15 years in the District of Columbia alone the number of reported rat bites has been approximately 750, and 290 of these occurred in infants less than 2 years of age, and 151 in infants under 1 year of age.

In testimony, Dr. Paul Cornely, President of the American Public Health Association, discussed the adequacy of collection in the inner city and the implication of accumulating trash and garbage:

"It appears to me that in this country we have a great deal more concern about animals than we do about human beings.

"For instance, the standards for milk in this country, throughout the States, have requirements about the barns in which the milk cows shall live. They have standards as to the surroundings of these barns, and if one goes to any of these places, one never sees garbage and trash around these barns.

"Now if this is good for cattle it is good for the inner city person. It is interesting also that we have a Society for the Prevention of Cruelty to Animals in this country on a volunteer basis. But I would like to suggest that we should have a society for the prevention of cruelty to infants and children; let us be humane to human beings, and why should children be bitten by rats?"

The health of all our people is intimately connected with the home and its surroundings. External improvement around the home and neighborhood are more important in improving the quality of our lives than any other single factor.

Solutions to the solid wastes problems facing this Nation will require the full application of all knowedge and expertise of the public, private, and academic sectors of our economy. The Solid Waste Disposal Act of 1965 provided for research and demonstration of new and improved methods for solid waste collection, transport, recovery and reuse, and disposal.

Additional research is needed on methods for financing solid waste management systems and operating such systems efficiently and economically. Data are needed regarding the interrelationships of regional economics and amounts of solid wastes generated, the economics of large scale solid waste management systems, and the economics of those technologies now available or under development.

Methods must also be developed to reduce these growing volumes of wastes. Today, it is a staggering 5.3 pounds for each American every day of the year, and by 1980 it will be 8 pounds of waste a day. Studies indicate that the cost of removing these wastes are growing even faster.

The packaging and other container industries are accelerating the problem. In 1966, discarded packaging materials represented 13.3 percent of the 350 million tons of residential, commercial, and industrial waste generated in the United States.

Glass and metal package containers amount to 90 percent of typical municipal incinerator residues.

The American consumer and taxpayer could not only help relieve the problem, but could save himself money in the process. It is estimated that in 1970 if all soft drinks were purchased in returnable, money-back containers, American consumers could have saved an estimated $650,000,000. This was the cost for the convenience of using throw-away containers.

There is considerable potential for metal and mineral recovery and reuse from incinerator residues. Significant progress has been made in this regard by the College Park Metallurgy Research Center of the University of Maryland at College Park. Residue samples can be processed at a rate of approximately 1,000 pounds per hour. The process involves a series of mechanical operations including shredding, screening, grinding, and magnetic separation. The products are a metallic iron concentrate, a clean non-ferrous metal composite, clean fine glass fractions, and a fine carbonaceous ash tailing. Processes of this type hold significant potential for resource recovery and reuse and should be demonstrated as full scale operations.

Long-term solutions must rely on recycling; immediate improvements can be made in such subsystems as collection, transportation, processing (including separation and incineration), and salvage or disposal. The hearing record of our Public Works Committee reflects a significant potential. Solid Wastes management must be approached systematically while increasing the options available to local and regional governments in planning, designing, and operating solid waste management systems.

The Resource Recovery Act of 1970, reported by the Committee on Public Works, provides a mechanism for the expeditious development of these options. The bill represents extensive deliberations by the members of the Subcommittee on Air and Water Pollution chaired by Senator Edmund S. Muskie and by the full Committee on Public Works. The bill reflects our understanding of the solid waste management problem facing us today, and in the future. I am pleased to have had an opportunity to contribute to its formulation.

Mr. COOPER. Mr. President, the Resource Recovery Act of 1970, S. 2005, which extends for 4 years and amends the Solid Waste Disposal Act of 1965, represents a significant step in the continuing effort to improve the quality of our environment. I am glad to support the bill, and urge its adoption by the Senate.

The Subcommittee on Air and Water Pollution of the Public Works Committee, on which I serve, became aware very early in its consideration of air and water pollution problems that both were closely related to the problems of solid waste disposal. For example, open dump burning and inadequate incineration increase air pollution. Similarly, the filling of wetlands and dumping of solid waste in open water causes water pollution. Moreover, it has become increasingly clear that the concept of waste is environmentally unsound. We recognize now that wastes might better be considered as resources, diffuse and diverse though they may be—resources for which recovery techniques must be developed so that they may be returned to the flow of materials.

Automobile hulks, one-way glass bottles, aluminum cans, paper, and discarded packaging—all have received much attention, by the public and during the hearings of the committee. The quantities of material that we are wasting, literally, is a concern not only in terms of air, water and land pollution, and degradation of the environment, but also in terms of resource depletion. When we consider also our growing population and capacity for consumption, it becomes clear that our policy for the future must be to move from disposal of waste to the recovery and re-cycling of materials and energy. The Resource Recovery Act of 1970 has as its objective the establishment procedures which will encourage such a shift from disposal to recovery, necessary to an environmentally sound society.

In extending the research section, section 204 of the Solid Waste Disposal Act, S. 2005 gives new emphasis to the development of resource recovery techniques. Much work has already been done, and we hope that with the funds and authority provided by this act fully integrated recovery systems will be developed. Section 204 is provided with a specific authorization for appropriations of $31.5 million this fiscal year, and a total of $119 million during the following 3 fiscal years.

In a new section 208, specifically designed to speed the development of and put into operation new resource recovery systems, the committee bill provides a demonstration program to be carried out through grants to State, interstate, municipal or intermunicipal agencies for up to 75 percent of the design, construction, and first-year operation cost of integrated recovery systems. It authorizes $20 million for such grants during this fiscal year, increasing to $55 million by fiscal 1974.

In addition to these two major sections, the measure we have recommended to the Senate addresses several other problems of waste materials management and recovery. It would continue, as section 207, the authorization of planning grants to State, interstate, municipal, and intermunicipal agencies increasing the Federal share from a 50 percent to 66⅔ percent, or to 75 percent in the case of interstate and intermunicipal grants.

The committee had before it, in S. 2005 as originally introduced, a full construction grant program for solid waste treatment and disposal. The administration testified in opposition to the construction grant provision, giving two principal reasons, both of which were recognized by the committee. First, a construction grant program at this time could result in investment in inadequate or outmoded systems, particularly in view of the fact that this act intends to redirect efforts in materials use management from disposal to recovery. Second, authorization of a massive Federal construction grant program would be inappropriate at this time of fiscal constraint.

Following generally the pattern of air and water pollution legislation, the committee bill, while recognizing fundamental differences between those programs and the problems of materials management, has proposed in section 209 the development of guidelines for solid waste recovery, collection, separation, and disposal systems. We believe the application of Federal research and experience in establishing such guidelines will help to develop better management systems in communities and States, and to assure that their systems meet public health and environmental requirements.

The bill, in new section 212 of the act, requires a study of the need for establishment of a national system for the disposal of hazardous wastes. A report is to be made to the Congress within 2 years. We would hope that the study may show how radioactive, biological, and highly toxic chemical wastes can be handled with minimum environmental damage and maximum protection of public health and safety.

The committee adopted an amendment offered by Senator JAVITS and others, providing training grant assistance to State and municipal agencies, educational institutions, and other private organizations to meet the growing manpower demands in the field of materials management and recovery. The provision, which will become section 210 of the act, is similar to that offered by Senator SCOTT and adopted earlier this year as part of the Water Quality Improvement Act of 1970.

Based again on the experience gained in the air and water pollution control areas, the subcommittee concluded that the activities of the Federal Government often contribute to solid waste problems. Consistent with the air and water legislation and the President's executive order in March, new section 211 requires Federal agencies to comply with the guidelines to be developed under section 209. This mandate is applied also to activities for which the Federal Government issues any license or permit for the disposal of solid waste, as well as to activities conducted on Federal property under contract or lease to private organizations.

Title II of the bill incorporates an amendment, introduced last year by Senator BOGGS, to establish a Commission on National Materials Policy. He had earlier asked the Library of Congress to examine materials policy as it relates to solid waste disposal and environmental quality. Senator BOGGS' request was met by an ad hoc committee in which the Library of Congress joined with the National Academy of Sciences, and which issued two reports, both of which have been printed as documents of the Senate Committee on Public Works. The principal recommendation was that a Commission on National Materials Policy be established to carry forward the work begun earlier by the Paley Commission during the Eisenhower administration. The committee received favorable testimony on this proposal, and we look forward to the results of the study of the Commission and its recommendations.

Mr. President, the Committee on Public Works has been engaged for a number of years in the effort to control the wasteful and discarded by-products of our industrial, largely urban, consuming society—which have been too long ignored and which are now the subject of widespread interest and intense concern. The committee is continuing its intensive work in the field, and will soon report to the Senate major proposals in the areas of air pollution, water pollution, and other environmental concerns. Our interest in improving the quality of life is constantly before us also in our consideration of highway, economic development, water resource, and nearly all other legislation that comes before the committee. We work together on these matters. As I have often done before, I call attention to the devotion of the chairman of the full committee, Senator RANDOLPH, and to the leadership and informed labor of the subcommittee chairman, Senator MUSKIE, in this important and challenging field. The ranking minority member of the Air and Water Pollution Subcommittee, Senator BOGGS, who gives this work such faithful attention, continues to contribute to every measure developed by the subcommittee, as does Senator BAKER in the most creative way. I can think of no member of the committee who has not had a part in this work, and we hope it will be productive and help meet the pressing problems of our time.

The bill before the Senate, the Resources Recovery Act of 1970, is important legislation. I strongly endorse it. It proposes to improve significantly the means available to address the problems of materials use, recovery and disposal. I urge its adoption by the Senate.

Mr. BOGGS. Mr. President, I wish to express my full support for S. 2005. The distinguished chairman of the Subcommittee on Air and Water Pollution (Mr. MUSKIE), the chairman of the Committee on Public Works (Mr. RANDOLPH), and the ranking Republican member of the committee (Mr. COOPER) have stated clearly the great need for this legislation. I associate myself with their views.

This legislation accelerates our national effort to recycle wastes—to utilize our dumps and our garbage cans productively, so that we can reuse our material wealth, not discard it. The finite supply of materials necessitates that the United States move aggressively to increase the reuse of our wastes. Recycling will lessen the pollution of the environment and help to sustain our economic growth.

President Nixon, in his environmental message earlier this year, made this observation:

> As we look toward the long-range future—to 1980, 2000 and beyond—recycling of materials will become increasingly necessary not only for waste disposal but also to conserve resources.

The President's words are ones that chart a wise course for the future.

Several sections of this legislation that will prove effective as stimulants to the recycling of wastes. Section 207, dealing with planning grants, will encourage the States and communities to look to recycling. Many States have already received grants to make general planning surveys for that State. Planning should also be encouraged on a local and regional basis, whether intrastate or interstate. This legislation gives that encouragement.

It should be noted, Mr. President, that my own State of Delaware has moved aggressively toward recycling. Governor Peterson recently signed legislation that will lead to the construction of a plant that will daily recover from 500 tons of solid wastes and 70 tons of sewage sludge reusable steel, copper, chemicals, and other materials and convert the residue into productive compost. That tonnage represents about half the wastes generated daily in our State's most populated county, New Castle County. To give my colleagues a further look at this important proposal, I ask unanimous consent that a newspaper article about the plant be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. BOGGS. Mr. President, programs such as the Delaware project would be eligible for support under this bill's demonstration grant proposals of section 208. It authorizes funds for the construction of facilities that will convert solid wastes into reusable material. The legislation authorizes 75-percent grants for such projects as a method for demonstrating their feasibility and economy. Such demonstrations must be encouraged. This legislation gives that encouragement.

Numerous other important proposals are incorporated within this legislation. It authorizes the preparation of solid waste disposal guidelines, on an advisory basis. The legislation, however, requires that Federal facilities comply with these guidelines, a provision that is essential. The Government must set a positive example in solid waste control and pollution abatement.

Training grants will be available under this bill to insure that we have the personnel available to design, operate, and maintain facilities that will process solid wastes. The bill authorizes a study of national disposal sites for hazardous materials, and another study, under title III, of the question of resource recovery and new methods to encourage recycling of materials.

My colleagues on the committee have evaluated in detail these aspects of the legislation. I support their views. Rather than go over these points again, I would like to direct attention of my colleagues to title II, as I submitted the amendment that led to the inclusion of title II. The amendment, No. 153, was offered with the consponsorship of several of our distinguished colleagues. Mr. BAKER, Mr. BAYH, Mr. COOPER, Mr. EAGLETON, Mr. INOUYE, Mr. MONTOYA, Mr. MUSKIE, Mr. PEARSON, Mr. RANDOLPH, and Mr. SPONG.

The title authorizes creation of a seven-member National Commission on Materials Policy to undertake a full study of the materials process: selection, extraction, processing, use, disposal, and reuse.

By mid-1973, the Commission will report to the President and the Congress on its conclusions and recommendations for creation of a national materials policy, as well as proposals for implementing such a policy.

This is a subject of great significance. Materials and the processing of materials are the basic source of the pollution to our environment. If we are to enhance our environment, a policy on the utilization of materials must be considered.

Our concept appoved by the committee foresees an examination by the Commission of several key points. One would be an evaluation of current and projected domestic demands for materials. Economic factors affecting materials selection would be an aspect of this study.

The Commission would also study the relationship between demand for materials and questions of population growth, seeking to identify how this relationship affects foreseeable supplies and the enhancement of the environment.

An important area of enquiry would be methods for enhancing the coordination and cooperation among Federal departments and agencies in relation to materials demand, use, and study. This should be a major topic for study, as nearly every agency of Government has a materials-related function, either in research, planning, pollution control, standards, or supply.

Another point should be an examination of the feasibility and desirability of creating—or fostering the creation of—computer inventories of national and international materials supplies and requirements.

The involvement of our subcommittee with this subject dates to 1965, when the first Federal solid waste legislation was adopted. Since that date, the Committee on Public Works has been the recipient of two informative studies on the subject of materials policy. One was titled, "Availability, Utilization, and Salvage of Industrial Materials." The other was called "Toward a National Materials Policy."

This second study, released last year, came to this conclusion:

> It is of the utmost importance that, from the initial stages of production of materials through their ultimate use and disposal, we conduct our operations and activities in such a way as to minimize pollution of air and water to avoid despoilation of the environment, both physical and biological.

It was suggested in this study that we can catch a lot of problems of environmental degradation before they occur if our Nation takes a hard look at our materials requirements and use. That is what the Committee on Public Works envisions in supporting the amendment to create a National Commission on Materials Policy. A Commission study and report seeking to identify and analyze the factors affecting the materials flow would include a suggested path for the United States to follow toward a national policy on materials, and how that policy might be implemented.

The committee also evaluated the question of what type of governmental unit should conduct such a study on the need for a national materials policy. After careful evaluation, we rejected the view that the study should be undertaken by an existing unit of Government. Among their tasks, the members of the Commission will be looking critically at existing organizational arrangements in matters related to materials policy. Therefore, we believe it appropriate that the evaluation and study should not become a function of an existing agency. An independent commission, we found, would be best able to examine effectively the full breadth of materials policy questions, then to chart a policy on materials that would be implemented on a continuing basis by an existing agency of Government.

In addition, an evaluation of materials policy should properly be undertaken by experts from inside and outside the Federal Government. This would guarantee the broadest possible scope and study, which is vital if this study is to prove meaningful.

The Commission would, in effect, serve as the foundation upon which to raise the structure of a coordinated materials policy for our Nation.

The Director of the U.S. Geological Survey recently expressed a sentiment that I believe serves as an excellent summation of the need for a national policy for materials—not just minerals or energy or timber. I would like to share Dr. Pecora's words with my colleagues. He said:

> If we must, therefore, take from the earth to provide for ourselves, we must employ value judgment and trade-off concepts in deciding how much to take from our environment, where to take it, and how to leave it in the taking and using.

That is a persuasive argument for title II, as indeed it is for this entire legislation. I urge its adoption by the Senate.

Mr. President, I wish to commend all the members of the committee for their work in connection with this legislation. Also, I wish to thank the members of the committee staff for their efforts over many months during hearings and the markup of this legislation.

EXHIBIT 1

[From the Wilmington (Del.) Evening Journal, June 23, 1970]

STATE SELECTS HERCULES WASTE RECYCLING DESIGN

Hercules, Inc., will design and probably build and operate a solid-waste recycling plant in New Castle County which, the company claims, will pay for its operation through sale of reclaimed materials.

Gov. Russell W. Peterson announced he had selected Hercules' proposal as he signed House Bill 822 yesterday appropritating $1 million for design and engineering of the plant.

The plant, billed as the first in the world to reclaim all waste materials fed into it, would handle 500 tons of domestic and industrial waste and 70 tons of wet sewage sludge a day, or nearly half the solid waste generated in New Castle County.

The next step will be contract negotiations between Hercules and the state to iron out details concerning what exactly the state wants from Hercules in the way of design work. A Hercules official said these negotiations would probably be completed in from three to six weeks.

Construction and operation of the plant would require more negotiations—as well as more money. These negotiations would involve New Castle County government and, if hoped-for federal funds are available, the federal government.

Cost of the plant from initial design to start of operations would be about $10 million, according to John N. Sherman, director of advanced programs for Hercules' chemical propulsion division, which submitted the proposal.

Design of the plant allows for eventual doubling of capacity through expansion. After an initial shakedown phase, money realized from the sale of recycled waste products would pay the operating expenses of the plant, according to the Hercules proposal.

Members of the Governor's Committee on Solid Waste said that similar plants may be built in the Dover and Georgetown areas at a later date.

A bill to provide federal aid for pilot waste recycling projects is now being prepared by the U.S. Senate Committee on Public Works, of which Sen. J. Caleb Boggs, R-Del., is the ranking minority member.

The committee hopes to have the bill on the Senate floor for action next month. Delaware hopes to get some of that money to help finance the plant.

State Rep. Robert J. Berndt, R-Hillcrest, who sponsored the bill to fund design work and chaired the governor's committee, said a site for the plant must be chosen soon because Hercules designs will depend on the nature of the site.

The Hercules proposal included a completion schedule for the plant of 22 months from the date of site selection, barring unforeseen obstacles and assuming full financing of the project.

Committee members present when Peterson signed H.B. 822 were Berndt, George Dutcher, New Castle County public works director; Richard Weldon of Bear; Arthur W. Dobberstein of Dover; State Sen. J. Donald

Isaacs, R-Townsend; and Rep. R. Glen Mears Sr., D-Seaford.

Berndt said the selection narrowed to Hercules from nine firms which filed proposals. Some withdrew their plans, he said.

Berndt said Hercules was chosen because "They have the talent to do it; they're way out in front of everybody else." He said the firm also has markets for the byproducts.

The proposed plant, designed to be operated by about 50 employes, is to have three major elements.

The first is a digester system for converting organic waste materials to a high quality humus product free from disease-producing organisms. A similar plant in San Juan, Puerto Rico, is currently processing 300 tons a day.

The second is the application of pyrolysis techniques—subjecting organic materials in a contained-pressure vessel to high temperatures—for the controlled decomposition of organic solid wastes such as rubber and plastics.

The third is a residue separation system for the inorganic residue separated from the digester discharge. The separation of metals, glass and grit will be accomplished through a series of screeners, gravity tables and other equipment.

Hercules adapted the systems design knowledge of its chemical propulsion division to come up with its plan. Parts of the system designed by Hercules were the result of Hercules research, while other parts are patented products of other companies.

Mr. DOLE. Mr. President, I rise in support of S. 2005, the Resource Recovery Act of 1970. In his message on the environment, President Nixon stated:

If we are ever truly to gain control of the problem (solid wastes) our goal must be . . . to reduce the volume of wastes and the difficulty of their disposal, and to encourage their constructive re-use.

S. 2005, a product of the joint efforts of the administration and the Air and Water Pollution Subcommittee of the Senate Public Works Committee, was written to achieve that goal. This legislation will effectively improve our national effort to reduce land pollution by recovering the enormous quantity of trash that is littering the landscape and straining the facilities of municipal governments.

There is one section of the bill that is particularly significant. That is section 207, which provides planning grants to governmental agencies at the State, local, and regional levels. Existing planning grants, on a 50–50 matching basis, provides States with financial assistance for surveys of local practices and problems, as well as funds for developing programs to solve solid waste management problems.

The new language approved by the committee would increase the Federal share of planning costs to 66⅔ percent for a State or a single municipality, and provide 75 percent support when two or more jurisdictions join to attack their mutual solid waste problems.

Economies can be achieved by increasing the size of resource recovery programs. Thus, a multiple-jurisdiction incentive should encourage communities to join with neighboring communities to meet the problem on a regional basis, and thus over the long run reduce costs.

The grants, I might add, would be available for any of four activities. One involves surveys of solid waste management practices and programs in an area, similar to existing law. A second authorizes grants for developing and revising plans for recycling and recovery of wastes. This emphasis is new and essential. The third provision would help to finance the development of proposals for resource recovery systems. The fourth area for which grants would be made available to State and local jurisdictions would be for planning programs for the removal and processing of abandoned motor vehicle hulks.

Section 207 planning grants for State, local, and regional agencies are of particular importance to Kansas. The 1970 Kansas Legislature passed the "Solid Waste Control Act" which makes it imperative that every city and county in Kansas begin at once to develop a workable plan for the regulation of solid waste collection, storage, transportation, processing, and disposal. Unfortunately, the Kansas Legislature did not provide the funds necessary to assist local government in developing their master plan. Section 207 provides authority for the Congress to appropriate funds which will allow local governments in Kansas and throughout the Nation to develop an organized and comprehensive approach to solid waste management.

I strongly recommend passage of S. 2005.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read:

A bill to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such act, to establish a National Committee on Materials Policy, and for other purposes.

Mr. BOGGS. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MANSFIELD. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. JAVITS subsequently said: Mr. President, I call the attention of the Senate to the adoption on the Consent Calendar of the solid waste disposal bill.

I had recently introduced a bill, Mr. President, which I proposed to make an amendment to the solid waste disposal bill, which dealt with the disposal of motor vehicles, and which was considered a rather ingenious plan toward that end. But I have agreed to let the bill go through on the Consent Calendar with a hearing on my plan, and also on another plan of the Senator from Florida (Mr. GURNEY) on the same subject.

But I ask unanimous consent, Mr. President, that a copy of the amendment which I would have proposed had I been aware of the opportunity be made a part of my remarks, and that my remarks appear in connection with the approval of the bill on the Consent Calendar.

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

Mr. JAVITS. The amendment I would have sponsored would have been for myself and Senators CANNON, GOODELL, HATFIELD, MOSS, PELL, PERCY, SAXBE, and TYDINGS. I shall be pressing the measure through the hearing stage.

The amendment is as follows:

On page 31, line 10, add the following new title:

"TITLE IV—MOTOR VEHICLE DISPOSAL ACT

"SEC. 401. This title may be cited as the 'Motor Vehicle Disposal Act.'

"DISPOSAL FEE REQUIRED

"SEC. 402. (a) Each person within any State who owns a motor vehicle on the effective date of this title shall, within three months after the effective date of this title, pay to the Secretary the motor vehicle disposal fee required by the provisions of this title, and affix to the motor vehicle a plate or other device, designed by the Secretary, stating that the motor vehicle disposal fee has been paid.

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

"EVIDENCE OF PAYMENT OF DISPOSAL FEE

"SEC. 403. (a) The Secretary shall design a plate or other device suitable for easy and permanent installation in a conspicuous place on a motor vehicle on which the disposal fee required by this title has been paid.

"(b) The Secretary shall make available places at convenient locations throughout the country in which persons shall pay the disposal fee required under section 402 and receive the plates or other devices evidencing such payments together with instructions for the installation of such plates or other devices.

"(c) The Secretary shall make necessary arrangements with manufacturers required to pay the disposal fee under section 402 to receive the payment of such fees at such times as he determines to be convenient for such manufacturers and to furnish such manufacturers sufficient numbers of plates or other devices evidencing such payment.

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

"SEC. 404. (a) The Secretary shall prescribe the amount of the disposal fee required under this title in an amount not less than $25 nor more than $50 per motor vehicle. In determining the amount of the disposal fee the Secretary may establish a schedule of fees after considering the size of the motor vehicle and the cost of removing motor vehicles. Any fee or fee schedule established under this sction may not be established by the Secretary without proceedings including notice and an opportunity for a hearing held in accordance with the provisions of subchapter II of chapter 5, title 5, United States Code, and provisions of judicial review in the United States Court of Appeals for the District of Columbia in accordance with the provisions of chapter 7 of such title.

"(b) Any sums appropriated pursuant to section 412 of this title and any disposal fees collected pursuant to this title shall be deposited in a revolving fund which is hereby established in the Treasury of the United States and shall be known as the "Motor Vehicle Disposal Fund". Moneys in the fund shall be available, without fiscal year limitation, to the Secretary to make payments to

persons certified to him by licensed motor vehicle disposal concerns in accordance with the provisions of this title. Moneys in the fund not necessary for current operations shall be invested in bonds or other obligations of, or guaranteed by, the United States.

"MOTOR VEHICLE DISPOSAL CONCERNS LICENSED

"SEC. 405. (a) After the effective date of this title, any person engaged in the business of processing junked motor vehicles into established grades of scrap for remelting purposes may make application to the Secretary for a license under this section at such time, in such manner, and containing such information as the Secretary shall by regulation reasonably require.

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

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

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

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

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

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

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

(f) Persons licensed under this section shall receive from the Secretary a fee, in the amount subject to such terms and conditions as the Secretary may by regulations prescribe, for each car processed, to cover the cost of removal of the plate or device required by this title and the keeping of necessary records as required by this title: *Provided*, That such fee shall be not less than $1 nor more than $5 per automobile.

"REVOCATION OF LICENSES

"SEC. 406. (a) Any license issued pursuant to this title may be revoked by the Secretary if he determines that (1) the licensee has discontinued the business of disposing of motor vehicles as provided in the license, or (2) the licensee fails or refuses to make the certifications required by this title.

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

"MOTOR VEHICLE DISPOSAL PAYMENTS

"SEC. 407. (a) Each person who owns a motor vehicle on which the motor vehicle disposal fee has been paid is entitled to receive a disposal payment in an amount equal to the motor vehicle disposal fee whenever such vehicle is transferred to, and presented for disposal to, a concern licensed under the provisions of this title.

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

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

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

"UNLAWFUL ACTIVITIES

"SEC. 408. It shall be unlawful for any person—

"(1) to fail or refuse to pay the motor vehicle disposal fee required by section 402 or to fail to affix the evidence of such payment to the motor vehicle in accordance with the provisions of this title;

"(2) to manufacture for sale, offer for sale, introduce or deliver for introduction in interstate commerce any motor vehicle manufactured on or after the effective date of this title without the payment of the disposal fee for such vehicle under section 402 and a plate or other device evidencing such payment being affixed to such vehicle in accordance with the provisions of this title;

"(3) who is licensed under the provisions of this title, to fail or refuse access to or copying of records or fail to make reports or furnish information or fail to permit entry or inspection as required under section 405; or

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

"(5) to remove, destroy, or otherwise dispose of the plate or device evidencing payment of the disposal fee provided in section 402, except as authorized by this title or by regulations promulgated by the Secretary pursuant to this title.

"PENALTIES

"SEC. 409. (a) Any person who is required to pay the disposal fee pursuant to section 402 of this title and who willfully and knowingly fails to make such payment shall be subject to a penalty of not to exceed $500 for such violation.

"(b) Any person who violates the provisions of section 403 or paragraph (3), (4), or (5) of section 408, or regulations issued thereunder, shall be subject to a civil penalty not to exceed $500 for each such offense except that the maximum penalty shall not exceed $100,000 for any related series of violations committed by the same person.

"(c) Any person who willfully and knowingly makes a false statement of any information required under this title shall be deemed to have violated the provisions of section 1001 of title 18, United States Code.

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

"(e) In addition to the civil penalties provided hereunder, any person who willfully violates the provisions of paragraphs (4) or (5) of section 408 shall be subject to imprisonment of not more than six months for each such violation.

"ADMINISTRATION

"SEC. 410. (a) In order to carry out the objectives of this title, the Secretary is authorized to—

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

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

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

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

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

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

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

"(d) The Secretary shall have discretion, based on market or other conditions in any locality or area of the country causing an inability or unwillingness of a licensed disposal concern or concerns to accept vehicles for disposal, to license an automobile wrecker or wreckers, including a public agency of a State or political subdivision thereof acting as an automobile wrecker, to accept vehicles for disposal and issue receipts under Section 407, on condition that such wrecker undertakes to deposit such vehicles with an authorized disposal concern within 12 months after the Secretary determines that such market or other local conditions have abated.

"(e) The Secretary shall have discretion, if business practices make it advisable in a particular locality or area of the country, to authorize any person engaged in the business of hauling scrapped motor vehicles, after crushing, to authorized disposal concerns, to issue receipts under Section 407, provided that such persons satisfy the Secretary of their undertaking to deposit such vehicles as required by this Act and applicable regulations issued by the Secretary.

"DEFINITIONS

"SEC. 11. As used in this title—

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

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

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

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

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

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

"AUTHORIZATION AND APPROPRIATIONS

"SEC. 412. Their is hereby authorized to be appropriated to the Secretary to carry out the provisions of this title not to exceed $500,000 for the fiscal year ending June 30, 1971.

NATIONAL MOTOR VEHICLE DISPOSAL COUNCIL

SEC. 413. (a) The Secretary shall establish a National Motor Vehicle Disposal Council which shall consist of seven members, including three members who shall be representatives of businesses engaged in processing junked motor vehicles into established grades of scrap for remelting purposes, three members representing the general public, and one member representing automobile wreckers; provided, that the representatives of the general public may include representatives of Federal, State or Municipal agencies working in the fields of environmental protection and control.

(b) The Secretary shall consult with the National Motor Vehicle Disposal Council with respect to all matters subject to regulation which may be promulgated under this title.

(c) Members of the National Motor Vehicle Disposal Council may be compensated at a rate not to exceed $100 per diem (including travel time) when engaged in the actual duties of the Advisory Council. Such members, while away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently. Payments under this section shall not render members of the Advisory Council employees or officials of the United States for any purpose.

"EFFECTIVE DATE

"SEC. 414. The provisions of this title shall take effect on September 1, 1971, except that sections 403, 410, 411, 412, and 413 shall become effective on the date of enactment of this title."

FIRE RESEARCH AND SAFETY ACT AUTHORIZATION

The bill (S. 3766) to authorize appropriations to carry out the Fire Research and Safety Act of 1968 was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there are authorized to be appropriated to the Department of Commerce such sums as may be necessary for the fiscal years of 1971 and 1972, but not to exceed a total of $5,000,000, and such sums as may be necessary for succeeding fiscal years to carry out the purposes of the Fire Research and Safety Act of 1968 (Public Law 90–259; 82 Stat. 34).

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–1040), explaining the purposes of the measure.

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

SUMMARY

S. 3766 would authorize to be appropriated to the Department of Commerce such sums as may be necessary for fiscal years 1971 and 1972 (not to exceed a total of $5 million) and such sums as may be necessary for succeeding fiscal years to carry out the purposes of the Fire Research and Safety Act of 1968. That act authorizes the Secretary of Commerce to conduct directly and through contractor grants a comprehensive fire research and safety program; it also creates a national commission on fire prevention and control to undertake a comprehensive study and investigation to determine practicable and effective measures for reducing the destructive effects of fire throughout the country.

BACKGROUND

In 1968 Congress passed a Fire Research and Safety Act which authorized the Secretary of Commerce to provide support for—investigations on the incidence of fires; research into the cause of the nature of fires and the development of improved methods and techniques through fire prevention and control; public education on fire hazards; education and training programs for fire service personnel; formal education curriculum and fire safety up to and including graduate levels; fire information reference services; and demonstration projects on fire prevention control and the reduction of personal injury and property damage. To facilitate these activities the Department of Commerce was to establish a Fire Research and Safety Center which could undertake important innovative full-scale research on such things as spread of fire within multistory buildings and provide a central focus for management of the national fire safety program by developing necessary staff competence for both technical support of nonfederal activities and scientific management of grants and contracts.

Title II of the Fire and Research Safety Act of 1968 provides for the establishment of a National Commission on Fire Prevention and Control. This Commission was directed to undertake a comprehensive study and investigation to determine practicable and effective measures for reducing the effects of fires by considering ways in which fires can be more effectively prevented through technological advances, construction techniques, and improved inspection procedures; by analyzing existing programs administered and supported by the departments and agencies of the Federal Government; by evaluating existing fire suppression methods and ways for improving the same, including procedures for recruiting and soliciting the necessary personnel; by evaluating the present and future needs of training and education of fire service personnel; by considering the adequacy of current fire communication techniques and suggesting standardization and improvement of the apparatus and equipment used in controlling fires; by analyzing the administrative problems affecting the efficiency or capabilities of local fire departments or organizations; and by assessing local, State, and Federal responsibilities in the development of practicable and effective solutions for reducing fire losses.

Unfortunately, the Fire Research and Safety Act has not been implemented because of a lack of funds. To date the President has not appointed the members of the Commission, and therefore no action by the Commission has been undertaken. When the Fire Research and Safety Act is funded, the committee is hopeful that the President will appoint the members of the Commission so that their important work can begin.

For 3 years funding of the Fire Research and Safety Act has been unintentionally frustrated. In March 1968 the Fire Research and Safety Act was enacted too late for its funding to be included in the regular appropriation request for 1969. A revised request was submitted in time for consideration by the Senate which recommended an increase of $500,000 "to finance the Fire Research and Safety Act of 1968." But this increase was not included in the appropriation that was finally approved in conference. Funds to implement the program were again requested in fiscal year 1970. The appropriation that was finally approved provided only $500,500 for all the bureau programs including the Flammable Fabrics Act program to which the Department of Commerce has assigned first priority.

The committee believes that top priority should be given to the implementation of this act for the following reasons:

(1) Annually there are about 12,000 deaths due to fire compared with about 13,000 murders.

(2) The $2.5 billion reported property losses from fires is greater than the $1.5 billion for crime.

(3) The $3 billion cost of operating police departments is only 15 percent greater than the cost of operating fire departments.

(4) The fireman's job is as dangerous as the policeman's.

(5) The risk of death from fire strikes cruelly at the very young and the very old since children under 3 and men and women over 70 are 3½ times as likely to die in a fire as a person of 20.

(6) The poor are more vulnerable to fire than those of adequate means.

(7) Our black citizens are three to four times more likely to perish in fire than our white citizens.

By any economic or social measure the Fire Research and Safety Act deserves immediate and extensive funding.

S. 3766

The bill which the committee favorably reports authorizes to be appropriated for fiscal years 1971 and 1972 up to $5 million. The committee is hopeful that there will be full appropriation up to the level of authorization.

In testimony on S. 3766, the committee was informed that the complete program for fire research and safety would cost approximately $10 million per year. The open-ended authorization contained in S. 3766 for fiscal years after 1972 provides authorization for appropriations at such a level.

COSTS

S. 3766 authorizes to be appropriated up to $5 million beginning June 30, 1970 and ending June 30, 1972. In addition the bill authorizes to be appropriated such sums as are necessary in each succeeding fiscal year.

PROGRAM

Mr. HATFIELD. Mr. President, will the majority leader yield to me for a question?

Mr. MANSFIELD. Yes, indeed; I am happy to yield to the distinguished acting minority leader.

Mr. HATFIELD. Will the majority

leader kindly indicate what his plan for the program on Monday will be?

Mr. MANSFIELD. The Senate will continue consideration of the unfinished business, the military procurement bill. Hopefully, at least one amendment will be offered today and amendments may be offered on Monday as well. I believe that we have spent enough introductory time on the bill up to the moment and that it is long past time when amendments should have been offered. All Members have had an opportunity to study reports, the hearings, and to go over the bill, and all Members, I am certain, know what they intend to do at this time.

I would hope there would be no jockeying for position in an effort to have one amendment considered before or after a particular amendment. It is my understanding that there is a possibility—but only a possibility—that the ABM amendment may be laid down today and, if not today, very likely on Monday next. Hopefully, when we get started on that amendment, the ice jam will be broken and we will be able to go ahead with the business of the Senate.

In the meantime, may I say to the acting minority leader, conference reports will be in order at all times. The latest information I have is that the independent offices-HUD conference report will come up on Tuesday next, rather than on Monday, as I had anticipated.

There is some possibility that today we may take up the legislative appropriation conference report and the Youth Conservation Corps conference report.

Mr. HATFIELD. I thank the distinguished majority leader.

Mr. MANSFIELD. That is about it, so far as I can tell at the moment.

ORDER FOR RECOGNITION OF SENATOR HANSEN

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that following the remarks of the able Senator from Ohio (Mr. YOUNG) the able Senator from Wyoming (Mr. HANSEN) be recognized for not to exceed 30 minutes.

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

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. In accordance with the previous order, the distinguished Senator from Ohio (Mr. YOUNG) is now recognized for 20 minutes.

WHO WILL PROTECT OUR CITIZENS FROM THE CIVIL AERONAUTICS BOARD

Mr. YOUNG of Ohio. Mr. President, at no time since the great Hoover depression has economic restraint been so important as it is today. Inflation has already reached alarming levels, and the most recent figures released by the Labor Department indicate the prices are continuing to rise. Last month President Nixon spoke out on the need for all groups to show restraint in actions involving wages and prices.

In view of the severe crisis now threatening our economy it is absolutely outrageous that the Nation's airlines, aided and abetted by the Civil Aeronautics Board, should undertake new increases in the cost of airplane tickets. Earlier this month the Federal tax on airplane fares went up from 5 percent to 8 percent. In addition to the new tax, airlines are also now authorized to round off all fares to even dollar amounts. For example, if an airline fare has been $27.12, the airline can now charge $28. The passenger will be out anywhere from 1 cent to 99 cents.

Mr. President, officials of the airlines call this rounding off. They can give it any fancy name they choose, but they cannot disguise the fact that it is a fare increase—and, Mr. President, I spell that "fare" and not "fair."

It is an obnoxious hidden tax or penalty, arbitrarily imposed by the Civil Aeronautics Board. Allowing the airlines to round fares upward to the next even dollar amount will provide about $50 million per year in additional revenues for the airlines. This figure is based on 1969 air traffic reports on the basis of air travel that year.

The Civil Aeronautics Board acted at the request of American Airlines and other trunkline and local service carriers. The airlines argued that they needed the additional revenue to offset a new basic annual aircraft registration tax of $25 plus an added charge of 3½ cents a pound for jets and 2 cents a pound for piston aircraft. Yet by its own estimate and even after deducting the new taxes American Airlines would show a net increase in revenue of more than $3 million in 1970 because of the rounding off procedure.

Mr. President, this is the second time in recent months that the Civil Aeronautics Board has teamed up with the airlines against the public interest. This new example of selfish irresponsibility follows by only 9 months a fare increase authorized by the Civil Aeronautics Board of more than 6 percent, and by only 16 months a fare increase of nearly 4 percent.

The patriots who wrote our Constitution, sensitive to the abuses that accompany taxation without representation, provided that all tax bills and all measures to raise revenues "shall originate in the House of Representatives," and granted to the Senate the right to concur "to propose or concur with amendments as on other bills." No members of the Civil Aeronautics Board or of any other governmental agency have the right to impose taxes, hidden or otherwise. Yet that is exactly what they are doing with the new policy of rounding off airline fares.

The Civil Aeronautics Board was created to control the airline industry and to protect the general public. Instead, it has become another governmental agency which has subverted the interests of the general public it is supposed to protect and taken steps to protect the industry it was organized to monitor. This insidious and deceptive new policy was approved by a 3-to-1 vote of the members of the Civil Aeronautics Board. Those members voting for it claimed that they were helping air travelers because they would no longer have to fuss with odd dollars and cents. Where, Mr. President, is the ordinary citizen who considers it a waste of time to fuss over saving 99 cents?

We average citizens abhor hidden or concealed taxes, and we regret the deceptive and dishonest reasoning of the Civil Aeronautics Board. Those odd dollars will amount to an additional $50 million annually filched from the pockets of those who travel on America's airlines. It is indeed distorted logic that allows officials of the Civil Aeronautics Board to argue that its action taken without the passengers' consent and at the passengers' expense will benefit passengers.

Mr. President, I denounce the action of the Civil Aeronautics Board in imposing this hidden tax on the American public at a time when the economy faces such a serious challenge. It is now time for the Government agencies created to protect the rights of the public to begin doing their job. The latest action by the Civil Aeronautics Board in making travel more expensive by imposing hidden taxes and in adding to the receipts of airline companies at public expense should be repealed at the earliest possible opportunity.

FBI REPORTS GUARDSMEN COMMITTED MURDER

Mr. YOUNG of Ohio. Mr. President, following the tragedy on the commons of Kent State University at about 22 minutes after high noon on May 4, a beautiful sunshiny day, more than 100 FBI agents made a thorough investigation of the facts. They interviewed members of the National Guard and the officers, State officials who had direct knowledge of the facts, professors, students, members of the Ohio State Patrol, many of whom were eyewitnesses and some of whom were in seven or more helicopters flying over the campus and university buildings from the morning of that day until after 12:22 in the afternoon. Their investigation, in fact, was not completed until about 6 weeks after the tragedy.

Then this month the FBI reconstructed what really took place, and their report was carefully reviewed and approved by the top officials in the Department of Justice. One purpose of this report was to present it to the county prosecutor of Portage County who had summoned a grand jury to make an investigation. The FBI investigation proved that the hysterical claims made by Adjutant General Del Corso commanding the Ohio National Guard that guardsmen fired in frantic self-defense against snipers and against a threatening noose of students throwing rocks and bottles were utterly false and with no foundation whatever. The FBI reported that the National Guardsmen were not surrounded by demonstrators, that they had not run out of tear gas, and that they could have kept the situation under control without firing a single shot into the crowd.

They reported, as did the members of

the Ohio State Patrol who had flown back and forth above the buildings and the university commons constantly that morning and throughout the noon hour, that there was never any sniper firing from the roof of any building. Even Del Corso backed off from his false allegations and said that he was mistaken and had made an error.

The conclusions of the FBI were that six of the Ohio National Guardsmen could be criminally charged. The shootings, they reported, "were not necessary and not in order." According to the FBI not one guardsman had been injured at any time throughout that morning and noon hour. Not one guardsman was even bruised to the extent that he required first-aid treatment. The FBI reports that none of the National Guardsmen were in any danger of their lives or of sustaining bodily harm.

Mr. President, the shooting occurred at about 12:22 p.m. on this lovely warm clear day. The volley of shots fired from rifles of National Guardsmen lasted but 11 seconds. One guardsman shot at a student who was merely making an obscene gesture. Nine of the students, boys and girls, killed or wounded by rifle fire from the guardsmen, were struck either in the side or in the back. The FBI concludes from this that they were not challenging the guardsmen frontally when shot.

The facts are, Mr. President, that Robert Stamps of Cleveland who was seriously wounded by a rifle bullet was 610 feet away from the front line of the National Guard. He was struck by a bullet that entered below his belt downward, entered the buttocks, and missed his spinal column by approximately an inch or an inch and a half and emerged from the front part of his body. He is still disabled as of July 30.

One National Guardsman immediately following the shooting hysterically shouted:

I shot 2 teenagers! I shot 2 teenagers!

SOUTH VIETNAMESE PEOPLE SAY YANKEE GO HOME

Mr. YOUNG of Ohio. Mr. President, recently I received at my home in Washington, a letter from Prof. Ho Dac Hong of the Vietnam Socialist party. That letter was mailed from Saigon on July 4 of this year. This appears to be a copy of a letter that was sent to a number of people. Perhaps some of my Senate colleagues received copies of this correspondence.

The letter states:

On the occasion of your Independence Day, we have the honor to express our best wishes for the future of America.

We pray God that Peace will be in the mind of all U.S. citizens forever as Peace will come soon to our long war devastated homeland.

Mr. President, this is an example of the overwhelming sentiment among the people of Vietnam that the most important thing we can hope for is peace. The people of Vietnam are tired of fighting. Their most fervent hope is for the removal of all outside forces so that they may once again at long last live their own lives without the constant terrors of war.

A recent survey conducted by the U.S. Military Command in South Vietnam, shows that 65 percent of the people in the South Vietnamese countryside want all Americans out of their country. This survey has been suppressed allegedly on order from Ambassador Ellsworth Bunker and top Army officials enjoying the good life in Saigon. The American Broadcasting Co. reported that 30 percent of those surveyed had no opinion and only 5 percent, mostly in Saigon, wanted Americans to stay.

Mr. President, the greatest contribution we could make to the people of Vietnam would be to bring all our troops home before the end of this year.

They could be brought home in the same manner they were sent to Vietnam—by our ships and planes.

ABM: ANOTHER BOONDOGGLE

Mr. YOUNG of Ohio. Mr. President, within a few days the U.S. Senate will be called upon to decide whether or not this country should continue its costly investment in the so-called Safeguard anti-ballistic-missile system. It should by now be clear that the Safeguard system which is so highly regarded by the Nixon administration is in reality nothing more than the old, outmoded Nike Zeus, Nike-X, and Sentinel programs under a new name invented by some clever public relations pipsqueak in the Pentagon. They have a galaxy of public relations men. If the Defense Department and the administration are so interested in thinking up new names for an old system perhaps they would consider calling it civil servant since it will not work and no one knows how to fire it.

I think that statement could apply to many of our civil service workers in Washington. As the Senator from Alabama (Mr. ALLEN), who is presently presiding over the Senate will readily observe, automobile traffic from 4 o'clock until 6 o'clock on every Friday evening is very, very light, indeed, and that is because these lazy, overpaid civil service workers take long weekends starting on Thursday night and stay away. So I think "civil servant" would be a good name for this Safeguard "antiballistic" missile system because it will not work and no one really knows how to fire it.

In examining the case against the Safeguard ABM system the Senate would do well to remember something of the history of the program. In 1967, then Secretary of Defense McNamara proposed the Nike-X ABM system, itself an adaptation from the Nike-Zeus system, as an area defense of populations and cities against possible Chinese attack.

The debate at that time was over whether it should be a "thick" or a "thin" system. The administration settled for a thin system, to cost approximately $4 billion—instead of the $20 to $40 billion for a "thick" system—but even then many scientists and Defense Department officials knew the program would not do an adequate job even if it were completed.

In 1968, the system was renamed the Sentinel, but it remained essentially the same program. In 1969 Congress, which had gone along with earlier Johnson administration proposals, asked the Defense Department to halt the Sentinel program because of the grassroots opposition against it in areas such as Los Angeles, Chicago, and Boston. When there was a proposal to place one in Seattle, even the distinguished Senator from Washington (Mr. JACKSON), our colleague from that area, who is considered a war hawk by many Senators, let out an uproar and protest.

So those plans were abandoned because of local opposition, and this action set the stage for the latest reincarnation of the old system.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may proceed for 10 additional minutes.

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

Mr. YOUNG of Ohio. In early 1969 President Nixon announced his proposal for an antiballistic missile system to be named Safeguard. In a press conference on March 14, 1969, he gave three reasons for seeking the development of this system: the need to protect our Minuteman missile and SAC bombers as an adequate retaliatory deterrent against the growing Soviet ICBM threat, the need to protect our cities and populations against a possible Chinese ICBM attack, and the need to guard our deterrent against a possible accidental launching or attack from abroad. It was clear at the time that it was a different name, but the same game. Indeed, in the extended debate in the Senate last year over the Safeguard proposal, much criticism was leveled at the shifting rationales given for the system.

This year the debate has grown more perplexing. In the 1970 defense posture statement the Nixon administration again based its Safeguard proposals on the same three rationales used in 1969. However, in calling for an extension of the program to 12 sites and the beginning of a "thin," area defense to protect the cities against a light Chinese missile attack, President Nixon seemed to be placing special emphasis on the Chinese threat. Indeed, in January 1970 he called extension of Safeguard "absolutely essential for protection against the Chinese and to maintain a credible foreign policy in the Pacific."

Criticism of the planned role of Safeguard as a defense against a potential Chinese threat grew, and suddenly the administration began to change course. In February Secretary of Defense Laird began emphasizing the role of Safeguard in protecting our deterrent force from a growing Russian threat. After long and exhaustive study the Senate Armed Services Committee rejected the administration's arguments that an extension of Safeguard was absolutely essential as a defense against China. More and more leading scientists appeared to voice their doubts as to Safeguard's efficacy as a protection of our deterrent force, and suddenly the administration had a new justification, the need to continue with

Safeguard so that our negotiators at the SALT talks in Vienna would have it as a bargaining chip. At the same time Secretary of Defense Laird was sending a secret memorandum around to Pentagon officials warning them against any talk that might imply that a Safeguard or MIRV moratarium would be desirable. Just last week in a special briefing Presidential Adviser Henry Kissinger again played up the need for Safeguard to guard against the growing Soviet SS–9 missile threat. Thus the justifications for the Safeguard ABM system have continued to shift faster than the sands of the mighty Sahara Desert.

Mr. President, it should by now be clear to the Members of the Senate, as it is to the rest of the world, that the Safeguard system is truly, in Senator Gore's words, "a weapons system in search of a mission." The Nixon administration and the Department of Defense want this warmed-over version of the old Nike-Sentinel system, and they are willing to say whatever they have to get it. I warned last year that if the Senate agreed to the so-called phase I deployment we would be allowing the camel to get his nose inside the tent. Sure enough, this year the administration came back and asked for a full 12-site system. We all realize that the so-called phases are really nothing more than stages, installments toward the full system. A majority of the Senators last year rejected the full system—they should realize that accepting Safeguard a phase at a time will soon result in the whole camel being inside the tent.

Mr. President, it is well known that Dr. John S. Foster, Pentagon Director of Defense Research and Engineering, and others in the Department of Defense want Safeguard in order to preserve the option of a city defense. This year President Nixon admitted that a "thick," city defense system should be avoided because it could lead to a dangerous escalation of the arms race. Yet, Dr. Foster and his Defense Department cronies want to keep the doors open for such a system. They have no intention of turning back. The Senate Armed Services Committee rejected most of the proposed expansion, but this is no guarantee that the administration will not be back again next year with the same request.

The Senate should realize the nature of the game the administration and the Department of Defense are playing. We are asked to approve of a system bit by bit so that before we know it we have the whole thing which we had rejected in the first place. The past history of Safeguard ABM and the shifting rationales given for it by the Nixon administration should be evidence enough that the Defense Department and the administration are simply seeking to hold onto a program for which there is no real justification. There is no better definition of a boondoggle in any man's dictionary than the proposed ABM boondoggle. It should be rejected. I yield the floor.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. In conformance with the previous order, the Chair recognizes the Senator from Wyoming (Mr. HANSEN) for not to exceed 30 minutes.

MIDDLE EAST OIL

Mr. HANSEN. Mr. President, the New York Times, a newspaper often critical of the oil industry, carried an article last Sunday that may lend some credence to what oil company spokesmen and several of us here in the Senate have been saying for some time.

The heading of the article was "U.S. Oil Industry Regrets It Was Right." The article begins:

> If an industry could have a facial expression, the United States oil industry would be wearing a bitter-sweet smile.
>
> The smile would be the result of having seen recent events prove some of its serious forecasts and earnest warnings for corrections.
>
> The pleasure, however, is mitigated by the pain that the industry is nonetheless suffering from having seen its predictions come true.
>
> Throughout the long and heated political controversy over oil imports, the industry has maintained that foreign sources of petroleum were relatively undependable and that their lower-than-domestic price levels could be quite ephemeral. For this thesis oilmen were raked over the political coals. The price of Middle East oil is now at least 75 cents a barrel more than domestic.

Mr. President, several of us here in the Senate have for the last year been attempting to get this message across. We have tried to answer those who would shut down our so-called high-cost producing wells and import "cheap" foreign oil and save our own. We have pointed out that this was actually not feasible nor was it sound from an economic or national security standpoint.

But the critics of the oil industry have continued to hammer away and were finally successful in their efforts to cut the oil depletion allowance which had provided the incentive for oil and gas exploration and development for some 44 years. They succeed at a time when the Nation was facing a serious and, perhaps, critical shortage of natural gas because of Government pricing policies that discouraged new discoveries of this most convenient and cleanest of all our fuels.

The Federal Power Commission is now facing up to the problem of adequate pricing to encourage new production but these things take time and it may be several years before the industry is able, even with adequate returns, to make up the deficit.

After being assessed with an added tax bill of more than $600 million a year, the oil industry was again threatened with a further burden—a proposal to open up imports of this cheap foreign oil to the extent of forcing domestic crude prices down by some 30 cents per barrel.

Several of us from the oil-producing States objected vigorously to such a proposal, but the question is not yet resolved.

In an effort to convince some of those who still advocate the illusory benefits of more oil from its most abundant source, North Africa and the Middle East, I arranged for Dr. Wilson Laird, Director of the Office of Oil and Gas, to brief Members of the House and Senate on the Middle East situation and the vital importance of oil from that area in the Arab-Israel dispute.

Western Europe and Japan are largely dependent on this source for their energy demands. So is NATO. And the Soviet Union has assumed a growing role in the politics of that area.

Dr. Laird warned that events in the Middle East and North African oil-producing states require our consideration on three major points.

He said:

> (1) Commercial confrontation in Libya and Iraq, which could lead to nationalization and eventual "freeze out" of American oil interests in these areas.
>
> (2) Political disturbances arising out of the Arab-Israeli conflict, which could lead to a denial of oil to Western powers and to Japan with devastating effects on their economies.
>
> (3) A combination of these forces which could seriously affect the national security of the United States and other Free World nations.

In order to realize just how serious these current oil problems are, one has but to look at only a few pertinent statistics.

Mr. President, because of the vital and critical importance of oil to the rest of the free world and the present dependence of free world countries on these potentially explosive sources, I wish to read the rest of Dr. Laird's excellent statement into the RECORD for the benefit of my colleagues who were not able to attend the briefing. His remarks continued:

> Of the known oil reserves of the non-Communist world today, more than 80 percent are contained in the North Africa/Middle East area. Nearly every country of the Free World is dependent to some degree on oil from the Middle East and North Africa. In particular, Western Europe relies on oil from these areas to the extent of 85 percent of its total oil supply and more than half of its total energy supply; Japan relies on the Middle East for nearly 90 percent of its oil supply and 60 percent of its total energy. The United States relies on Middle East/North Africa sources to meet only about *three* percent of its oil needs. However, about one-fifth of the oil supply of our East Coast refineries originates in the Middle East or North Africa. These sources also supply a substantial portion of our overseas military oil needs. Oil produced in the Middle East and North Africa is currently supplying more than 45 percent of the oil requirements of the non-Communist world.
>
> A look at a world map will give you an idea of how oil from the Middle East and North Africa dominates the world oil supply system. In 1967 just prior to the 6-day Arab-Israeli conflict, about 3½ million barrels a day were moving through the Suez Canal.
>
> Now, let's look at the situation after the 6-day Arab-Israeli conflict. The Suez Canal was blocked, and remains so to this day, forcing a tremendous increase in movements of oil around the Cape of Good Hope to European destinations. The Middle East pipelines to the Eastern Mediterranean were also closed initially, but later reopened and were utilized to the maximum in order to save tanker tonnage. To give you an idea of the added strain on tanker tonnage capability, bear in mind that for every tanker going to Europe out of the Persian Gulf through the Suez Canal, it takes roughly two tankers to move the same volume of oil around the Cape of Good Hope to Europe. It takes a ratio of 6 to 1 to move

oil from the Persian Gulf around the Cape, versus lifting it from pipeline terminals at Mediterranean ports. Thus, the main oil problems in the aftermath of the 6-day war revolved around the availability and utilization of tankers. They were overcome by rescheduling, use of existing spare tanker capacity, and acceleration of new tanker construction, so that by the end of 1967 and up until recently, the international oil industry has been able to cope with the problems of the Suez Canal being out of service.

Recently, difficulties between Syria and Saudi Arabia over repairs to a rupture in the Trans-Arabian pipeline—complicated by pressures from the Syrian government for increased intransit revenues from the pipeline operating company—have resulted in the shutdown of the pipeline since May 3, forcing an additional 475,000 barrels a day of oil to move around the Cape of Good Hope to Western Europe.

Since May, developments in Libya have resulted in curtailment of production from this area by 570,000 B/D, further increasing the burden on tanker carrying capacity which right now is extremely tight.

Thus, in addition to the continued denial of the Suez Canal, over 1.0 million barrels per day of relatively "short-haul" oil has been interrupted. This translates into additional shipping requirements of 600–650 T–2 * tanker equivalents if the same volume of oil is moved from the Persian Gulf around the Cape of Good Hope. Tankers not normally in oil trade which might be used, plus scheduled new tanker deliveries, cannot be expected to exceed 650 T–2's in the next four months. Meanwhile, normal increase in demand will require at least 235 T–2 equivalents, and to this must be added the peak heating season demand. Consequently, there is every likelihood that the tanker shortage will become more critical, and the tanker rates will remain exceptionally high.

The results of the tanker shortage have already expressed themselves in higher delivered prices for oil around the world. Persian Gulf crude oil import "tickets" in the United States have dropped in value from $1.00–$1.50 to practically zero. The prices of residual and distillate fuel imports delivered to the East Coast have increased sharply, and are approaching parity with domestically produced fuels. Requests for substantially increased crude oil production from Texas and Louisiana in August have already been made.

Now, let us examine in more detail the three major points that were mentioned at the outset.

First, some of the implications arising out of the commercial problems in Libya. Shortly after the overthrow of the monarchy in Libya, the present government of Libya began pressing the operators of the oil concessions for sharp increases in the posted price of Libyan crude, which is the basis upon which royalties and taxes are paid to the Libyan government. The present regime takes the position that Libyan oil is underpriced in relation to crudes emanating from the Persian Gulf, and in relation to the nearby market in Europe; and the Libyan government is thereby being deprived of revenue to which it feels it is rightfully entitled. The oil companies on the other hand maintain that the real market value of Libyan oil is determined at its destination, in direct competition with oils emanating from the Middle East. While the real price is considerably below the posted price established for Libyan oil, it is nonetheless at competitive parity with oils delivered from the Persian Gulf to the same destinations. Therefore, the increased revenue to Libya resulting from taxes and royalties paid on a higher posted price base means that either Libyan oil would be priced out of competition with Middle East oil, or the oil companies would have to absorb the difference.

Negotiations have been in progress for many months, but seem to be at a stalemate. Behind these negotiations, there is believed to be the threat of further nationalization and there is considerable outspoken antagonism toward American interests operating in Libya. In fact, nationalization of distribution and marketing operations in Libya is already an accomplished fact. On July 23, the Libyan government announced it would seize all "immovable" assets in the country owned by Italian citizens, including the holdings of the Italian State-owned oil company.

Reliable sources indicate that there may be additional curtailment of Libyan oil production, involving more American companies. If nationalization of production takes place, the American companies will be faced with two choices: either to get out of Libya entirely; or to perform as service contractors for the Libyan government in marketing Libyan oil in volumes to be decided by the Libyan government, and in direct competition with oil produced by many of the same companies in the major producing areas of the Middle East.

In Iraq, there has been a running feud between the government and the American, British/Dutch, and French interests with respect to relinquishment of concession areas, and constant pressures for posted price increases; and there is a constant fear of Iraqi nationalization of its oil resources. The only counter-balancing influence at the moment is the fact that the Iraq government has neither the market outlets for this oil nor the means to move it.

In Syria, which nationalized oil some time ago, the Syrian government has seized upon the pretext of the ruptured TAPLINE to increase its pressures on the pipeline operating company for increased intransit revenues before allowing the repair of the pipeline break. The return of this pipeline to operation would substantially lessen the pressures on tanker availability. When tanker availability is adequate, the economics of moving oil around the Cape are relatively at a standoff vis-a-vis its movement through the TAPLINE to market. It is really only when there is a shortage of tankers that the lack of this pipeline capacity to move crude oil from the Persian Gulf to the Eastern Mediterranean becomes of importance, and that is why it is of such importance right now.

These are purely commercial problems, and under normal circumstances could probably be resolved by the give and take of arm's length bargaining between the concessionaires and the various governments. Now, however, the bargaining atmosphere is anything but normal, because of the current Arab-Israeli conflict.

It is at this point that the second major problem manifests itself. Political decisions could generate major oil problems. Libya could be one of the first to make a move—in fact, during the 1967 crisis, Libya was one of the first to deny oil to three Western powers, including the United States.

In 1967, the Libyan denial hurt, but was not significant. Today, however, Europe gets nearly 30 percent of its oil from Libya and other North African sources. The complete denial of more than 3.6 million barrels a day of Libyan oil, on top of the continued shutdown of the Suez Canal, and the continued loss of the 475,000 barrel per day capacity of the Trans-Arabian pipeline, would have a serious impact on Western Europe. Even assuming that the lost Libyan volume could be made up from other Free World sources (a doubtful assumption), the time taken to rearrange the world tanker fleet to accommodate this disruption would force a severe drawdown on European stocks.

This brings us to the third major issue—namely, the threat to the security of the United States and other Free World nations. With a sustained loss of this magnitude of more than a few weeks, the ability of the Free World nations to fuel their domestic economies would be so reduced as to jeopardize their national security. Continued denial of oil in this volume, therefore, would require some actions of major political and commercial importance.

Returning for a moment to commercial considerations, the side effects of progressive nationalization measures by producing countries directed toward forcing out American companies would have severe repercussions upon our domestic economy. Refining, transporting, and marketing facilities developed by American companies in Western Europe and elsewhere around the world probably might even be taken over by local governments. American capital investment of billions of dollars would be wiped out, together with profit remittances and tax payments to the United States, which would add to unfavorable balance in payments and trade.

What are the alternatives?

In the case of total denial of Libyan oil, as indicated previously, expansion of production activities in other areas of the Free World probably could—given sufficient time—make up this loss. But it could not be done without serious disruption of supply to Europe during the time it would take to re-route tankers to new (and longer haul) supply sources. On the other hand, once Libyan production is nationalized, there could be pressures by the Libyan government on governments of consuming nations now receiving Libyan oil. These pressures conceivably could force some accommodation by American companies operating in these countries to accept this situation, by refining and marketing government-imposed quotas of Libyan oil. There are current indications that some governments may go this route. Nonacceptance of this situation by American companies would probably lead to their being forced out of the oil business in these countries.

If the nationalization move should spread to Iraq, the supply situation would worsen by another 1.5 million barrels per day, and would involve not only American companies, but those of Britain, the Netherlands, and France. It is unlikely that the oil deficit resulting from the added denial of Iraq could be offset from remaining supply sources without resorting to rationing by the consuming countries. It is, therefore, likely that some accommodation between the Iraq government and the governments of countries now taking Iraqi oil would be faced with the same requirements I just mentioned with respect to Libyan oil.

What I have just said relates to commercial considerations arising out of actions which may be taken by producing governments, apart from the reactions likely to result if the present Arab-Israeli conflict should suddenly escalate into a large-scale shooting war. In this case, the denial of oil (15 million barrels daily) is of such a magnitude that it would be physically impossible to replace from other known sources of the Free World. This is the situation which is most alarming.

When an oil emergency takes place, it is the responsibility of the Office of Oil and Gas to do something, and more importantly, to try to anticipate the problem and be better prepared to cope with it when it takes place. In this context, on June 25, we called in the Petroleum Security Subcommittee of the Foreign Petroleum Supply Committee, an industry advisory group of technical experts of which I am the Government Chairman, to review the situation. This is authorized if and when the Department of Defense or the Office of Emergency Preparedness considers it serious enough to do so, and we had a letter from Defense asking us to do it. The review by this Subcommittee generally established

*A T–2 is defined as 16,765 d.w.t. at 14.5 knot speed.

the seriousness of the situation. If further deterioration takes place, we can reactivate our Emergency Petroleum Supply Committee which has been on standby since the 1967 emergency. This is an action Committee, and through it, Government can implement action plans to try to accommodate any further serious disruption.

In closing, I would like to say a few words about U.S. capability to help out on oil shortages. We can take care of our own military needs by re-adjustments (not without problems), but spare crude oil capacity is considerably below 1967.

The existence of producing capacity in excess of normal requirements has on several occasions been of great importance to the United States. The United States entered World War II with productive capacity more than a million barrels in excess of normal requirements. During the war, after sea lanes were reopened, the petroleum industry produced at capacity. Largely for this reason, post-war operations continued at near capacity rates through 1948.

In 1949 and 1950, lagging requirements and accelerated development of capacity restored some surplus capacity. This was quickly drawn upon during the Korean War and the concurrent nationalization of the Iranian oil industry.

In the late 1950's and early 1960's, spare capacity continued to increase and the ability readily to increase domestic production of crude oil proved fortunate in meeting unusual requirements imposed on the domestic industry by the interruption of supplies from the Middle East in the Suez Crisis of 1956–1957, and again in 1967.

By the end of the 1960's, the amount of unused capacity began to decline with rising petroleum requirements accompanied by low levels of exploration and development.

The prospects for retaining significant unused capacity in the future are not encouraging. With a continuation of last year's performance, unused capacity would be completely obliterated by the end of 1973, and even at the higher 1967–1969 rate of additions, capacity would be fully utilized only a year later.

It should be noted that none of the data reflects production or capacity on the Alaskan North Slope.

This emphasizes the need for Alaskan oil as well as the need for the development of new capacity in the lower 48.

No longer is the United States self-sufficient in oil. Net imports now exceed our spare producing capacity. Our ability to replace interrupted foreign supplies with readily available domestic capacity is being seriously eroded.

Without renewed efforts to add to our productive capacity, our dependence on foreign oil sources will rise to a precarious level.

According to present estimates, even if 1.0 million B/D of North Slope oil should be available by 1975, we will need to import 4.0 million B/D of oil—equivalent to 24 percent of our demand. The greater portion of this will probably come from Western Hemisphere sources, but we will still be depending upon Eastern Hemisphere sources to supply 7 percent of our demand. Without North Slope oil, this dependency will rise to 13 percent.

By 1980, with 2.0 million B/D of North Slope oil assumed available, Eastern Hemisphere dependence is still 6 percent—but would rise to 17 percent without North Slope oil or its equivalent from increases in Western Hemisphere imports, or from increased production in the lower 48 States.

Mr. President, in addition to an impending natural gas shortage, there is a very real possibility of a shortage in residual oil for industrial and electric generation use. Because of antipollution laws—local, State, and Federal—there has been a rush to convert from coal to gas or residual. Gas, the cleanest of all fuels, will not be available for such uses and residual is in short supply and the price has zoomed. Most residual is imported.

Similarly, a shortage exists in asphalt which comes from the same sources.

Mr. President, today's issue of the Wall Street Journal carries an article which goes into some detail on the growing shortage of heavy industrial grade fuel oils and asphalt. I ask unanimous consent that the article which develops the history and backgound of this situation be printed in the RECORD at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. (See exhibit 1.)

Mr. HANSEN. Inasmuch as the American consumer will end up paying for the price increases that will undoubtedly result from these shortages, I believe it is important that Senators understand the underlying causes. The oil industry which is the usual whipping post for anything connected with oil, gas, or gasoline prices is not to blame.

The Wall Street Journal article clearly explains the whys and wherefores and I commend it to Senators for a better understanding of the problem.

Mr. President, more than anything else, the petroleum industry needs to know what to expect in the way of Federal taxing and import policies and it needs to know now—not at some future date after the 1970 elections or after the Oil Policy Committee has determined whether the Cabinet Task Force on Oil Imports was right or not in recommending a tariff plan to push down the price of crude oil to world price levels. The report of the majority of that task force is now thoroughly discredited by events of the last few months. Had the tariff plan been in effect, it is not hard to imagine what a horrible mess administration of the program would now be.

I hope the Presidential advisers who have maintained their support of the tariff plan can now, at last, understand what a few of us have been saying about the risks involved in such a plan and the need to get on with development of our own energy resources—oil, gas, shale oil, coal gas, and nuclear energy—as fast as possible.

We have already tarried too long and I hope those who have cried for more cheap imported oil will now be convinced that this oil will remain cheap only so long as we are not substantially dependent on it as are Western Europe and Japan.

A recent column in the Independent Petroleum Monthly pointed out the history of oil supply in this country and the urgent need for resolving the oil import question so that the industry, particularly independents, may get on with the job of finding and developing the oil and gas that we know we have and making it available for use.

I ask unanimous consent that the article by Young O. Mitchell be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. (See exhibit 2.)

EXHIBIT 1

[From the Wall Street Journal, July 31, 1970]

SCRAMBLING FOR OIL: SUPPLY OF INDUSTRIAL FUELS GROWS TIGHTER, ADDING TO FEAR OF ENERGY WOES THIS WINTER

A growing shortage of heavy industrial-grade fuel oils east of the Rockies has sent prices soaring to highs and could contribute to the possibility of energy problems in many parts of the nation this winter.

Power companies, factories, office buildings, hospitals, colleges and other users of the boiler fuel are encountering increasing difficulty securing sufficient supplies. In addition, they're paying prices as much as $1.50 a barrel higher than a year ago, or as much as double the year-earlier levels. Many oil companies are turning down prospective customers, and some are even allocating shipments to present customers.

The higher fuel costs in many cases will be passed on to consumers in the form of higher electric bills, under so-called "automatic fuel adjustment clauses" in utility rates, and the form of higher prices for manufactured products. Some factories were forced to close for short periods last winter due to fuel shortages, and the pinch is likely to be more severe this year.

The fuel oil shortage also is contributing to a tightening supply of asphalt, the nation's chief road-building material. Some road projects have been slowed this summer, and the combination of short supplies and rising prices could cut into next summer's state and Federal highway programs.

The causes of the fuel oil shortage are complex and include such diverse factors as new air pollution control laws, a world-wide tanker shortage resulting from events in the Arab world, new Federal coal mine safety rules and a growing nationwide shortage of natural gas.

IMPACT OF SMOG CONTROLS

A major trigger for the shortage is the fact that many local air pollution control authorities are placing into effect much sooner than anticipated tight restrictions on the sulphur content of fuels. Burning of such fuels produces sulphur dioxide, a gas that when precipitated out on soot and dirt in the air and then breathed in can be damaging to the human bronchial tubes and lungs.

The laws are forcing many burners of coal, the lowest-cost boiler fuel for many parts of the country, to seek fuel oil as a substitute. Most boiler coal is high in sulphur content, and methods of removing it economically are still in the research stage. Pipeline-grade natural gas doesn't contain any sulphur but is nationally in short supply, and several major gas utilities also are rejecting new customers.

About two-thirds of the nation's heavy fuel oils are imported from Venezuela and Caribbean area refineries. At present these fuel oils, too, are high in sulphur, and most of the oil industry's new desulphurization plants in these areas, representing about a $500 million investment, haven't gone into production. What's more, the tanker crisis has as much as tripled oil transportation costs from the Caribbean and has resulted in uncertain delivery schedules at East Coast ports. The tanker shortage results from the prolonged closedown by Syria of a key Middle East oil pipeline and Libya's forced cutbacks in oil production there.

Domestic capacity to make heavy fuel oils has declined steadily because of rising imports and the previously low price of imported fuels in relation to high cost U.S. crude oil—such fuels frequently sold for less than

half the cost of the crude from which they're made. This also discouraged the building of desulphurization plants in the U.S. Most new U.S. refineries have been designed without facilities to make heavy fuel oil in order to squeeze more gasoline and other higher-value products from each barrel of crude.

NEEDS GO UNFILLED

There are other factors contributing to the fuel oil shortage. A number of coal mines have been forced to close, at least temporarily, because they're unable to meet new Federal mine safety laws. Several electric power plants have been built to run on heavy fuel oil because of delays in getting approval and equipment for nuclear plants. Industrial plants that use so-called "interruptible" supplies of natural gas as their chief fuel, will need bigger stocks of alternate fuel oil this winter due to the greater likelihood that utilities will have to cut them off during periods of peak homeowner gas use.

Meanwhile the scramble for fuel oil is on. The University of Illinois Medical Center in Chicago is preparing to ask for bids for the fourth time in three months to secure a needed eight-million-gallon heavy fuel oil supply for this winter. The first three tries brought only one qualified bid, which will fill only half the center's fuel requirements.

William Graban, general manager of the municipally owned power plant in Taunton, Mass., says his invitations to 12 oil companies to bid on the plant's 700,000-barrel needs over the next year drew only one bid to supply 250,000 barrels. That bid, from Shell Oil Co., is at $2.90 a barrel for relatively high sulphur (2.5%) oil, compared with a year-earlier price of $1.98 from another supplier. The Taunton plant, about 25 miles south of Boston, serves about 18,000 electricity customers, and Mr. Graban says the town could be in a bad fix before long.

A marketing official of one of the largest international suppliers of heavy fuel oils says bluntly, "We are turning down prospective new customers, and from time to time have had to allocate deliveries in some areas to present customers, due to uncertain tanker schedules. We're even trying to buy fuel oil ourselves in the open market."

HEAVY DEMAND FOR LOW SULPHUR

The crunch is even more severe for heavy fuel oil with low sulphur content.

Public Service Electric & Gas Co., New Jersey's biggest utility, has converted about half of its electric generating capacity from coal to heavy fuel oil with a maximum of 1% sulphur to meet the state's present air pollution control rules, but in October, it must start using oil containing no more than 0.5% sulphur, which it estimates will cost about $1 a barrel more, and it anticipates this will be harder to buy, even though the company is close to two big low-sulphur fuel oil terminals. The utility burns about two million barrels of oil a month.

Virginia Electric & Power Co. says such fuel is "exorbitant (in price), and it's just not available." Philadelphia Electric Co., which switched entirely to low-sulphur fuel oil at its power plants last year to meet new air pollution control laws, estimates that the $6 million that the switch added to its first year's fuel bills will be doubled over the next year by recent price increases. Low-sulphur oil costs up to $3.50 a barrel in some markets.

Byron S. Weil, president of Oils Inc., a Chicago heavy fuel oil distributor, predicts that city's new air pollution control laws on sulphur dioxide will result in a severe fuel oil shortage for large institutions, hospitals and factories.

He asserts that greater access to foreign fuel oil in the Midwest is needed. Up to now about 90% of the nation's heavy fuel oil consumption has been on the East Coast, where there is almost unrestricted access to imported supplies. But imports of heavy fuel oil to the inland areas of the nation have been tightly restricted. Last March, the government granted the first import quota for this area, permitting Commonwealth Edison Co. of Chicago to bring in 4.5 million barrels of low-sulphur, heavy fuel oil. Oils Inc. then asked for a two-million-barrel quota but has been granted only 480,000 barrels.

But one oil marketer says, "Getting quotas may not help inland users much. You just can't find much heavy fuel oil available in the Caribbean right now, and when you can, it's almost impossible to charter a tanker to haul it for you."

MORE CLEANUP FACILITIES

Several major new desulphurization plants will be placed in operation in the Caribbean and Venezuela over the next six months, but oil marketers generally don't believe the facilities will solve the shortage.

For example, by the middle of August Standard Oil Co. of California and closely held New England Petroleum Corp. will begin shipments from a 250,000-barrel-a-day facility they share on a 35%–65% basis at Freeport in the Bahama Islands that can make 130,000 barrels of low-sulphur, heavy fuel oil daily. But, a spokesman says, "It's all sold under firm contracts."

In October Creole Petroleum Corp., 95%-owned by Standard Oil Co. (New Jersey), the largest supplier of heavy fuel oils to the U.S., will begin production at a facility at Amuay, Venezuela, capable of making 166,000 barrels of low-sulphur, heavy fuel oils daily, and Jersey Standard's wholly owned Lago Oil & Transport Ltd. will start up an 88,000-barrel-a-day unit on the island of Aruba about next Jan. 1. Yet a U.S. marketing official for the company predicts the short supply of heavy fuel oils could last as long as two years.

The Royal Dutch-Shell Group started a 50,000-barrel-a-day desulphurization unit at Cardon, Venezuela, this year, nearly tripling its low-sulphur, heavy fuel oil capacity in the Caribbean. Amerada Hess Corp. has about 86,000 barrels a day of low-sulphur fuel oil capacity at St. Croix in the Virgin Islands. Texaco Inc. has announced plans for a giant desulphurization unit on Trinidad.

The current high prices for heavy fuel oil even have some oil companies pondering a boost in domestic output. "But by the time desulphurization units could be built, the shortage may have ended or prices may have come back down, so it looks like a big gamble," says one oil executive.

DROPPING ASPHALT FOR OIL

An Arab-Israeli armistice also might bring an easing of the conditions causing the worldwide tanker crisis, but oilmen aren't counting on it.

A spokesman for the American Oil Co. division of Standard Oil Co. (Indiana) says some refineries are switching some asphalt production into making heavy fuel oil, and this is contributing to a growing shortage of asphalt.

The tanker shortage also is a big factor, since U.S. asphalt plants generally run on Venezuelan crude oil.

Frank O'Donnell, president of Trimount Bituminous Products Co., Everett, Mass., which mixes asphalt with other materials and supplies contractors, says he's been forced to ration deliveries to customers, delaying "completion of all sorts of jobs." The reason, he says, is that his asphalt supplier, Humble Oil & Refining Co., Jersey Standard's chief subsidiary, will sell him only 75% as much as he bought last year. Some of Trimount's truck drivers are working only three days a week due to the shortage, Mr. O'Donnell says.

R. L. Peyton, assistant state highway director for the Kansas Highway Commission, says some projects in that state have been delayed by the need to seek bids on asphalt a second time. He says availability of asphalt has been "touch and go so far this year, and it may be worse next year."

Adolph Zulian, assistant chief engineer of the Colorado Highway Department, says prices of liquid asphalt have risen 20% to 30% from a year ago, and he says that one of the state's major suppliers, Texaco, won't accept any new orders for this year.

Millard Stewart, executive director of the Asphalt Association of Western Pennsylvania, which represents the area's road materials producers, says, "We will probably make it through the year and get most of the jobs done, but it will be tight." He called the supply "critical" and predicted the present $24 a ton price, unchanged from a year ago, may soar to $29 a ton by next spring.

EXHIBIT 2

The independent Petroleum Association of America was formed at a time when pessimists about the future of U.S. oil supply were in command of policy-making functions in the Federal Government.

Forty years ago, the Secretary of Interior and the head of the U.S. Geological Survey warned the nation that domestic oil production had reached its peak and from then on it would all be down hill.

President Hoover proclaimed public lands off limits for exploration.

And in the oil industry, itself, top men were urging a halt to drilling within U.S. borders.

Their aim was to preserve potential petroleum reserves for future emergencies. They were pioneers of the "mothballs" theory of oil supply.

They were intelligent, highly educated men, acting with the best of intentions. But their view of reality was clouded by negative thinking about what the domestic oil industry, and independent producers in particular, could do when it came to finding oil and gas. Worse yet, their visibility on future reserves was zero when they looked into their crystal balls.

One of the major chores facing IPAA in those early years was to inform those in Government that the nation was not running out of oil. Eventually, optimism about domestic oil availability was accepted as a prime basis in formulating U.S. energy policies.

Now, IPAA is confronted by a new set of pessimists. Men highly placed in Government and in industry, are saying with great authority that the U.S. is moving along a road that leads to greater dependence on foreign oil.

Hearings last month by the House Ways and Means Committee gave IPAA the opportunity to dispel the gloom being spread by these modern-day alarmists.

Bob Burch, president of RMOGA, and vice-chairman of IPAA's Import Policy Committee, put on the record estimates by leading private and public agencies of the hundreds of billions of barrels of oil and hundreds of trillions of cubic feet of gas that are yet to be discovered in the Lower 48 states.

And Tom Medders, Jr., chairman of the Import Policy Committee, told the prestigious House group, that independents are ready and willing to put new fire into their historic role of oil-finding. But import levels must be established that will permit them to plan their exploration and development programs with confidence. (Young O. Mitchell.)

Mr. BELLMON. Mr. President, will the Senator from Wyoming yield?

Mr. HANSEN. I am happy to yield to the Senator from Oklahoma.

Mr. BELLMON. I wish to thank the distinguished Senator from Wyoming for the thoughtful and important statement he has just made this morning. He has

effectively and factually pointed out the oil crisis this Nation faces. He has given the Senate some reasons why this industry faces such a crisis. I hope it will cause not only the Senate but also Federal agencies to begin to consider the problem urgently, and to take steps to alleviate it.

I was present when Director Laird presented remarks that the Senator from Wyoming has mentioned and placed in the RECORD and I should like to ask the Senator if, after pointing out what the problem was, and stating the case and the need for more domestic energy sources, whether Mr. Laird had any plans to alleviate the situation.

Mr. HANSEN. Yes; he does have some plans and I shall be happy to detail specifically just what he recommended.

For one thing, he stresses the urgency of an overall energy policy which will focus attention upon the need that we have in this country for fuel in the future, in order to satisfy all the energy needs we have, as well as the need for exploration and development of our resources in order to develop the potential we have.

Insofar as our allies' interests go, the NATO countries and Japan would likely have to make accommodations with Libya, Iraq, and other important oil-supplying countries, if there should be a disruption in the delivery of oil from those areas.

Obviously, the alternative would be the development of other sources of supply in other free world areas. But this could take considerable time.

There are no quick, easy answers for these energy deficient countries. But, with respect to our domestic needs, I think all agree, certainly those of us who have taken the time to investigate the problem, that the most competent authorities estimate we have just barely scratched the surface, insofar as the development of our resources here in this country go.

Further, in specific response to the question raised by the Senator from Oklahoma, let me say that as chairman of the Petroleum Security Subcommittee of the Foreign Petroleum Supply Committee, it was the duty and the responsibility of Dr. Wilson Laird, the Director of the Office of Oil and Gas, to make recommendations and to review the situation. He has done that, and they can further reactivate, if necessary, the Emergency Petroleum Supply Committee which has been on a standby basis since 1967.

Generally speaking, I think that the need is to take advantage of every resource we have in this country. There have been some who have said, "Let us forget about the 15 percent of the reserves we have in the so-called stripper wells." I know that many of these wells are in the home State of the distinguished Senator from Oklahoma. They are also in Wyoming, representing rather significant reserves.

Some have said, "Let us forget about that, because this oil is too high priced. Let us forget about that 15 percent of our known reserves, and let us shut off the wells." A lot of things happen, so that they could not be brought back into production, as the Senator knows, but, with reckless abandon for the long-range, even the short-range welfare of this country, there have been some, within the last year, who have said, "Let us forget about that."

I think now, that the lack of wisdom and foresight on the part of those making such recommendations is obvious to all of us.

Thank heavens, we have the reserves. Thank heavens, we can still produce them.

For those who thought we could continue to import foreign oil, as the Senator from Oklahoma knows, we can import it, but no one wants to buy it because it is so high priced—higher than our domestically produced oils.

I think these are some of the things that Dr. Laird was saying to us.

Mr. BELLMON. If the Senator will yield on that point, a year ago, when the Oil Import Study Commission was conducting its investigation and study, a great point was made about how, if this country would virtually stop domestic production of oil and import all the oil it needed from foreign sources—largely from the Middle East—the consumers of this country could save about $5 billion a year.

The implication was made that the oil industry in the United States was overcharging our citizens and its customers by about $5 billion a year.

At the present time, however, if my information is correct, the cost of crude from domestic sources is something barely over $3 a barrel—$3.06 a barrel. Since this country uses about 4.4 billion barrels of oil a year, it would cost us about $13.4 billion to supply the domestic demand with U.S. crude. Using the same figures and paying the current price for imported crude, which is about $4.25, it would cost $18.6 billion to supply that demand.

So that, right now, the domestic industry is saving the American oil consumer about $5 billion.

In other words, the situation is reversed.

Yet, I have not heard any of the critics of the oil industry making that point.

Mr. President, I believe it is high time that we should make that very point.

At the same time, as the Senator from Wyoming knows, we do have a definite crisis in natural gas, as he has mentioned this morning.

Gas from domestic sources costs the consumer, at the wholesale level, 30 cents per million cubic feet, so that the total cost is about $6 billion a year. This country used approximately 20 billion million cubic feet of natural gas in 1969. If we imported natural gas to totally meet that demand, at the present cost of approximately 60 cents per million cubic feet, this would cost the consumer about $12 billion.

In fact, that we are able to get gas from domestic sources saves the consumer about $6 billion. The saving by having available domestic crude oil is $5.4 billion. The saving from natural gas is $6 billion. So that the oil industry in the United States, at the present moment, is saving the American consumer about $11 billion a year over what he would have to pay for the same product if it was imported.

To me, that is a significant accomplishment, something that the Senate should be aware of, and something that those who administer our oil policy should recognize. Because, if we ever get into the position where we must have the products from foreign sources, then we will pay through the nose continually and this country would be terribly hurt economically, and in all other aspects, if the cost of energy goes up.

Mr. HANSEN. If I could interrupt the Senator at that point, a former distinguished Chairman of the Interstate Oil Compact Commission, let me observe that the charge has been made, among others that have been bandied about, that the Interstate Oil Compact Commission has been used as a price-fixing mechanism, a charge which is completely false, that has no substantiation at all, a charge which overlooks the truly important contribution the Interstate Oil Compact Commission makes, in that, by pacing the oil wells as oil is produced from them, we get far more nearly complete recovery of the oil and natural gas that is underground, than would result if we were to run the wells wide open.

So that actually, instead of trying to operate the Interstate Compact as a price-fixing mechanism, which it has never been, and is not now, actually it has served the people of this country very well.

It has resulted in far greater recoveries of oil and natural gas than could ever have been accomplished otherwise and has done so with less cost consistent with good management. Is that not true?

Mr. BELLMON. The Senator from Wyoming is entirely correct. The whole purpose of the Interstate Oil Compact Commission is to develop and promulgate a body for the conservation of oil that enables it to be able to recover the maximum amount of our petroleum reserves at the lowest possible cost for development.

Mr. HANSEN. And to prevent the physical waste of oil and gas as well as to protect correlative rights of the various owners.

Mr. BELLMON. The Senator is correct. And the IOCC has done a great service to the consumer of oil products.

The IOCC is not in league with the companies but works for the interests of the consumers of the products. It makes certain that products are not wasted or produced at high cost.

I would like to mention one other point to the Senator from Wyoming. I have menioned already the vast savings the American consumers are now getting because we have available domestic sources of oil and natural gas.

According to figures of the Oil Import Administration, in June 1969, the import of residual fuel oil used primarily for industrial power generation was 970,000 barrels per day. The spot price on the east coast was $1.80 per barrel.

A year later, June 1970—and this was before the most recent crunch for tankers developed—the importation of fuel oil had increased to approximately 1.4 million barrels a day of residual fuel oil. But the price was more than double

the price of a year ago. The price now averages $4 a barrel. This shows how fast prices increase when a shortage develops or when there is high demand.

The PRESIDING OFFICER (Mr. McINTYRE). The time of the Senator has expired.

Mr. HANSEN. Mr. President, I ask unanimous consent that I may proceed for an additional 10 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. JAVITS. Mr. President, I do not object, but could we have an idea that that is pretty much the time that will be required?

Mr. HANSEN. That is correct.

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

Mr. BELLMON. Mr. President, the average U.S. production of residual fuel oil is only 160,000 barrels a day, while the demand is more than 1.5 million barrels a day.

The reason that production is so low is that the overall cost of this product has been kept at an artificially low price. It has therefore not been economic for our companies to produce residual fuel oil when they know they cannot produce it and obtain fair prices for it.

This is a clear indication of what would happen if our country allows this situation to continue. We could not meet the demand.

It bothers me, and I know that it bothers the Senator from Wyoming, that when anyone speaks out to set the record straight concerning the energy situation in this country, many people feel that we are really doing it for the oil companies. Nevertheless, we are trying to do something for the consumers of the oil products. The oil companies make only a very modest profit on their products, as they must. It is the public who will be hurt if the oil companies cannot meet the demand for the products without pollution.

In this way the consumers' interests are at stake. It causes us great concern when this Nation, through shortsighted policies, allows our energy supply to diminish.

I compliment the Senator from Wyoming for bringing the subject before the Senate in the very thorough manner he has done this morning.

Mr. HANSEN. Mr. President, I thank the Senator from Oklahoma for his contribution this morning. He has made a very important contribution toward a full and more thorough understanding of a very deep and growing and important problem.

I suspect that some of those Senators and people throughout the country who have been critical of the oil companies and have claimed that they have gouged them, as they have chosen to characterize their activities, will display surprisingly short memories. Despite the fact that oil has not gone up in price as have other products, but has been far lower—there has been no escalation in the price of oil comparable at all with the overall price rise of products generally—they will continue to criticize the industry and will not face up to the fact that the policies they were advocating earlier are contributory to the very conditions that they will complain of this coming winter when we do not have enough fuel to keep all of the homes warm or all of the factories going full blast.

I make that observation because it is a popular practice these days to pick out a whipping boy and, no matter which way it goes, to find fault.

I thank the distinguished Senator from Oklahoma.

Mr. President, I yield the floor.

PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER (Mr. McINTYRE). There will be a brief period for the transaction of routine morning business, with a time limitation of 3 minutes.

ORDER OF BUSINESS

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that I be permitted to speak for 10 minutes.

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

EULOGY FOR DAN A. KIMBALL

Mr. FULBRIGHT. Mr. President, on yesterday the Honorable Dan A. Kimball departed this life.

Dan Kimball was a courageous and efficient pilot during World War I. He was a successful businessman and a distinguished public servant as Secretary of the Navy. But above all he was a fine citizen and a great human being.

I am proud to be counted among his friends.

Dan Kimball was successful in all of his endeavors, but it was as a warm, kindly, and tolerant and understanding human that I remember him best.

I have known many successful men, but I have known few men who equaled him in his compassion and understanding of other people.

He was deeply interested in public affairs and in people. But I have never known him to be bitter toward anyone, nor to exhibit hatred toward any man.

He recognized the right of every other human being to live his own life and to have his own views. Although he had positive views of his own about our society, never did he arrogate to himself the right of ultimate judgment or an attitude of infallibility.

In short, Dan Kimball was a civilized man, possessing to a high degree the qualities which our country and the world are so desperately in need of today.

He led a full life. He enjoyed it and he brought much pleasure to many people and contributed much to his fellow men. I shall certainly miss him.

To his widow, whom many of us knew as Doris Fleeson the columnist, I extend my deepest sympathy. Together, she and Dan enjoyed many years of lively and interesting experiences and gave much to their friends.

I ask unanimous consent to have an article containing an obituary for Dan A. Kimball, from the New York Times of this morning, printed in the RECORD at this point.

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

DAN A. KIMBALL IS DEAD AT 74; NAVY SECRETARY UNDER TRUMAN

WASHINGTON, July 30.—Dan A. Kimball, a World War I pilot with Jimmy Doolittle, who went on to become Secretary of the Navy in the Truman Administration, died today at the age of 74.

A spokesman said Mr. Kimball, recently retired head of the Aerojet General Corporation, had entered Georgetown University Hospital Sunday with internal bleeding of the gastrointestinal tract. The cause of death is still to be determined.

Mr. Kimball, who married Doris Fleeson, the former syndicated columnist, had homes both here and at Palm Springs, Calif. His first marriage to Dorothy Ames ended in divorce in 1957.

POLITICS AND FLYING

Mr. Kimball who was named Secretary of the Navy by President Truman on June 28, 1951, rose to that post through a career that encompassed flying, business and politics.

As a second lieutenant in the Army Air Corps in 1918, he piloted pursuit planes and was mustered out as a first lieutenant at the end of the war.

Moving to California in 1920 he began a long career with the General Tire and Rubber Company of Akron, Ohio, when he joined its sales department in Los Angeles. Eventually he became the company's manager for 11 Western states, vice president and director. He also became executive vice president and general manager of the Aerojet Corporation.

In politics, Mr. Kimball was a middle-of-the-road Democrat who solicited funds from friends for President Truman in 1948, when Mr. Truman won his upset victory over Gov. Thomas E. Dewey of New York.

In 1950 he toyed with the idea of opposing James Roosevelt for the Democratic nomination for Governor of California, but dropped out when he concluded that no Democrat could beat the Republican candidate, Earl Warren.

LED TOKYO AIR RAID

Mr. Kimball was one of the country's few industrialists to support President Truman in the 1948 bid for re-election. His support of the Democratic party led to his appointment, in February of 1949, as Assistant Secretary of the Navy for Air. Mr. Kimball, who held a private pilot's license and flew his own plane, was the first former Air Corps pilot to head aviation in the Navy.

Dan Able Kimball was born in St. Louis on March 1, 1896. After attending public schools there and taking several correspondence courses, he joined the aviation section of the Signal Corps in 1917.

As an air cadet at ground school in Berkeley, Calif., he was a classmate of James H. Doolittle, who in 1942 was to lead a carrier-based air raid over Tokyo and who later became an Air Force General. The two young aviators also went through flight school together at Rockwell Field, San Diego.

As director of Aerojet at Azusa, Calif., a General Tire subsidiary that manufactured jet-assisted take-off equipment, Mr. Kimball was in charge of the development program. Under his direction Aerojet cooperated with the Douglas Aircraft Company and other manufacturers to develop high-altitude research rockets for the purpose of obtaining data 100 miles or more in space.

In stressing the importance of such data, Mr. Kimball once observed: "We now need facts to prove or disprove the assumptions scientists have made regarding this unexplored region."

Mr. Kimball went on leave from his industrial activities in 1949 after President Truman named him Assistant Secretary of the Navy for Air. He began his career in the Navy

Department in the midst of a controversy in which the Navy opposed the restricted role assigned it as a result of the armed forces unification plan.

One of Mr. Kimball's first public statements was an affirmation of the important future that lay ahead for Navy aircraft carriers.

Before he became Secretary of the Navy, Mr. Kimball had served as Under Secretary, and in both roles was responsible for directing the large expansion of the Navy after the outbreak of the Korean war.

Mr. JAVITS. Mr. President, I would like to join with the Senator from Arkansas in paying tribute to Dan Kimball.

I knew Dan Kimball very well and also his wife Doris who was an outstanding columnist. Dan was very kind and a very interested and spirited human being.

I join with the Senator from Arkansas in expressing the sympathy of Mrs. Javits and myself to Doris.

We shall miss him very much.

Mr. FULBRIGHT. We will. I appreciate the comments of the Senator from New York.

DISASTROUS EFFECT OF THE VIETNAM WAR ON THE MORALE OF THE ARMED FORCES

Mr. FULBRIGHT. Mr. President, one of the most disastrous effects of the war in Vietnam is upon the morale of the men in our Armed Forces.

As I have said on many occasions, my criticisms of our involvement in Vietnam are not directed at our GI's or their officers. My criticisms have been directed at the civilian officials who, even with the best of intentions, got this nation into an impossible war and who either persist in their erroneous judgments, or do not know what to do to get us out.

In the meantime, it is only our American society that disintegrates by polarization, pollution, and poverty, but the effects are felt within the Pentagon itself.

When war tears not only the fabric of domestic society, but rips apart the morale of the men in our fighting forces, it is time for the Commander in Chief to take note.

I ask unanimous consent to insert at this point in the RECORD significant communications—from a GI now in Vietnam, and from the Secretary to the Concerned Academy Graduates, an organization of graduates of the Military, Naval, Air Force, and Merchant Marine Academies.

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

JULY 18, 1970.

Senator J. W. FULBRIGHT,
Senate Office Building,
Washington, D.C.

DEAR SENATOR FULBRIGHT: Since this is a letter of support, I needn't elaborate my position. I plan to do so in letters to your critics.

Myself and many many GI's I work with are very much opposed to the continuation of this war. As a combat engineer squad leader, I have worked very closely with the infantry on countless occasions. It is my opinion that opposition to the war runs deepest in these over-worked, mal-treated, deeply respected individuals.

I simply want you to have this letter and others like it to temper the glowing words so many Congressmen have for the dedication to victory of our GI's. It is your words not those of blind flagwavers which keep up the morale of so many over here.

I had the privilege of hearing a speech you delivered to a group of summer interns in 1967. I never dreamed I'd be here three years later. You and your colleagues' relentless pressure will hopefully force the country out of this entanglement and encourage more discrete policy-making in the future.

Thank you for all your efforts.

Sincerely yours,

———— ————.

JUNE 27, 1970.

Senator J. W. FULBRIGHT,
Senate Office Building,
Washington, D.C.

SIR: As graduates of the United States Military, Naval, and Air Force Academies, we condemn the waging of war in Indo-China by American forces. We urge immediate and total withdrawal of American troops from Viet Nam, Laos, and Cambodia.

As soldiers trained in the art of war, we know that this war cannot be won.

As ex-officers dedicated to this nation's defense, we know that this war is unrelated to our security.

As men for whom the ideas of human dignity and personal honor still have meaning, we know that this war is inhuman and dishonorable.

We are neither "effete snobs" nor "sincere but uninformed" students. We are professional and experienced military men. We have been to Viet Nam—not on VIP tours, but on combat assignments. Our knowledge of the war does not derive from briefings in Washington or Saigon, but from experience in the field. We have given those briefings, and we know what those briefings do not tell. We have not shaken hands with the troops; we have led them.

Nor are we "anarchists" or "tired radicals". We have marched in many more military parades than in demonstrations. But we have discovered reluctantly, painfully, belatedly, that we have been marching to the wrong drum.

We are through marching.

We call upon the American people to put aside the emotional catch-words "humiliation" and "defeat" urged upon them by those who would waste more lives to justify the lives already wasted.

We call upon the Congress to act with speed and determination to end this war.

We call upon all members of the military to discipline themselves against wishful thinking, against the belief that "one more escalation will end the war," against the recurrence of the My Lai massacre, and above all against the dangerous rationalization that they are "only obeying orders."

We call upon our fellow academy graduates to find the courage in speaking out against this war that they have already displayed upon the battlefield.

DAN EMBREE,
Secretary, Concerned Graduates of the United States Military, Naval, and Air Force Academies.

CONCERNED ACADEMY GRADUATES

At West Point, at Annapolis, at the Air Force, Coast Guard, and Merchant Marine Academies, we learned to tell the truth—even when that truth was painful. We will not depart now from the code we lived by then. Accordingly, we must speak out now about the war in Southeast Asia:

1. The truth is that this war cannot be won. Even with massive bombing or invasion of North Viet Nam, even with the occupation of Laos and Cambodia, even with ten times our highest troop levels, even with nuclear weapons, we cannot win because there are no *military* objectives in this war. There are no pieces of ground—no hills, no sanctuaries—which if captured would mean the end of the war. We *can* eradicate the people of Viet Nam. We *can* make the land uninhabitable. But destruction is not victory. The South Vietnamese government and the Viet Cong are fighting a civil war for the minds of the Vietnamese people. Because minds are never really changed by guns, we can be of little help in this struggle. Because *we* are the foreigners to the Vietnamese, we cannot force them to accept our choice. We can only prolong the agony of their decision.

2. The truth is that withdrawal from Southeast Asia will mean neither defeat nor dishonor for the United States. Had the problems of Southeast Asia been military, we would have solved them long ago. But the military cannot be expected to solve political, social, and economic problems. The only dishonor we face is in continuing our disastrous policies in the belief that we can justify them by more destruction.

3. The truth is that this war is not being fought for freedom. It is being fought to keep one faction of Vietnamese militarists in power and another faction of Vietnamese militarists out of power. The regime we support is intolerant of dissent and commits atrocities against its own people. The Viet Cong do these things too. How are we to choose between them?

4. The truth is that this war is not vital to American interests, or to American security, or to American prestige. We do not need Vietnamese rice or Vietnamese rubber; even if we did, it would be cynical to buy them with Vietnamese blood. We are not threatened at home by the Vietnamese or even by the Chinese. We cannot risk a prestige that is all but lost in the aftermath of the massacre at My Lai and the invasion of Cambodia. We *can* regain the confidence of our own people and of the entire world by stopping this war now.

5. The truth is that an orderly and safe withdrawal from Viet Nam is militarily possible at a much faster rate than at present. The American Armed Forces have great resources for moving men and materiel efficiently over long distances on short notice, and for protecting themselves as they do it. The same efficiency that we have demonstrated in *deploying* to Lebanon, to Santo Domingo, to Viet Nam, to Cambodia, can be demonstrated in *disengaging*.

6. The truth is that whatever good our entry into Viet Nam might possibly have accomplished *has* been accomplished. We have bought five years for the Vietnamese to construct a stable and popular government. If they have not done so, it is unlikely that they will begin now.

7. The truth is that our withdrawal will not mean an immediate military victory for the Viet Cong. The South Vietnamese Army is strong enough to hold the country *if* it has the support of its people. Our departure will only mean that it will have to begin to win that support in earnest.

8. The truth is that we have no right to fear a possible bloodbath if the Saigon regime should collapse, while we are presently engaged in a real bloodbath of massive proportions. Random artillery fire, free fire zones, saturation bombing, and political assassination, all carried out among the civilian population and under American direction, account for a tremendous loss of Vetnamese lives. And unlike the My Lai massacre, these things happen every day.

9. The truth is that this is becoming a racial war. American soldiers often find it difficult to respect or understand a people whose physical characteristics, language, and culture are so different from their own. American troops often refer to the Vietnamese as "gooks" or "dinks" or "slopes," and they often characterize them

as lazy or sneaky or inferior. These attitudes make it easier to kill.

10. The truth is that the United States has violated its own military doctrine at every step of its increasing involvement in Viet Nam. Before 1965 our academies taught that the United States must not fight a land war in Asia, that insurgencies in any country must be resolved by the people of that country themselves, that conventional air power must be used as an adjunct to ground combat operations and not as an end in itself, and above all that military operations are an extension of political policy and not the other way around.

11. The truth is that unless we stop this war now, the division in our own country may soon be irreparable. Already Americans have been killed by other Americans on our own streets and campuses over a war on the other side of the world.

12. The truth is that the Constitution we have all sworn to defend is in grave jeopardy. It is by no means clear that the continued conduct of the war in Viet Nam and particularly the invasion of Cambodia *without the specific approval of Congress* are Constitutional acts. Several legal challenges to this war are underway, both in Congress and in the courts. But while this issue remains unresolved, our troops continue to die.

13. The truth is that it is not each citizen's duty to leave all decisions of military and foreign policy to the President in the belief that "he has all the facts." If the people do not have all the facts, they must demand them, for it is they who pay the price for mistaken decisions. Leaders who had all the facts sent our troops into Viet Nam in the first place, and they told us that we had "turned the corner" there, that we could see "the light at the end of the tunnel," that we could begin to withdraw our troops by the end of 1965. The President thought he had all the facts when he sent our troops into Cambodia in search of a secret headquarters. But the headquarters was not there.

14. The truth is that dissent is not unpatriotic. We are not "criminal misfits" or "effete snobs." We are patriotic military men acting in the traditions of duty and courage instilled by our academies.

SPANISH BASES

Mr. FULBRIGHT. Mr. President, this morning's New York Times published a news dispatch by Richard Eder datelined Madrid. This account reports that the Spanish base agreement was submitted to the Foreign Relations Commission of the Spanish Cortes.

I do not believe it has been finally signed by our Government, but the substance of it has been agreed upon. A copy of the agreement was discussed informally before an executive meeting of the Committee on Foreign Relations last week relating to a renewal and extension of the Spanish bases agreement.

The lease for these bases was originally made in 1953, and extended in 1963. Now, we come to an extension of 5 years, involving a great many new undertakings.

There are two or three things about this news account I wish to call to the attention of Senators. The news account reports the agreement has been submitted to the Foreign Relations Commission of the Spanish Cortes. As Senators know, the Cortes is something less than independent; and it certainly is not as independent as the Senate and Congress. Yet the agreement has been submitted to them for their approval. As far as I know they do not have the same constitutional provision we have with regard to consent of the Senate to a treaty.

The point I make is that this is a very important treaty. The news account outlines some of its provisions. There is reference to credits of $125 million, plus an outright grant of $20 million. I thought it was $25 million but the article states $20 million in cash, I believe each year. There is also reference to the sale of a number of F–4 phantom jets. This account does not purport to give all the details but apparently they have the right to buy 36 phantom jets for many millions of dollars. Their worth is estimated at more than $100 million.

The article states that "a squadron of 25 new F–4–E's, the only model still in production, would be about $110 million to $120 million. The ones being sold and offered to Spain are used F–4 jets and are certainly operable.

The point I make is that this type of agreement should be submitted to the Senate in the form of a treaty. I have asked our State Department to submit it as a treaty. They have not finally decided one way or the other, although the reluctance to make a decision would indicate that they do not intend to submit it as a treaty. Among other reasons they allege they are afraid it might be delayed in the Senate. I could not guarantee it will not be, but I can guarantee it will receive the immediate attention of the committee; and the committee will be given the opportunity to vote on it, and I see no occasion for any delay.

This is not the kind of matter that is normally subjected to delaying tactics, and on this occasion I again urge the administration to submit this agreement to the Senate for its approval. It is not only the material things which are involved such as the money and the planes; it is the significance of the treaty as a security undertaking. In other words, are we to understand from this treaty that the United States obligates itself to come to the assistance of Spain in case of difficulty? This is tied in precisely with the commitments resolution which this body adopted last year. It is relevant to much of the debate with regard to the current bill for military procurement.

The Senator from Mississippi, the Senator from Arizona (Mr. GOLDWATER) and others have said that if we are ever to make any reduction in our military establishment we must tailor our agreements and our obligations to fit those reductions. With that principle I agree. Here is an example where there is an opportunity for the Senate to tailor these obligations, but it is denied by the procedure followed by the Executive. The Senate is to be denied the opportunity to pass on the nature of this agreement and whether or not it is in our interest to make it.

Even in Spain there is a difference of opinion as to the full effect of the language of the agreement.

The PRESIDING OFFICER. The time of the Senator has expired.

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

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

Mr. FULBRIGHT. Mr. President, I will read a part of the language in the article:

> Although much of the Spanish press has commented on what it terms the meager amount of aid being offered by the United States, most have reported that the American commitment to defend Spain . . .

I emphasize those words "to defend Spain."

> . . . has been increased from the terms of the 1963 joint statement, which declared that "a threat to either country would be a matter of common concern."
>
> Some sources familiar with negotiations take the opposite view. A phrase referring to United States agreement to "support the defense system of Spain" does not necessarily involve anything more, they say, than the furnishing of equipment and technical assistance.

Mr. President, that illustrates clearly the differences of view here. What is the purpose of hearings before the committee and debate on the floor of the Senate but to determine what it does mean? One of the secretaries or assistant secretaries could come before the committee and say, "In our opinion this is not a security agreement," or "In our opinion it does not mean we go to their assistance, and send arms in support." On the other hand some people will say, "Look at the language." Here is what it states: "We have to go to their assistance."

We were confronted with the same type thing in connection with the Gulf of Tonkin. Secretary of State Rusk said, in effect, "The purpose of this is to prevent a wider war or any war." The President himself in the White House said, in effect, "If you do this it will show unity. There will never be a war. The North Vietnamese will never challenge this great country. All we have to do is to show unity, get behind the President, and there will not be any war." That is the purport of what he said. Look at the hearings and look at what the Secretary of State said before the Committee on Foreign Relations:

> If you quickly pass this and show unity the North Vietnamese will not challenge the United States. We are too powerful. This is the way to bring this unfortunate conflict to a close.

In this case the likely development would be that in case of trouble in the future we will be confronted with the statement that we agreed to support the defense system of Spain, and that it is clear what the language means. It would be said that we have the commitment and it is our duty to send the men and the money.

This Spanish agreement is a classic example of how to enlarge the commitments of this country by secret agreements and executive agreements without the approval of Congress.

I close with this thought. It is the responsibility of the Senate, and I think it is the duty of the Senate under the Constitution, to insist that agreements of this kind which may result in the creation of an obligation to go to the defense of a foreign country with men, money, and arms, be passed upon by the Senate. I do not assert that this agreement should

be turned down or that it is improvident; I have my reservations about it but I say without question it is the responsibility of the Senate to exercise its duty and its responsibility in examining it and to come to an understanding, at least the majority of this body, as to what it means, the significance of the kind of undertaking that is being negotiated in the agreement and whether to approve it or disapprove it.

I do not see how any other course could be acceptable to the Senate. To proceed to this kind of commitment on the basis of an executive agreement, in secret, without any approval of the Congress, would I think be unconstitutional. I grant that the decision as to where one draws the line between executive agreements and treaties is not a clear one, but I think this is so far on the side of an important engagement that there is no question about it.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FULBRIGHT. I hope the administration will send it up as a treaty.

Mr. JAVITS. Mr. President, if the Senator from Arkansas would bear with me a moment, I wanted to ask him to yield, and I wanted the floor in my own right also. I would like to make a comment on what he has said now.

As a member of the Foreign Relations Committee, I believe the Senator from Arkansas is right about the fact that because it might be uncomfortable to a dictatorship, to wit, Franco Spain, is no reason why we should not bring this up rather than make a deal with a dictatorship relating to bases. The Senator is right when he says that if our society is to mean what it says, we have to be straight and honorable and courageous enough to face whether the people have confidence in the executive and support him or not.

Personally, much as I disapprove of the Franco dictatorship, I would like to take a look at such an executive agreement or treaty objectively, and would vote for it, even if I had to hold my breath, if I were convinced that it was in the interest of the security of the world and of the United States.

The difficulty is that officials of the administration have been in to see me—and I am sure others—to challenge the assertion that this is a commitment. However, we would have to look at the front and the back of the agreement to determine whether this is the same, more or less, in order to make a determination whether or not this does represent a commitment. If it did, there is no question of the fact that it ought to be a treaty.

I have two suggestions to make. The first is that I think the Secretary of State himself, in the name of the President, ought to state authoritatively what view the United States will take if there is trouble, because we have the protection that, if it is not a commitment, they still have to come back to us. If it is a commitment, then there should be a treaty.

The other suggestion is that if we are going to get into an area something like an undeclared war—because it is unwise to make a declaration of war because the way of the world indicates it would bring many obligations and responsibilities into it that we may not like or want—therefore, others, like myself, are trying to determine how to handle the question of the powers of the President and the war powers of Congress.

Perhaps a new technique would be that if we should have only the advise and consent role, without the treaty, it is not enough for us and the Foreign Relations Committee to be consulted; perhaps it may be necessary to invoke——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent to proceed for 7 minutes.

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

Mr. JAVITS. Perhaps we ought to invoke a closed door meeting of the Senate so that at least, if the administration chooses not to submit this matter as a treaty, the Senate knows everything we know and the Senate is acquainted with the commitment the administration has undertaken, in the way it will interpret the words of the bond, and what interpretation we have made, and what we know, and the text of the agreement. Then, it seems to me, the function of the Senate will have been served notwithstanding the choice of the administration not to submit to the Senate a treaty.

In short, to summarize, I think we are entitled to assurance from the highest levels of government that our Government will in no way construe this as a commitment, no matter what we may think about it, if it chooses not to submit it as a treaty. Otherwise we should insist it should be so submitted.

This is a major matter. It is not a little base in some small place or some interim arrangement that could be taken care of by some small agreement. At least Senators ought to know what is in it and what the agreement is. It should be submitted as a treaty so we know what it means as a commitment by the United States.

Mr. FULBRIGHT. May I repeat it—I do not think there is any excuse not to submit it for approval as a treaty. May I also point out that I have no serious misgiving about Mr. Franco. When we look at all the countries we are doing business with, to me Spain is a more civilized and liberal dictatorship than the one in South Vietnam, if we want to make comparisons. We are making great sacrifices to help South Vietnam. I have never heard of anything like the Con Son Prison in Spain. As a matter of fact, I think the Spanish people have made great progress. They do not have a democracy such as we have and prefer. It is a dictatorship, but it is a relatively progressive one and has brought substantial benefits to the Spanish people. It is more humane and considerate of people than the Greek dictatorship.

I am sympathetic to the Spanish people, and I do not feel any animosity at all toward the Franco government although I do not advocate or approve of that system for others. I think, in light of their circumstances of the dreadful civil war they have done rather well, in recent years. In any case it is their affair how they run their country. It is our affair how we treat them and whether or not we have a security treaty with them.

But coming back to the matter of the treaty, I do not think it is satisfactory to simply leave it without any publicity without the American people knowing what is in the agreement officially. This agreement is made by men temporarily in the executive branch. They all are temporary, and Secretaries will succeed other Secretaries, just as Secretary Rusk succeeded Secretary Dulles. Secretary Rusk took quite a different view of the SEATO Treaty than Secretary Dulles did, but at the critical time Secretary Rusk and his administration were in control.

However, to follow the Senator's suggestion, that would be better than nothing. I would also like to have it very clearly on the record what the Spanish Government thinks about it, because it is quite clear that in Spain there is a division as to whether or not this is a commitment for us to come to their defense. If they will make it very clear and public that "we think there is nothing in the agreement that would require us to go to their defense," that would fortify our own understanding and then there would be no excuse for them or any one to come back and say, "Look, we are in trouble. Send us 100,000 men."

I think there are well over 10,000 U.S. Military people in Spain now, and it is a very expensive operation. There are many things not mentioned in the article that are involved in the overall agreement. It is a very important one. I hope the Senator from New York will use his influence on this administration to persuade them that, in their interest, in the Senate's interest, and in the interest of the country, they ought to have an aboveboard treaty agreement, with full debate and understanding as to what we are getting into.

It has much to do with the bill we are debating, and the extent of our Military Establishment. If we keep on accumulating commitments around the world of this kind, there is utterly no hope of bringing the military appropriation under control.

Mr. JAVITS. Mr. President, I thank my chairman very much for this expression, which I think in itself will be a very helpful contribution to what he and I are both trying to accomplish.

ELLIOTT RICHARDSON AND THE FAMILY ASSISTANCE BILL

Mr. JAVITS. Mr. President, I call the attention of the Senate to the great significance of the testimony of Elliott Richardson, the new Secretary of HEW, with respect to the administration's proposed Family Assistance Act, and ask unanimous consent that an editorial from the New York Times on the same subject be printed in the RECORD.

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

PRIORITY FOR MR. RICHARDSON

The most urgent task for Elliott L. Richardson in his new job as Secretary of Health, Education, and Welfare is to pilot through Congress the Nixon Administration's complex welfare reform bill. When he became Secretary, the House had already acted favorably but the bill was in deep trouble in the Senate Finance Committee.

The troubles are not yet over, but in his lengthy appearances as a witness before the Finance Committee, Mr. Richardson has made an encouraging debut. He has impressed even committee critics of the bill by his evident mastery of the many details of this complicated measure. He has been patient and resilient under prolonged and frequently repetitious questioning.

Passage of this plan is critically important. This bill is an effort, the first since Congress approved the Social Security Act in 1935, to take a comprehensive view of the welfare problem and to relate in a meaningful way Aid to Families with Dependent Children, food stamps, public housing, and medical insurance. It would provide a base income of $1600 in cash plus $894 in food stamps for a family of four.

The working poor as well as the unemployed would benefit. Of the 3,700,000 families who would receive assistance, two-thirds are headed by a man or woman who is employed but whose earnings are extremely low. Except for a mother with children under the age of six, every adult benefiting from the plan would have to register for work or training for a job. Since benefits are graduated, incentives are built into the plan to encourage most individuals to raise their earnings and work themselves out of welfare.

Underneath the many specific questions propounded by conservative Senators, there is the fear that the bill would encourage the poor to malinger and avoid work. Yet experience during World War II and other periods of full employment has shown that almost all people would rather work than subsist on welfare. The number of deliberate welfare cheaters is negligible.

We believe the bill could be improved but our concerns are the opposite of those of the doubtful Senators. The base income of $1600 is too low. The bill tends to be unfair to New York and other northern states which are more generous in their welfare payments than states in the South. But these and other objections do not add up to an argument for killing the plan. In dealing with a problem which is so many-sided, Congress and outside critics alike have to expect that in any plan there will be some anomalies and weaknesses which only experience can correct.

In its progress through Congress thus far, the bill has benefited from the intelligent cooperation of Administration officials and members of Congress. If Senator Long and his colleagues in both parties on the Finance Committee continue this pattern of constructive collaboration with Secretary Richardson, this necessary and far-reaching reform can become law, thereby reflecting credit on all participants and bringing genuine help to millions who desperately need it.

ISRAEL ACCEPTS THE CEASE-FIRE

Mr. JAVITS. Mr. President, I wish to make a statement on what I consider to be a portentous and historic event today, which is Israel's acceptance of the U.S. cease-fire proposal in the Mideast.

Mr. President, this acceptance should be widely welcomed. Following that of the United Arab Republic and Jordan, it opens the door to Mideast peace. President Nixon's assurances against using the cease-fire as a cover to breach Israel's security by a United Arab Republic military buildup must be considered to have been an indisputable condition of Israel's acceptance of the cease-fire.

I respectfully feel that the backing given to President Nixon in his declaration as to basic Mideast policy on July 1 by 71 Senators, announced yesterday, was a vital element in enabling the President to give the assurances which, I am convinced, have at long last opened at least a small door to peace.

Mr. President, we must guard against euphoria in this matter. There is still an enormous amount to be done, and peace cannot be taken for granted. This is just the beginning, but it is certainly a great success for American diplomacy; and if we continue with the vigor and fortitude which we have already shown in this matter, especially with clear delineation, so that the Soviet Union can make no mistake about it, that we intend to defend our interests in the Middle East, then this ought to be an auspicious beginning for the long and tortuous search for peace in this sensitive area of the world.

TREATMENT OF PRISONERS OF WAR

Mr. HATFIELD. Mr. President, several hundred years ago the nations of the world began to recognize that the men who fight their country's battles are upright, courageous specimens of manhood. By and large, the soldiers who risk their lives in war are not responsible for the war. They are, however, the best people their country can produce.

It was in recognition of this fact that civilized nations the world over, by both tacit and written agreements, bound themselves to humane treatment of prisoners of war who might happen to fall into their hands. History is full of instances of chivalrous treatment and courtesies rendered in such cases.

In our war with Spain in 1898, for example, a lieutenant in the Navy named Richmond P. Hobson, who later became a Member of Congress from the State of Alabama, tried to block the harbor of Santiago de Cuba by sinking an old ship across the entrance. The attempt failed, and Hobson and his men were taken prisoners by the Spanish. A few days later a boat with a flag of truce came from the Spanish admiral to announce to the American admiral that the prisoners were safe and uninjured. The Spanish admiral had sent his own personal aide to arrange for mail and to offer to bring back a few articles of personal clothing for the comfort of the prisoners.

A few weeks later the flagship of the Spanish admiral was sunk in the Battle of Santiago. He was picked up by a boat from an American battleship. When he came on board their ship, dripping wet and minus his uniform, the American sailors, still flushed from their battle exertions, spontaneously gave him full military honors as though he were making an official visit. Thereafter, though prisoners, all the Spanish officers and men were treated as a respected foe.

While no citizen today expects any North Vietnamese to conduct himself with the chivalry of the 19th century hidalgo, it might be noted that America responded in kind to this sort of courtesy. Is it really too much to ask that Hanoi abide at least by the conventions adopted at Geneva?

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. 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.

RETIREMENT OF EDWARD E. MANSUR, JR.

Mr. MANSFIELD. Mr. President, it is with regret that I note that today marks the termination of the service of one of the most distinguished officials of the Senate. I refer to Ted Mansur, who has served so many years so capably, so effectively, so efficiently as legislative clerk of this body.

I personally am sorry to see him go, because I have found him most fair and impartial. I have found his counsel good and his impartiality outstanding.

However, there does come a time when some of us leave involuntarily, others of us leave voluntarily, and the nicest way to go is, of course, to go of your own accord.

This is Ted Mansur's own choice. It was a decision made by him alone, and I can understand the wear and tear of the position which he holds, and the strain under which he labors each day. I could not let pass this occasion to say to Ted Mansur personally how much I have appreciated all he has done for all of us, and to wish him good luck and Godspeed in the years ahead. May they be long, may they be happy—and I know his family will appreciate the fact that, for the first time in many years, he will be with them more than usual.

Mr. FULBRIGHT. I associate myself with the majority leader's remarks. I was not aware, until he rose, that Ted Mansur had made up his mind to depart for greener fields.

I congratulate him for having done such a fine job, and I wish him well.

Mr. BYRD of West Virginia. Mr. President, I wish to join with my able majority leader (Mr. MANSFIELD) and the able chairman of the Committee on Foreign Relations (Mr. FULBRIGHT) in expressing regret at the voluntary retirement of the able legislative clerk, Mr. Ted Mansur.

He has been here for 23 years as our legislative clerk. He has been a dutiful, diligent, dedicated servant, and I am very sorry to see him go. I join with my majority leader in saying that it is best, if one does go, for one to go voluntarily and of his own choice.

I certainly know that Ted Mansur is going to be missed. We are all going to miss him. He has done an excellent job, and has been most cooperative and help-

ful to all of us. In sharing these regrets, I extend to him and his wife every good wish in the years to come.

If I might attempt to recall a few words written by a poet, whose name I do not recall, I would like to do so and dedicate them to Ted Mansur:

The hours are like a string of pearls,
The days like diamonds rare.
The moments are the threads of gold
That bind them for our wear.

So may the years that come to you
Such wealth and good contain
That every moment, hour and day
Be like a golden chain.

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

Mr. BYRD of West Virginia. I yield.

Mr. PROXMIRE. Mr. President, I should like to join in the general expressions of regret that Mr. Ted Mansur, who has served the Senate so well in all the years I have been here, has decided to retire.

Unfortunately, I do not have a poem at the tip of my tongue, as does the distinguished Senator from West Virginia; but I have noted that Mr. Mansur has had the enormous patience to sit through endless discussions on the floor of the Senate for many, many years, and to do so with a sense of humor and with remarkable alertness. Time and again, when discussion has been going on, I have come into the Chamber and asked him what the situation was, and he has been able to tell me quickly and accurately. It does take an unusual and a fine human quality to be able to serve in this capacity and listen to Senators for so long and so patiently and to do such a competent job.

We are all going to miss Ted Mansur. Certainly I am going to miss him.

Mr. SCOTT. Mr. President, Edward Mansur, Jr., better known as Ted, retires today as Legislative Clerk of the Senate after 23 years of outstanding service.

Ted came to Washington from Missouri in 1947, to be selected by the Republican Personnel Committee as Legislative Clerk to the Senate.

Prior to his coming to Washington, he saw service during World War II as a navigator and was a graduate of the University of Missouri Law School.

We in the Senate shall miss his competence and his help, and we wish him and his lovely family all the best in the years ahead.

Mr. METCALF. Mr. President, every day the Senate Calendar is delivered to our doors. The signature at the bottom is Edward E. Mansur, Jr. For as long as I have been in the Senate, Ted has signed these daily calendars. Beginning tomorrow another name will be there because Ted is retiring.

As has every other Senator, I have spent considerable time as Presiding Officer. Ted has been a wise and helpful guide in the conduct of that duty. His experience, his knowledge of senatorial procedure, and his thoughtful help for all Members of the Senate have been appreciated.

When rollcalls are intoned and calendars are published and Presiding Officers are in the Chair and you are not there, Ted, you will be missed.

All good wishes for a happy retirement experience for you and Mrs. Mansur. And keep in touch.

Mr. MURPHY. Mr. President, I note with regret the retirement of Mr. Edward E. Mansur, Jr., who is leaving us after more than 20 years of able and faithful service as Legislative Clerk to the Senate. Mr. Mansur was born in Jefferson City, Mo., on September 24, 1917, the son of Edward and Katheryn Mansur. He attended the local public schools and eventually studied at the college and the law school of the University of Missouri in Columbia, from which he graduated as a member of Order of the Coif and as editor of the Missouri Law Review. His studious character won him the Rollins Scholarship Award in his last year at law school, and he became a member of such fraternal organizations as Phi Delta Phi, Alpha Pi Zeta, and Sigma Chi. He served as law clerk to Judge Kimbrough Stone, of the U.S. Court of Appeals for the Eighth Circuit, from 1941 to 1942, and as an OPA enforcement attorney in Kansas City the next year. He then saw active service with the Navy, being released in 1946 with the rank of lieutenant.

In 1947 he came to the Senate, and in 1949 he was promoted to Legislative Clerk, the post from which he will retire. In this capacity, it has been his duty to keep track of the yea-and-nay votes; to oversee the preparation of the daily legislative calendar and its publication; and to maintain on Senators' desks copies of bills and resolutions as they will be debated and voted on. These are large responsibilities, and no one in the long history of the Senate's distinguished employees has done a better job in fulfilling those responsibilities than has Mr. Edward E. Mansur, Jr.

Besides being a fine lawyer and man of practical affairs throughout his professional life, Ed Mansur has also been a good parent and a wonderful husband. His wife and he, the former Caroline E. Epperson, were married on October 3, 1947, and they have two children, E. Lesley and Marcy Carter.

Senators and his fellow Senate employees are very sorry that he is leaving us, and all wish him Godspeed.

Mr. JAVITS. Mr. President, Edward E. Mansur, Jr. retired today from the employ of the Senate, after many valuable years in the service of the Senate and the Nation.

Ted Mansur, a lawyer by profession, left the Navy after World War II and served successively as Chief Clerk and Legislative Clerk of the Senate, and more recently as Republican Reading Clerk.

Mr. President, skilled professionals like Ted Mansur have always been the critically needed men to make the Senate work and keep its work on a high level of technical competence.

We shall miss him sorely, but we wish him well in everything that he undertakes in the days ahead, and signalize our regret at his departure from the Senate's employ.

Mr. DOLE. Mr. President, I am pleased to join in saluting a man who has been an integral part of the Senate for 23 years. Ted Mansur, both as Chief Clerk and legislative clerk of the Senate, has made an invaluable contribution to the functioning of this body.

During my brief tenure in this body, I have found my fellow midwesterner to be most genial, cooperative, and capable. It is indeed fitting that we should pause today to pay tribute to Ted as he takes his leave of us. I am sure that he carries with him many memories of events and individuals in the Senate and also the satisfaction of a job well done. In addition he takes our sincere gratitude and appreciation for his work.

Mr. President, I wish to add my voice to those of my colleagues in extending warm thanks and sincere best wishes to Ted Mansur.

Mr. THURMOND. Mr. President, the Senate today is losing one of its most devoted officials. After 23 years of conscientious service to the U.S. Senate, Edward E. Hansur, Jr., is leaving for a well-deserved retirement.

Ted Mansur has served this body with distinction in the capacity of legislative clerk since 1947 and I have always found him to be an intelligent and capable gentleman. He has been most courteous in his dealings with the Senators; he has carried out his duties in a highly efficient manner; and his thorough dedication to his job has been exemplary.

Mr. President, Ted will be sorely missed by all who have come in contact with him. I wish for him and his fine family good health and enduring happiness in the years ahead.

Mr. HANSEN. Mr. President, today is Ted Mansur's last appearance at the desk as legislative clerk of the Senate.

He is retiring after more than two decades of dedicated loyal service.

His absence will definitely be felt by all.

So, to Ted and his lovely wife Caroline, smooth sailing.

Mr. President, the distinguished senior Senator from Utah (Mr. BENNETT) is necessarily absent today. On his behalf, I ask unanimous consent to have printed in the RECORD a statement by him relating to the retirement today of Ted Mansur, the legislative clerk of the Senate.

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

Mr. BENNETT. Mr. President, the retirement today of Ted Mansur will leave a certain void in the Senator Chamber. His familiar voice calling the "yeas and nays" and the quorum calls has given a permanency to this body through the years as Senators have come and gone.

In point of service, Mr. Mansur began his work on behalf of the Senate on December 3, 1947. This long term of unsung but vital work in this chamber certainly surpasses in tenure the years most of us have served in the Senate. When I first came to this august body in 1951, Ted Mansur had already worked here some three years.

As Legislative Clerk, Mr. Mansur has conducted himself with a quiet dignity that has been a great credit to the Senate. His composed competence has belied the demanding responsibilities that have been on his shoulders for these many years. Although Mr. Mansur has been most visible as he has called the roll, each of us has benefited from his broad knowledge of parliamentary procedure that has done much to maintain Senate

decorum. In addition, he has been responsible for preparation of the daily legislative calendar and for the preparation of desk copies of all legislation pending before the Senate.

I know that I echo the sentiments of all the Members of the Senate and all of those associated with this body's work in wishing Ted Mansur Godspeed in his retirement, and in expressing the hope that he will come often to visit us and to reminisce.

PRISONERS OF WAR

Mr. FULBRIGHT. Mr. President, I should like to say a word about Senate Concurrent Resolution 74. My remarks have been inspired by the comments of the Senator from Oregon about prisoners of war.

Yesterday, the wife of one of the prisoners of war came to see me, as others have done in the past. Of course, it is a heart-rending experience to hear their pleas, and we all would like to do something about it.

What I particularly like about Senate Concurrent Resolution 74 is that it acknowledges that the war in Vietnam has created conditions, both in North Vietnam and in South Vietnam, which have led to grossly inhumane treatment of prisoners of war, and we all would like to do something about it. I think the approach of Senate Concurrent Resolution 74 is a proper one, because it balances the picture. To pretend that our allies, the South Vietnamese, are humane and treat the prisoners they have in a fashion that is any different from that of the North, I think, is unrealistic. I think it prejudices the appeal to the North Vietnamese to be more humane to our prisoners.

A resolution or a letter directed solely to them, with the implication that they alone are guilty of inhumanity and brutality to prisoners, is not very appealing to them. If we acknowledge, as this resolution does, that in the nature of this war—which in my view really is essentially a civil war—it results in this kind of inhumanity, then we should, if we have any feeling left for humanity, do something about it—both sides should. I think that is the only way calculated to get any results.

In this connection, there is an exhibit—apparently, some Senators do not know about it—on the floor below this floor, in the rotunda area. I am not sure who put it there or why. But it is a very gruesome, horrible exhibition of two artificial dummies, purporting to represent prisoners of war—our prisoners in the hands of the enemy—demonstrating profound, horrible inhumanity, inhumane treatment to these prisoners, which I do not question is probably accurate. I think the effect of it upon the hundreds of thousands of visitors—I go by there quite often, and I see many, many people looking at it—is to create an attitude on the part of our citizens of hatred and disgust which makes more difficult any settlement of the war or makes more difficult any reconciliation with people who are guilty of such brutality. I think it tends to defeat the avowed purposes of our own Government to bring about a settlement of this war, to stop the inhumane treatment on both sides, and of course to release the prisoners of war.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FULBRIGHT. I ask unanimous consent that I may proceed for 1 additional minute.

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

Mr. FULBRIGHT. I think there ought to be an exhibit of both sides. I think the way to present this matter in proper perspective is to have these exhibits and alongside them a replica of the tiger cages on Con Son Island, which our own representatives from Congress have reported upon, and which have been in all the newspapers. Then I think the proper reaction of people would be revulsion at the war itself, not only this war—but any war of this character, especially a civil war. I think it would promote an attitude of acceptance of a negotiated settlement of this horrible war, might possibly lead to more humane treatment of all prisoners, and make a settlement more palatable to our people.

I am sure that the President of the United States, in his desire to end the war, has to take into consideration whether or not an agreement he makes would be acceptable to the people.

If everyone in the United States is exposed to this kind of exhibit and does not realize that the same sort of thing is going on under the direction of our own allies, I think the normal reaction will be that our enemies are so horrible that they are worthy of only one fate, and that is complete eradication. That does not make for any kind of civilized settlement of the kind of war we are in.

I think Senate Concurrent Resolution 74 has the great merit of approaching this most difficult subject in a wise, intelligent, and balanced manner. If we pursue this approach, it may be possible to ameliorate the conditions of the prisoners of war—our own prisoners of war in North Vietnam as well as the prisoners in the hands of the South Vietnamese.

THE FAMILY ASSISTANCE PLAN

Mr. TALMADGE. Mr. President, all this week, the Committee on Finance has been holding hearings on the revised family assistance plan submitted by the administration. The Secretary of Health, Education, and Welfare, Mr. Richardson, and his associates have been the witnesses.

We have found many disincentives to work in this bill, despite the fact that the bill is labeled a workfare bill rather than a welfare bill.

The chief characteristic of the bill is to add 15 million Americans to the welfare rolls over and above the present 10 million who now receive public welfare in the United States.

Among the things that the bill would authorize, we have found that if a family of four that performed no work drew the benefits authorized by the act, the State supplements, food stamps, the housing subsidies, and the medicaid subsidy, it would have an income equivalent in cash or kind, of $6,210. That is for doing no work at all.

We found that if a member of that family went to work and earned $7,000, his income would be $1 less than if he were doing nothing at all—that is, $6,209.

Mr. President, I certainly do not believe that constitutes an incentive to people to try to get off welfare and go to work, if they can earn more for doing nothing than they can by working and earning $7,000 a year.

That is one of many disincentives that the Finance Committee has discovered to date.

Mr. President, today's Wall Street Journal published an article under "Review and Outlook," dealing with some of the provisions of the bill, under the heading "Disappointing Improvements." I ask unanimous consent to have this article printed in the RECORD.

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

DISAPPOINTING IMPROVEMENTS

Congressional scrutiny of the Nixon Administration's family assistance plan has resulted in a number of improvements that are real enough but profoundly disappointing. We only hope that if Congress does pass the bill, it will do so for actual considerations rather than imaginary ones.

The Senate Finance Committee's questioning, in particular, pushed the Administration into a sincere effort to write some hard meaning into the bill's work-incentive features. The result of this effort seems to have been a discovery that it cannot be done, at least not within the present financial and political constraints.

The rate of incentive is determined by a complex interaction among the bill's many features. The basic Federal grant, the state supplementary grant and food stamp offerings are all cut as a recipient's own earnings grow. At the same time, he must start to pay Social Seurity taxes and Federal and state income taxes above certain levels, and he would be expected to make increasing contributions to a proposed medical insurance plan that would replace Medicaid. All this takes place at different rates at different income levels in different states, but as a rough rule it seems that most of the time recipients' total income will increase about 20 cents on a dollar they earn.

In Delaware, according to the Administration's own figures, a family of four earning $4,000 would bring home only $221 more than one earning $3,000. In New York, a family of four earning $5,000 would bring home $198 more than one earning $4,000. To look at it another way, the New York family would have a net income of $4,264 if it had no earnings at all, of $4,721 if it earned $720 during the year, or $5,756 if it earned $6,000.

Allowing that small sums are far more meaningful to the poor than to most Americans, it's still nearly impossible to believe such rates would produce any decisive incentive. No doubt many recipients would work, as some welfare recipients do now. But the decision of whether to accept a full-time job would probably depend far more on internal motivation than on anything the Administration has proposed.

To be fair, the bill might still promote work in other ways—through the requirement that many recipients accept work when offered, through its work-training and day-care features, through its heavy rhetorical emphasis on work. Yet we doubt that this rhetoric will diffuse very far into the relevant bureaucracies, and past experience with all these devices has been almost entirely disappointing.

Now, as weak as the bill's incentives are, the Administration is probably right in arguing they are better than those in the cur-

rent law, where a negative incentive—a reduction in income from an increase in earnings—is not terribly unusual. Much of the improvement, we must note, depends on the medical insurance plan not yet offered for detailed scrutiny. And even under the new proposals, a negative incentive would exist in certain circumstances.

For all this, the theory is right, and no bill is perfect. It's possible to build a case for the measure as taking the important step of firmly establishing the principle of incentive. In other words, the bill may lead at least to a more logical welfare law, if not to one where the logic is carried far enough to be effective.

There is also the matter of what Presidential Counsellor Moynihan calls "ending the agony of the South." Perhaps the most important effect of the family assistance plan would be to raise the pitifully low welfare grants in the poorest Southern states. This is manifestly to be desired, and probably is the bill's best selling point. Yet there are more direct and less expensive ways to deal with the grinding rural poverty that is one side of the current welfare mess.

The other side of the mess, though, is the huge increase in welfare dependency in the largest and most generous states. In talking of work incentives, the Administration started toward the answer to this problem. In putting this talk into practice, it finds itself trapped by financial and political reality: Even with the proposed $4.1 billion increase in welfare spending there is only so much money to spend, high incentives and high minimums compete for any funds available, and the generous states are not about to allow their minimums to fall to a level financially compatible with a meaningful incentive rate.

With the mathematics these contraints forced on the authors of the family assistance plan, any incentive effect would be highly speculative at best. The plan has its merits, but they remain chiefly the merits of expanded welfare. If Congress passes the bill hoping to reduce welfare, it will be legislating with stars in its eyes.

ORDER OF BUSINESS

The PRESIDING OFFICER (Mr. McINTYRE). The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business——

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, notwithstanding the expiration of the period for the transaction of routine morning business, this period for the transaction of routine morning business may be continued for a little while, with statements therein limited to 3 minutes; and that upon conclusion of such period, the unfinished business then be laid before the Senate.

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

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

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

REPORT ON PROPERTY ACQUISITIONS OF EMERGENCY SUPPLIES AND EQUIPMENT

A letter from the Director of Civil Defense, reporting, pursuant to law, on property acquisitons of emergency supplies and equipment by the Office of Civil Defense, for the quarter ended June 30, 1970; to the Committee on Armed Services.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the questionable basis for approving certain auxiliary route segments of the Interstate Highway System, Federal Highway Administration, Department of Transportation, dated July 31, 1971 (with an accompanying report); to the Committee on Government Operations.

REPORT OF THE NATIONAL SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION

A letter from the Secretary, Smithsonian Institution, Washington, D.C., transmitting, pursuant to law, a report of the National Society of the Daughters of the American Revolution, for the fiscal year ended March 1, 1968 (with an accompanying report); to the Committee on Rules and Administration.

PROPOSED TRANSFER OF CERTAIN PROPERTY AT LOS ALAMOS, N. MEX.

A letter from the Chairman, Atomic Energy Commission, transmitting a draft of proposed legislation to amend the Atomic Energy Community Act of 1955, as amended, to authorize the transfer of certain property at Los Alamos, N. Mex. (with accompanying papers); to the Joint Committee on Atomic Energy.

ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

The ACTING PRESIDENT pro tempore (Mr. ALLEN) announced that on today, July 31, 1970, he signed the following enrolled bill and joint resolutions, which had previously been signed by the Speaker of the House of Representatives:

H.R. 914. An act for the relief of Hood River County, Oreg.;

H.J. Res. 1328. Joint resolution making further continuing appropriations for the fiscal year 1971, and for other purposes; and

H.J. Res. 1336. Joint resolution to extend the effectiveness of the Defense Production Act of 1950 to August 15, 1970.

BILLS INTRODUCED

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

By Mr. SPARKMAN (for himself and Mr. ALLEN):

S. 4155. A bill to amend title 13 of the United States Code to provide for a partial or complete check or recount (by the State or locality involved) of the population of any State or locality which believes that its population was understated in the 1970 decennial census, and for Federal payment of the cost of the partial or complete check or recount if such understatement is confirmed; to the Committee on Post Office and Civil Service.

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

By Mr. TYDINGS:

S. 4156. A bill for the relief of Miss Mercedes Rubenia Alfonso, XXXX to the Committee on the Judiciary.

By Mr. BIBLE (by request):

S. 4157. A bill relating to crime in the District of Columbia; to the Committee on the District of Columbia.

By Mr. TYDINGS:

S. 4158. A bill to provide that income from entertainment activities held in conjunction with a public fair conducted by an organization described in section 501(c) shall not be "unrelated trade or business" income and shall not affect the tax exemption of the organization; to the Committee on Finance.

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

By Mr. MATHIAS:

S. 4159. A bill for the relief of Herma Treskatsch; to the Committee on the Judiciary.

By Mr. MONDALE:

S. 4160. A bill for the relief of Mrs. Hang Kiu Wah; to the Committee on the Judiciary.

S. 4155—INTRODUCTION OF A BILL RELATING TO A RECOUNT OF THE POPULATION WHEN QUESTIONED BY ANY LOCALITY

Mr. SPARKMAN. Mr. President, I introduce, for appropriate reference, a bill to provide a recourse which does not now exist for States, cities, counties, and other units of government who feel their interests are in jeopardy from what they believe to be substantial understatements of their populations in the 1970 decennial census. Joining me in the introduction of the bill is my distinguished colleague, Senator ALLEN.

Senators are aware of the dissatisfaction and alarm being sounded from coast to coast over what State and local authorities regard as undercounts of population. My own State of Alabama is no exception. The preliminary figures announced by the Census Bureau purport to show over half of Alabama's counties as having less population than 10 years ago. Our three largest cities, Birmingham, Mobile, and Montgomery, along with many smaller cities and towns, are shown as having slipped substantially below the 1960 census totals despite the most dynamic decade of growth and development in the history of our State. Many other localities, while not among the losers, are recorded with population gains so slight as to place other standard indices of their growth, including prior local counts and estimates, at sharp variance with the census totals. Local authorities in Alabama and elsewhere, seeking to challenge low counts, are being told that time-honored gages of growth such as tax records and light, water, gas, telephone, and other utility subscriber records and others like them are no longer to be accorded much weight for population-measuring purposes.

States and localities all over the United States are suddenly finding themselves with a seriously reduced factor of population, the factor so vital in determining the extent of representation in the highest councils of our democratic system, the extent of a State's influence in choosing a President and Vice President and in determining financial entitlements of States under many Federal programs and of local governments under an ever-increasing number of Federal and State financing and other programs. Little wonder that a local official in suburban Detroit, Mich., called the reduced population in his area "a potential $50 million error." I could recite at length similar situations and concerns in many parts of the Nation. I ask unanimous consent that at the conclusion of these remarks, a newspaper account of difficulties with the census in a number of metropolitan areas in New York, be printed in the RECORD.

The tragedy of this kind of potential damage from questionable totals is that it is often damage without adequate remedy—for all practical purposes. I

mean that State and local authorities are pretty much without methods or financial means to successfully challenge the threatening figures. The Census officials seem so confident—even defensive—of their methods, including the novel, first-time-used census-by-mail, that there appears to be little provision for substantial rechecking or resurveying and less still at the expense of the Federal Government. Under existing arrangements, it appears that the lion's share of any costs incident to discovering deficiencies, or otherwise challenging totals, are made to be borne by the aggrieved non-Federal units of government which are almost universally in serious financial straits. They are in no position to finance on their own a strictly Federal responsibility. As matters now stand, however, even if local units of government could arrange somehow to finance challenges and resurveys that might prove successful to the extent of disapproving the census totals, there is still no assurance that the locally produced totals would find acceptance as a part of the official 1970 decennial census.

The bill which we have introduced today will help relieve the unjust situation I have just described by providing local units of government incentive to challenge totals which they earnestly believe to be deficient.

Under provisions set forth in the bill they can: First, conduct their own checks and recounts using standards and criteria used by the Secretary of Commerce; and, second, have the checks, recounts, and findings verified by the Secretary; and, third, gain reimbursements for the expense of checks or recounts if the verified checks or recounts are higher by 1 percent or more than the census totals; and, fourth, have the verified recounts considered for all purposes to be the population of such States, counties, cities, or other units of government as shown in the 1970 decennial census.

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

The bill (S. 4155) to amend title 13 of the United States Code to provide for a partial or complete check or recount (by the State or locality involved) of the population of any State or locality which believes that its population was understated in the 1970 decennial census, and for Federal payment of the cost of the partial or complete check or recount if such understatement is confirmed; introduced by Mr. SPARKMAN (for himself and Mr. ALLEN), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

The article, presented by Mr. SPARKMAN, is as follows:

[From the Chicago Tribune, June 24, 1970]

BLAME APATHY, "GAP" IN N.Y. CENSUS SNUB

(By Joseph Zullo)

NEW YORK, June 23.—Apathy and a communications gap are chiefly responsible for the failure of 40 per cent of New York residents to return their census questionnaires, John C. Cullinane, regional director of the federal bureau of the census, said today.

The situation came to light after Cullinane and Dr. Conrad Taeuber, associate director, asked the city to help recruit 750 to 1,000 census canvassers to work in six slum areas where response to mailed census forms has been slow.

ABOUT 200,000 UNANSWERED

"We can't pinpoint the exact reason for the slow response, but it might be due to the failure of the individual to understand his importance to the census count," Cullinane said.

Two million census forms were mailed thruout the city before last April 1, and 55 to 60 per cent were returned within several weeks. Since then census workers have made door-to-door checks, and have reduced the number of unanswered questionnaires to 200,000.

In addition, Cullinane said, special attempts have been made to count the "floater population" by checking flop houses, late-night movie theaters, and institutions for the destitute and drifters.

In requesting city aid, Taeuber told Deputy Mayor Richard Aurelio that the city, "by reason of its size, its large black and ethnic sections, and awesome conditions prevailing in the cores of the boroughs of Manhattan, Bronx, and Brooklyn, has posed the biggest problem for the census bureau."

BONUS OFFERED

For work in districts where response has been slow—Harlem in Manhattan, the Bedford-Stuyvesant, Brownsville, East New York and Williamsburg sections of Brooklyn, and the southeast Bronx—the census bureau is offering to pay a bonus of 30 cents for each person counted.

So far census workers have been paid $1.30 for each short form returned. Now they will be paid $1.30 plus 30 cents for each name in the household on the same form. The form lists up to eight names, so a maximum of $3.70 a form is possible.

In 20 per cent of the cases, a longer form with more detailed information is used, and remuneration for this is $2.50 plus 30 cents a name.

Aurelio's office said an attempt would be made to get anti-poverty agencies to help recruit census takers. The age requirement for this drive has been lowered from 18 to 17.

S. 4158—INTRODUCTION OF A BILL RELATING TO TAXATION OF STATE FAIRS

SAVING THE NATION'S STATE FAIRS

Mr. TYDINGS. Mr. President, I rise today to introduce legislation designed to preserve one of the Nation's historic institutions: the State fair. Owing to the revocation of the tax-exempt status of the Maryland State Fair and Agricultural Society and other fairs across the country by the Internal Revenue Service, most of the Nation's fairs find themselves faced with financial disaster. Unless the tax-exempt status of these fairs is restored, they will not be able to operate without very substantial State subsidies—subsidies that will not be forthcoming given the difficult fiscal position of most of our States.

BRIEF LEGISLATIVE HISTORY

Exemption from taxation of labor, agriculture, and horticultural organizations was provided by the Revenue Act of 1913.

Regulations 45, article 512, issued in 1921 under the Revenue Act of 1918, provided as follows:

Agricultural and horticultural organizations.—Agricultural or horticultural organizations exempt from tax do not include corporations engaged in growing agricultural or horticultural products or raising live stock or similar products for profit, but include only those organizations which, having no net income inuring to the benefit of their members, are educational or instructive in character and have for their purpose the betterment of the conditions of those engaged in these pursuits, the improvement of the grade of their products, and the encouragement and promotion of these industries to a higher degree of efficiency. Included in this class as exempt are organizations such as county fairs and like associations of a quasi-public character, which through a system of awards, prizes, or premiums are designed to encourage the production of better live stock, better agricultural and horticultural products, and whose income, derived from gate receipts, entry fees, donations, etc., is used exclusively to meet the necessary expenses of upkeep and operation. Societies or associations which have for their purpose the holding of annual or periodical race meets, from which profits inure or may inure to the benefit of the members or stockholders, do not come within the terms of this exemption. A corporation engaged in the business of raising stock or poultry, or growing grain, fruits, or other products of this character, as a means of livelihood and for the purpose of gain, is an agricultural or horticultural society only in the sense that its name indicates the kind of business in which it is engaged, and it is not exempt from tax.

These regulations were basically unchanged until 1958, when the Internal Revenue Service adopted regulations under the corresponding provision of the 1954 code which dropped all references to racing.

In 1950, an unrelated business income tax on exempt organizations was enacted. Section 511(a) imposes a tax on the "unrelated business income" of most exempt organizations, including those described in section 501(c); that is, income derived from a trade or business "regularly carried on" by a tax-exempt organization is taxed if the business is not "substantially related" to the performance of the functions upon which the organization's exemption is based.

RACING SUBSTANTIALLY RELATED TO MARYLAND FAIR'S FUNCTION

The Maryland State Fair is nearly 100 years old. And its fundamental objectives and activities have remained substantially the same since it first opened in Baltimore County in 1878.

The fair was established and continues to be operated primarily to improve and stimulate interest in the area's agricultural products. In addition, the fair offers grandstand shows, rides, and horse racing on a half-mile track—all of which have been offered since the fair's inception.

That the horse racing is an intimately related and secondary part of the fair is clear. Far more people attend the fair each day than attend the races. Indeed, all persons attending the racing events must purchase a ticket to the fair, and many of them visit the fair as well.

Thoroughbred horse racing has been conducted at the fair for nearly a century for two reasons: as an attraction to encourage greater attendance at the fair, and as a part of the State's horse-breeding industry. At a trial concerning a local real property tax assessment on the track area—which was held to be improper by the highest court of the State

of Maryland because the racing area was found to be an integral part of the fair—Dr. Gordon M. Cairns, dean of the school of agriculture at the University of Maryland, descirbed racing's integral role:

Any fair exists primarily for an educational function and purpose. This is to acquaint the people of the area through demonstrations, through exhibits, displays and the like. Secondly, the competitions that are held there are the basis for the development of the various aspects of our livestock and agricultural industry.

* * * * *

Basically all fairs are created with the objective—with two objectives. The one is education and the other is how to get the people there to show them what is educational and they have to have the traditional, shall we say, entertainment features associated therewith to help draw the crowds to those attractions.

Imposition of the unrelated business income tax specifically was to prevent unfair competition by exempt organizations with profitmaking organizations. However, the operation of the race track during the fair by the Maryland State Fair is not competitive with any tracks in the State.

Furthermore, the fair's racing license always has been conditional upon the maintenance of a bona fide fair with agricultural exhibits.

In 1924, the Racing Commission reported that:

The County Fairs, which have become a valuable asset to the State, enjoyed a successful season, and each year *are doing more and more to benefit and promote* the agriculture and *breeding industries of the State. Racing constitutes an important event at each of the fairs,* and the Commission is constantly seeking to improve the conditions under which it is conducted. (Emphasis added.)

The 1939 report of the Racing Commission sums up the role which county fair racing plays in the Maryland breeding industry:

County fair racing . . . furnish(es) an arena in which the breeders with horses that have not developed the class necessary for the big tracks can acquire purse money to reduce the losses they sustain in their breeding ventures.

Finally, though it should be obvious, it is worth pointing out that no part of the net profits of the Maryland State Fair are received by an individual. All funds go to support and improve the fair.

Nor, it should be added, is Maryland's the only State fair which finds its existence threatened by the revocation of tax-exempt status because of entertainment conducted as part of the fair. States with similar problems include California, Colorado, Illinois, Indiana, Iowa, Maine, Massachusetts, Montana, Nebraska, New Hampshire, New Mexico, Ohio, Oregon, Pennsylvania, South Dakota, Utah, Vermont, Virginia, and Washington.

UNREASONABLE IRS POSITION

In 1955, the Internal Revenue Service forced the Maryland State Fair to go to court to obtain a decision that income from its horse racing is an integral part of the fair and, therefore, not subject to the unrelated business income tax. The U.S. District Court for the District of Maryland ruled in the fair's favor.

But even the court ruling apparently has not satisfied the IRS. It has attempted to tax this income in subsequent years and even has proposed revoking the tax exemption of the entire fair.

Then in 1968, the IRS issued regulations intended to clarify the meaning of "related" activities of an exempt organization. These regulations state that a business is judged "related" if its conduct "has causal relationship to the achievement of exempt purposes; and is 'substantially related,' for purposes of section 513, only if the causal relationship is a substantial one."

Given the integral relationship between the fair's racing activity and its other activities, one would have assumed that this IRS regulation had settled the matter once and for all; that racing would clearly be regarded as a related business activity.

But later that same year, much to everyone's surprise, the IRS issued a ruling claiming that income from the operation of racing run by a fair is unrelated business income subject to Federal income tax. And the reasons given for the ruling hardly were compelling: First, that the races are carried on in a manner similar to commercial race tracks; second, that the conduct of the races is not related to the organization's exempt purpose because it does not contribute importantly to the educational objectives of the fair; and, third, the races are not a type of recreational activity that is intended to attract the public to the fair's educational features.

NEED FOR CONGRESSIONAL ACTION

Mr. President, if the State fairs of this Nation are held liable for Federal income taxes, they surely will be forced to close. An important part of our agricultural economy and of the American heritage will perish. I do not believe the Senate can afford to stand by idly while this happens.

Therefore, I am offering legislation today to amend the Internal Revenue Code of 1954 to provide that income from entertainment activities held in conjunction with a public fair conducted by an organization in section 501(c) shall not be "unrelated business" and shall not affect the tax exemption of the organization. It is my belief that much support for such legislation exists in the Congress and I intend to begin soliciting cosponsors.

In my opinion, a new ruling by the IRS on this matter would be preferable to additional legislation. But if no such ruling is forthcoming, I believe it is incumbent upon the Congress to act. For no less is at stake than the survival of the State fair as an American institution.

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

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

The bill (S. 4158) to provide that income from entertainment activities held in conjunction with a public fair conducted by an organization described in section 501(c) shall not be "unrelated trade or business" income and shall not affect the tax exemption of the organization, introduced by Mr. TYDINGS, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 4158

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 513 of the Internal Revenue Code of 1954 (relating to the definition of an unrelated trade or business) is amended by adding the following subsection 513(d):

"(d) SPECIAL RULE FOR FAIRS AND EXPOSITIONS.—The term 'unrelated trade or business' shall not include the operation of a public entertainment activity in conjunction with a National, State, local, regional or international fair or exposition conducted by an organization described in section 501(c); nor shall the operation of any such public entertainment activity prevent, or cause the denial of, the exemption of such organization otherwise exempt under section 501(c)."

SEC. 2. The amendment made by the first section of this Act shall apply with respect to taxable years beginning after December 31, 1959.

ADDITIONAL COSPONSORS OF BILLS

S. 1851

Mr. TALMADGE. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Oregon (Mr. HATFIELD) be added as a cosponsor of S. 1851, the Honey Promotion and Research Act.

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

S. 2461

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from West Virginia (Mr. RANDOLPH), I ask unanimous consent that, at the next printing, the name of the Senator from Vermont (Mr. PROUTY) be added as a cosponsor of S. 2461, to amend the Randolph-Sheppard Act for the blind so as to make certain improvements therein, and for other purposes.

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

S. 3835

Mr. HUGHES. Mr. President, I ask unanimous consent that at the next printing the name of the Senator from Texas (Mr. TOWER) be added as a cosponsor of S. 3835, to provide a comprehensive Federal program for the prevention and treatment of alcohol abuse and alcoholism.

The ACTING PRESIDENT pro tempore (Mr. ALLEN). Without objection, it is so ordered.

S. 4083

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Texas (Mr. YARBOROUGH), I ask unanimous consent that at its next printing the name of the Senator from California

(Mr. MURPHY) be added as a cosponsor of S. 4083, to modify and enlarge the authority of Gallaudet College to maintain and operate the Kendall School as a demonstration elementary school for the deaf to serve primarily the National Capital region, and for other purposes.

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

ADDITIONAL COSPONSOR OF JOINT RESOLUTIONS

SENATE JOINT RESOLUTION 113

Mr. MOSS. Mr. President, I ask unanimous consent that at the next printing, the name of the Senator from New Jersey (Mr. WILLIAMS) be added as a cosponsor of Senate Joint Resolution 113, to authorize and direct the Federal Trade Commission to conduct a comprehensive investigation of unfair methods of competition and unfair or deceptive acts or practices in the home improvement industry, to expand its enforcement activities in this area, and for other purposes.

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

SENATE JOINT RESOLUTION 207

Mr. JAVITS. Mr. President, I ask unanimous consent that I be made a cosponsor of Senate Joint Resolution 207, a joint resolution offered by the Senator from Maine (Mr. MUSKIE) to establish a joint committee on the environment.

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

ADDITIONAL COSPONSOR OF A CONCURRENT RESOLUTION

SENATE CONCURRENT RESOLUTION 74

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that, at the next printing, my name be added as a cosponsor of Senate Concurrent Resolution 74, introduced on July 14 by the Senator from Maine (Mr. MUSKIE) and a number of other Senators, to affect the treatment of prisoners in Vietnam.

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

AUTHORIZATION OF APPROPRIATIONS FOR MILITARY PROCUREMENT—AMENDMENTS

AMENDMENTS NOS. 812, 813, AND 814

Mr. FULBRIGHT submitted three amendments, intended to be proposed by him, to the 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, which were ordered to lie on the table and to be printed.

(The remarks of Mr. FULBRIGHT when he submitted the amendments appear later in the RECORD under the appropriate heading.)

AUTHORIZATION OF APPROPRIATIONS FOR MILITARY PROCUREMENT—AMENDMENTS

AMENDMENTS NOS. 812, 813, AND 814

Mr. FULBRIGHT. Mr. President, I am submitting three amendments to H.R. 17123, the Defense Department authorization bill. A brief explanation of each follows:

First. The first amendment would, in part, carry out the intent of the Armed Services Committee as stated in the report on the bill, that Department of Defense funds shall not be used to support Vietnamese, or Thai forces in actions designed to give military support or assistance to the Cambodian Government. The actual changes in the language in existing law, proposed by the committee, however, do not specifically state that purpose. And, in fact, the new language could be used by the executive branch to do just the opposite of what the committee intended—to finance the Vietnamese in fighting a war in Cambodia to save the Lon Nol government.

My amendment goes one step beyond the committee's position and applies the prohibition relating to Cambodia to Laos as well. The purpose is to prevent the United States from being sucked into a wider war in Laos through actions by the Vietnamese.

Second. The second amendment would prohibit U.S. payment of overseas or similar special allowances to Thai and Korean troops in Vietnam at a rate greater than the combat pay allowed American soldiers fighting there.

Third. The third amendment has two purposes. It would limit the amount of money available to the Defense Department for outside research on foreign affairs matters to the amount available to the State Department in the previous year for such research. And it would insure that congressional committees are given access to federally financed research reports by nongovernmental organizations, unless the President invokes a claim of executive privilege.

I will, of course, make a more detailed statement on each amendment when I call it up.

I ask unanimous consent to have the text of the amendments printed in the RECORD at this point.

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

The amendments are as follows:

AMENDMENT NO. 812

On page 19, after the period in line 8, insert the following: "Nothing in clause (A) of the first sentence of this paragraph shall be construed as authorizing the use of any such funds to support Vietnamese or other free world forces in actions designed to provide military support and assistance to the Government of Cambodia or Laos."

AMENDMENT NO. 813

On page 19, after the period in line 8, insert the following: "None of the funds appropriated to or for the use of the Armed Forces of the United States may be used for the purpose of paying any overseas allowance, per diem allowance, or any other addition to the regular base pay of any person serving with the free world forces in South Vietnam if the amount of such payment would be greater than the amount of special pay authorized to be paid, for an equivalent period of service, to members of the Armed Forces of the United States (under section 310 of title 37, United States Code) serving in Vietnam or in any other hostile fire area."

AMENDMENT NO. 814

On page 14, between lines 18 and 19, insert the following:

Sec. 206. (a) Notwithstanding any other provision of law, beginning with the fiscal year beginning July 1, 1971, no funds appropriated to or for the use of the Department of Defense for any fiscal year may be expended for carrying out research or study projects involving foreign affairs, foreign areas, or related matters except to the extent that the total amount expended for such purposes in such fiscal year does not exceed an amount equal to the total amount expended by the Department of State in the immediately preceding fiscal year for research and study projects (involving foreign affairs, foreign areas, or related matters) which were conducted for the Department of State by persons or organizations outside such Department. The total amount expended by the Department of State in any fiscal year for such projects shall include amounts transferred to the Department of State from other departments and agencies for the purpose of having such projects carried out under the direction of the Department of State.

(b) The head of any department or agency of the Federal Government shall, in response to any request made to him in writing by a committee of the Congress, promptly submit to such committee a copy of any report, study, or investigation requested by such committee if the report, study, or investigation was financed in whole or in part with Federal funds and was made by a person outside the Federal Government, except that this requirement shall not apply in the case of any report, study, or investigation with respect to which the President exercises the right of executive privilege.

ADDITIONAL COSPONSOR OF AN AMENDMENT

AMENDMENT NO. 774

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Texas (Mr. YARBOROUGH), I ask unanimous consent that the name of the Senator from Rhode Island (Mr. PELL) be added as a cosponsor to amendment 774 to S. 3619, to create within the Office of the President an Office of Disaster Assistance, which would authorize the Small Business Administration to make loans to disaster victims to prevent the dispossession or eviction of any person from his residence as a result of the foreclosure of any mortgage or lien, cancellation of any contract of sale, or termination of any lease, oral or written of the property which is such person's residence.

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

NOTICE OF HEARINGS BEFORE THE SUBCOMMITTEE ON EXECUTIVE REORGANIZATION

Mr. BYRD of West Virginia. Mr. President, on behalf of the distinguished Senator from Connecticut (Mr. RIBICOFF), I wish to announce that the Subcommittee on Executive Reorganization will hold hearings on August 5 and 6 on

the food inspection and related activities of the Agriculture Department. The hearings will be held in room 1318, New Senate Office Building at 10 a.m., on the fifth, and in room 3302, New Senate Office Building at 10 on the sixth.

ADDITIONAL STATEMENTS OF SENATORS

JOHN J. WILLIAMS: "CONSCIENCE OF THE SENATE"

Mr. PERCY. Mr. President, at the end of this session of Congress, one of the most respected Members of the Senate will return to private life after 24 years of exemplary service to his country.

I have been privileged to serve with the distinguished senior Senator from Delaware (Mr. WILLIAMS) for 4 of those 24 years, but in this comparatively brief period I have come to understand clearly why his name is synonymous with integrity in public life.

Senator WILLIAMS' relentless efforts to expose unscrupulous individuals and unjustifiable practices in government have rightfully brought him the title of "Conscience of the Senate." He has won a well-deserved national reputation for his continuing campaign to elevate the ethical standards of public officials. Less well know, perhaps, but equally important, have been his contributions to the legislative process. Few men are as well informed on questions involving national fiscal policy as the ranking Republican on the Senate Finance Committee.

Mr. President, in an article published recently in the Wall Street Journal, Alan L. Otten reviewed the many accomplishments of the Senator from Delaware. The article is a fine tribute to a man we all hold in high esteem. I 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:

DEPARTMENT CONSCIENCE

WASHINGTON.—When a new Senate meets in January, several present members will be missing—a few having quit, a few retired by the voters. None will leave a hole more uniquely difficult to fill than Republican John Williams of Delaware, who for almost 24 years has battled, often alone, for honesty and high ethical standards in Congress and the rest of Government.

Mr. Williams is leaving voluntarily—and in a way that demonstrates anew his claim to the title of "the conscience of the Senate." He is retiring at the end of this session not because of ill health or imminent defeat but as a matter of principle. Just turned 66, he would be 72 by the end of another term, and simply does not believe that he—or any Senator, judge, or other public official—should hold public office at that age.

"After 70, you just don't carry your share of the load," he argues earnestly. "You have to rely more and more on staff aides, and they become the ones who make the decisions, and there's a situation where the person making the decisions is not accountable to the people."

Retirement wasn't an easy choice. Though Mr. Williams avoids cocktail parties and other social functions, he loves the Senate, where he is now the third-ranking Republican behind George Aiken of Vermont and Milton Young of North Dakota. "If the Republicans won control of the Senate, I would be chairman of the Finance Committee, and I would have liked that very much," he concedes. "But above all, I would have liked to be chairman at an age when I could handle the job without question. It was tempting, but you just can't make exceptions to your principles."

Mr. Williams has always been a Senate anomaly. In a body of lettered men, he's a mere high-school graduate. Other Senators are handsome, articulate, extroverted; he is shy and gangling, the perfect country rube, a dreadful speaker whose almost-inaudible nasal sing-song has earned him another nickname, "Whispering Willie."

Most Senators held a series of lower offices; Mr. Williams, a small-town (but very successful, self-made) feed merchant and chicken farmer, was only briefly a member of the Millsboro town council before running for the Senate in 1946. (No other Republican wanted to take on the top popular Democratic incumbent; then, to everyone's surprise, the national tide against post-war controls carried Mr. Williams to victory.)

And where most Senators pursue from the start some favorite field such as foreign affairs or urban problems, the Senator from Delaware slipped by accident into his career as the nemesis of evil-doers. Constituents began complaining about undeserved delinquency notices from the Federal tax office in Wilmington; following up, he found his own name on the delinquent lists, and had canceled checks to prove that was an error. Closer investigation revealed the cashier had been systematically embezzling for almost seven years—and what really violated the Senator's strict Methodist morality was the way top officials seemed unconcerned and reluctant to act. "It planted in my mind the idea that things could be wrong, with little being done to correct them," he says, his thin lips drawing even tighter in disapproval.

This success started other leads coming his way, and he gradually built voluminous files and a network of tipsters. He exposed a mammoth tax-fixing ring in the Internal Revenue Service, excessive grain storage payments by the Commodity Credit Corp., shoddy practices in defense contracting. It was his disclosures that helped indict Billie Sol Estes and Bobby Baker. He battled—sometimes successfully, sometimes not—to reduce tax depletion allowances on oil, cut merchant marine subsidies, limit soil bank and other farm payments.

He managed it all, too, without the large staff, wide-open subpoenas and dramatic TV hearings that characterize most Congressional investigations. A confirmed loner, he checked out his leads himself or with the aid of his long-time secretary, and then, when he was sure he had the facts, he laid it all out in a thoroughly documented speech on the Senate floor.

Practicing what he preached, he refused all Government subsidies on his Delaware farms, and once embarrassed Senate colleagues by turning back unspent stationery funds. Repeatedly he has blocked proposals for Congressional pensions he considered extravagant.

A loyal Republican and consistent conservative on most domestic matters, he hasn't hesitated to hit GOP wrong-doing as hard as Democratic. He early called for Sherman Adams to quit as assistant to President Eisenhower, and last year opposed Clement Haynesworth for the Supreme Court as a man "insensitive to the expected requirements of judicial ethics." (He did, however, suport the Carswell nomination.) When the Nixon Administration budget followed the previous practice of including trust fund income with other Government tax receipts, he blasted "sleight-of-hand bookkeeping."

This fall he will take his files back home to Millsboro, and spend a good amount of time weeding out references that might compromise any of his sources—men and women he has always scrupulously shielded. Then he hopes to make the files available for public inspection.

Beyond that, he won't discuss his post-Senate plans except to promise he will not take any other public post, elective or appointive. "If I were going to be in public service at that age, I'd rather stay here." He sold out his feed business some years back, but another business venture is certainly possible; "I come from a family," the Senator notes, "that believes there are a lot of ways to live without being on the public payroll." He will not, however, write a book; "I can't sit still that long."

He thinks well of his Senate colleagues—"human beings with the same frustrations and frailties as men in private life," but also "dedicated men, trying to do the best possible job." Perhaps most surprisingly, after 24 years of exposing misdeeds, "I am leaving with greater confidence in the overall integrity of mankind, and particularly the integrity of Government workers, than when I came in. I have seen so many men willing to gamble their own security, their family's security, with no possible gain, no possible recognition, just to correct a situation they considered wrong. It's been a tremendously reassuring experience."

SPACE APPLICATIONS OF NUCLEAR ENERGY

Mr. ANDERSON. Mr. President, last week the Chairman of the Atomic Energy Commisison, Dr. Glenn T. Seaborg, made a speech on the space applications of nuclear energy. In the course of his speech Dr. Seaborg explains why the atom will be the major energy source in space and he explains the basic principle for using nuclear energy for both rocket propulsion and electric power. His remarks discuss such space odysseys as: a 9-year grand tour of the outer planets using automated spacecraft powered by nuclear energy; a trip to the moon and back using a nuclear rocket; lunar colonies; and, a 100 million mile round trip to Mars carrying 12 people using nuclear propulsion and auxiliary power supplied by nuclear systems. Round trips to Mars by men are not going to take place for several decades, but the technology for the grand tour and trips to the Moon using a nuclear shuttle are now at hand. We can expect such missions to be initiated within the next decade.

Dr. Seaborg reminds his audience that one of the prime benefits derived from the space program is the realization that our planet earth is precious and that men must work together to preserve it. Mr. President, I recommend this speech to my colleagues and to all those who would like a better understanding of the application of nuclear energy to space.

Mr. President, I ask unanimous consent that the speech by Dr. Seaborg be printed in the RECORD.

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

REMARKS BY DR. GLENN T. SEABORG, CHAIRMAN, U.S. ATOMIC ENERGY COMMISSION TO THE COMMONWEALTH CLUB OF CALIFORNIA, SAN FRANCISCO, CALIF.

A NUCLEAR SPACE ODYSSEY

During the next 27 minutes—which I am told is the time allotted me to speak—I plan to cover a lot of ground or, more accurately, a great deal of time and space. Included in that time and space will be a two-year, 100-million-mile-round-trip to Mars with a three-

month stopover there for the 12 astronauts involved; a nine-year unmanned Grand Tour of the outer planets; numerous shuttle trips from the Earth to the Moon with men and supplies, and even more numerous orbits of the Earth by a variety of satellites and a space station that may eventually house as many as 50 spacemen (including, I'm sure, some "liberated" spacewomen).

What I will be emphasizing in discussing these space spectaculars is in that they will be made possible by the use of nuclear energy in space. And the use of nuclear energy in space is not merely something on the drawing boards. As you will see by what I have to say today, we are well into the Nuclear Space Age and well along with the development and application of those nuclear technologies that will see us using the atom as our major energy source in space. To be precise, we might date the birth of that Nuclear Spage Age back to June 29, 1961, when the Navy's Transit Satellite carrying a small nuclear-electric power source achieved earth orbit. Because of the reliability of that nuclear system, today, more than nine years later and after its more than a billion miles of travel, we can still monitor signals from that navigational satellite.

Today we also have other, much larger, nuclear-electric sources powering satellites in orbit and two nuclear units on the moon providing heat and electric power for the scientific packages left by the Apollo 11 and Apollo 12 astronauts. But rather than review the history of the Nuclear Space Age to date I want to focus on its future.

Before discussing specific plans and ideas for that future let me briefly explain the basic principles on which they are based. We are going to use nuclear energy in space for two major purposes, for propulsive power—to help take us where we want to go over the millions, perhaps billions, of miles of cosmic space—and to supply the auxiliary energy needed to power spacecraft instruments, communications and a variety of life-sustaining equipment for manned voyages, orbiting space stations or colonies on the moon or planets. This auxiliary power can be generated fundamentally in two ways—by tapping the heat of decaying radioisotopes such as plutonium-238, or by the use of small compact reactors. Both systems are referred to as SNAP systems—Systems for Nuclear Auxiliary Power. Power for nuclear rocket propulsion is also produced by compact reactors, but by reactors much larger than those used to generate auxiliary power. I will have more to say about the nuclear rocket in a moment.

The rationale for using nuclear energy in space—for the confidence with which we are developing and testing nuclear space systems—is literally that nuclear fuel is the only source of energy that is compact and long-lived enough to make feasible *extended* trips into the incredibly vast environment of cosmic space or provide power for extended and large-scale operations in deep space, on the moon, the planets or in orbit. It must also be noted that in addition to its compactness—illustrated by the fact that the fission of one pound of uranium will produce the heat energy of the burning of 1500 tons of coal—nuclear fuel does not create its energy by combustion and hence requires no oxygen.

In the past we have used chemical batteries or fuel cells for auxiliary power for our short-lived missions and these will probably continue to be used for that purpose. For longer missions the main competitors of our SNAP systems have been solar power systems. But even these reliable systems cannot compete with nuclear energy under certain conditions—conditions that will be increasingly prevalent in future space exploits. For example, solar cells are useless on that side of the moon experiencing the long lunar night and of limited use on planets with dense atmospheres or subjected to long nighttimes. Another consideration is that the density of solar energy decreases as the square of the distance from the sun. Therefore, on Mars, which is one-and-a-half times as far from the Sun as the Earth, we would need solar energy collectors over twice as large as those we might use here to capture an equivalent amount of energy.

To illustrate then the improbability of using solar power units in deep space we have only to point out that at the outer edge of our solar system—on the planet Pluto, for example—we would need solar energy collectors covering an area almost as large as an entire football field just to generate 500 watts of electricity, and this is assuming that such a football field of solar cells could be constantly aimed directly toward the sun. By a strange coincidence we already have developed, and used in space, a 500-watt SNAP reactor system which is a cone-shaped unit only 12 feet high and 5 feet wide at its base. As a matter of fact, it is a ground-based twin of the SNAP-10A unit that holds the world's record for continuous generation of electricity by a nuclear reactor, having logged more than 10,000 hours of uninterrupted operation before it was deliberately shutdown, after having operated some some seven weeks beyond its design lifetime of one year. It is this kind of reliable power, capable of operating anywhere, under all types of environmental conditions, that we will need in future space missions.

Among the many unmanned missions that will be taking advantage of the reliability of nuclear power in space will be a variety of programs using SNAP isotopic power systems. These will include a new Transit navigational satellite for submarine and surface ship guidance, the Pioneer probe for a Jupiter flyby for scientific exploration, and the Viking probe for the Mars Soft Lander I for scientific exploration. These last two programs will carry SNAP-19 generators, modified versions of those now powering NASA's Nimbus III weather satellite which has been in operation since April 14, 1969.

In the late 1970s a much larger SNAP isotopic generator, one in the multi-hundred watt range, will be launched on a trip that will cover hundreds of millions of miles. This will be aboard the Grand Tour Spacecraft that will make a nine-year unmanned exploration of the outer planets and hopefully send us back valuable new information about Saturn, Jupiter, Uranus and Pluto.

Coming back to Earth—or at least to earth orbit where a manned space station, or "Skylab" as NASA has recently named it, is planned for future operations—we can see another important advantage of using SNAP nuclear-electric power. In order to reduce the logistics costs of operating at higher altitudes, and to minimize the natural radiation to which manned space stations at higher altitudes would be exposed, it is desirable to operate these stations at the relatively low altitudes of between 100 and 200 nautical miles. For these low orbits the smaller exposed area of nuclear power systems results in great reductions in the atmospheric drag—and in the pounds of propellant required to keep the station in its assigned orbit. An unmanned scientific or defense system which has to operate close to the Earth will similarly have the advantage of low atmospheric drag if nuclear power systems are used.

Manned orbiting space stations will have huge energy requirements. A listing of electrical power requirements for the long-lived manned space station now being studied by NASA indicates that at least one to one-and-one-half kilowatts per man will be required in orbit. Initially the Skylab will house only a few astronauts for a period of two to three months at a time. But eventually we will see huge space stations in operation supporting perhaps up to 50 spacemen and spacewomen for even longer stays in orbit. For such missions we are now developing SNAP reactors in the 25 to 50 kilowatt range.

Of course on deep space manned missions nuclear-electric systems take on even more significance because of the greater variety of energy requirements of the trip. In order to survive in the hostile environment of space, man must take along, or generate within his spacecraft, food to eat, water to drink, and oxygen to breathe. He needs electric power to preserve, prepare and purify these, to light his cabin and maintain it at a temperature and pressure he can tolerate, to provide the energy needed for communication and for the hundreds of other mechanical operations required during the mission.

Because of the possible duration of future space missions—trips that may extend to years away from any source of supply—considerable thought is being given to the recycling of materials in the spacecraft. In fact, an interesting experiment is going on right now in Huntington Beach, California, which may hold great significance for future manned space flights. A four-man crew is living for 90 days in a simulated spacecraft in which their only supply of water is that being recycled from their own waste fluids. For this experiment the AEC has provided NASA with a plutonium-fueled heat source to operate a distillation and vapor filter system that can produce about one pound of bacteria-free drinking water per hour from perspiration, respiration and urine. Such water has already been tested to be more potable than ordinary tap water, with no taste problem and no need of chemical treatment. This water recycling system will operate anywhere in space on a nuclear power system separate from that supplying power to the other spacecraft's functions.

Before moving on to the nuclear rocket let me touch on one more use of SNAP power in space—this one on the surface of the moon where two nuclear energy sources are already at work. Future Apollo missions will see the astronauts carrying out more extensive explorations on the lunar surface. To cover the ground necessary for their wide-ranging sorties from their landing craft, and to haul equipment and materials with them, they will need to use the Lunar Roving Vehicle now being developed by NASA. At first, for short trips, this vehicle will be able to operate on chemical batteries. But if its range and operating time is to be increased, say to the 25 to 50 mile range or more, nuclear-electric power supplies will be needed to move this golf-cart type vehicle across that much of the rough lunar terrain. Of course, NASA has one misgiving about these vehicles. If they prove too successful future astronauts may be tempted to bring a set of clubs on a future mission to attempt a little "weightless golf." One astronaut has already been suspected of mapping out a nine-hole course or the Sea of Tranquility. The nine holes are already there, but putting into those craters might prove to be the toughest part of a game of moon golf.

But before getting carried away by the potential of nuclear-electric power in space, let's take a look at the other basic use of nuclear energy in space—the nuclear rocket propulsion that is going to allow us to cover great distances with a heavy payload, both men and supplies, more economically and efficiently.

The nuclear rocket operates on the same principle as the chemical rocket. However, unlike the huge chemical rockets which must burn tons of fuel and liquid oxygen per second to produce its thrust, the nuclear system uses the heat of a reactor to expand liquid hydrogen into the escaping hydrogen gas that produces the rocket's propulsive force. A rocket's efficiency is measured in terms of what engineers call "specific impulse"; that is, the pounds of thrust per pound of propellant flow per second through the rocket's exhaust nozzle. And the nuclear

rocket we are developing will have a specific impulse value at least twice those of the best chemical rockets today.

Lest you get the impression that the development of such a nuclear rocket is as simple as its principle sounds, let me point out what is involved in it. What we must do is build a flyable reactor, little larger than an office desk, that will produce the 1500 megawatt power level of Hoover Dam and achieve this power in a matter of minutes from a cold start. During every minute of its operation, high-speed pumps must force nearly three tons of hydrogen, which has been stored in liquid form at 420° F. below zero, past the reactor's white-hot fuel elements which reach a temperature of 4,000° F. And this entire system must be capable of operating for hours and of being turned off and restarted with great reliability.

This has been the goal of the AEC–NASA nuclear rocket program, called NERVA (for "Nuclear Engine for Rocket Vehicle Application"), and I am pleased to say that we have made significant progress toward that goal. Last year we completed a series of ground-experimental tests of the NERVA system that included 12 series of power tests. The last test included 28 starts, almost four hours of operation at significant power levels and controllability demonstrations over a wide operating map. All NERVA effort is now being applied to the development of this 1500 megawatt engine with its 75,000 pounds of thrust for flight testing in the late 1970s or early 1980s.

Now, how are we going to use this efficient nuclear rocket when it is available for space flight? The nuclear rocket will become the workhorse of the next phase in our space activities. According to a report of the President's Space Task Gorup, it will be used "for transporting men, spacecraft and supplies between low Earth orbit and geosynchronous orbit and for other deep space activities." Let me give you some idea of what this means and some of the missions that will be possible with the help of nuclear rockets.

To begin with I should make clear that nuclear rockets will be second and third stage rocket vehicles that will be boosted into space by chemical rockets. Once in space they can be "parked" in orbit, started up and shut down there, serviced there, and from that orbit used individually or assembled in a variety of clusters depending on the mission mapped out for them.

One of these missions might be to operate a shuttle service moving large payloads between low Earth orbit and a more distant synchronous orbit. Another might be to operate spacecraft used as a space rescue squad. Still another might be to transport a repair and supply service to space stations and various satellite networks. One of these would no doubt be a global communications satellite system in which three TV satellites 22,000 miles from the Earth could transmit programs directly to TV receivers anywhere on Earth without the necessity of ground-based relay stations. Such synchronous TV satellites, by the way, would need high-power nuclear-electric sources to operate.

The nuclear rocket shuttle would also be used for a Lunar Ferry Service to carry men and supplies back and forth between Earth orbit and Lunar orbit. This efficient service, possibly combined with the use of recoverable, refuelable chemical boosters, would make it far more economical to maintain manned bases on the moon, and eventually a larger Lunar Colony.

The day may come—and I will not try to predict when it will be—when a substantial Lunar Colony will be open to a limited number of tourists from Earth. What might such a trip be like? You would board your "Lunar Limited" at an international space center for the brief trip into Earth orbit and perhaps an Orbiting Space Terminal at which your Nuclear Shuttle would be waiting. There would be a short stay in orbit to allow you to do some "earth-watching" and snap a few pictures of your favorite continent to show the folks back home. (Of course, if you forgot your camera, there would be plenty of postcards or slides for sale at the terminal newsstand or souvenir shop.) After an orbit or two you would board the Nuclear Shuttle and leave for the three-day trip to Lunar Orbit. Here you would disembark and enjoy a short stopover at the Lunar Orbit Terminal for some spectacular views of the Earth and the Moon—then into your descent craft for a gentle touchdown at the Moonport just a short distance from the famous Lunar Hilton. Transportation for you and your luggage (which you notice seems to weigh hardly anything even though your wife, as usual, brought far too much) would be provided by the hotel. There is no need to go to the Hertz or Avis Rent-A-Roving Vehicle desk. But you might want to try one of these vehicles later in your stay to do some crater hopping.

Once in the Lunar Hilton you would be able to change from your spacesuit to more casual clothes. Here you would enjoy many of the comforts of home because the energy of a nuclear power station is available to provide the controlled climate, light and electricity needed by the colony. Much of your food would be that grown in lunar hothouses or synthesized in lunar food labs. And your water supply would be esesntially the same water your cousin Albert used on his moon trip a few years ago—something which you try not to think about and certainly don't complain about in front of your children because this would label you as embarrassingly "old-fashioned."

One of the highlights of the stay would be, of course, that unforgettable moment in the domed dining room and cocktail lounge when you enjoyed your Moon Martini while watching a spectacular Earth-set.

The trip home, after a few days of lunar surface excursions, would provide many additional sights worth seeing, the greatest one, no doubt, being the growing Earthscape as the home planet seemed to rise to greet you upon your descent in the final hours of your trip. The whole experience would be incredible and even cousin Albert's reminder that he was there first wouldn't make it less so.

But now let me conclude with an even more spectacular space trip to be made possible by nuclear power—and one that will probably take place long before the slightly fantasized trip I just described. What I am speaking of is a manned mission to Mars which may be possible sometime in the 1980's, and to which considerable thought is already being devoted by space scientists and engineers. How would such a trip be carried out, and particularly what would be the role of the nuclear rocket in making it possible?

There are various ways in which a manned mission to Mars could be conducted. One concept under consideration would employ two spacecraft traveling separately. Both would be boosted into Earth orbit by huge chemical rockets where their nuclear stages would then take over for the two year round-trip to the distant planet. One of these spacecraft, however, would be an unmanned supply ship which would leave a few days prior to its manned mate. The manned craft would rendezvous with the supply ship in Mars orbit where the nuclear stages would be "parked" while men and supplies made the descent to the planet's surface in chemically powered craft. When the astronauts' explorations and work had been completed they would ascend to their "parked"' nuclear vehicles for the return back to Earth orbit.

Another concept for the mission to Mars involves two manned spaceships, each propelled by a side-by-side configuration of three nuclear rocket stages, and each carrying a six-man crew with their own supplies. As in the other mission I described, these would be boosted by chemical rockets into Earth orbit, in which they would rendezvous and be assembled, and from which they would all depart for the trip to Mars. In this concept the two outer nuclear rockets on each configuration would propel the manned spacecraft on its course to Mars, then separate and return to Earth orbit for reuse. The middle rocket "parked" in Mars orbit would be used for the return flights after the astronauts had completed their work on the surface of Mars. Both of these concepts, by the way, consider about a 90-day layover in Mars orbit with six men of the total crew descending to the planet for about a month of exploration and surface experiments.

When we have been successful in exploring Mars we may attempt manned missions to more distant planets. For these trips we will probably use ion propulsion systems using large thermionic reactor systems capable of generating megawatts of electricity. This electricity would be used to produce the heavy ions that, directed through a thruster, would give this type of rocket system its propulsive force. Ion rockets with their high specific impulse can, over great distances, build up tremendous velocities on a relatively very weak force operating continuously. Therefore trips to outer planets may be reduced in time from decades to years. And if we should ever venture out of our solar system ion rockets would probably take us on such a journey.

All this may seem fantastic, far beyond what mortal man should consider—but then so did a landing on the moon not too many years ago. In speaking to the National Press Club in Washington, D.C., shortly after that moon landing, Dr. Thomas O. Paine, Administrator of NASA, answered the question raised about our going to Mars this way:

"The Mars voyage would be less demanding than those our ancestors took in sailing ship days under conditions that were a good deal worse than we will build into this nuclear ship. The big question is not the technology and not the crew; it is whether the national (or international) desire to go to Mars will exist."

I believe that desire will exist. Furthermore, I believe that with the will and the desire to work and make the necessary sacrifice we can both raise the level of our life on this Earth and continue to raise our eyes to the stars. The desire for a better Earth and a higher life for all men on it is not necessarily incompatible with the quest for more knowledge—even knowledge of the tiniest particle of the atom or the most distant star. We must venture, we must dare, and we must grow mentally and spiritually to survive. An editorial in the Washington Star during the reaction to the near tragedy of Apollo 13 stated this thought most eloquently and succinctly when it said:

"The danger to the human species and to life itself will come if man finally decides that he has learned all that is worth knowing and gone as far as he needs to go. When life stops hoping, wondering and reaching, the retreat to the safety of the primordial ooze will begin."

There are some who say that the greatest lesson all our space activities have taught us is just how precious our own Earth is. If this is true, what a great and important lesson it is—one to appreciate and urgently act upon. But there will be many more lessons to be learned in space and through the important cooperative efforts that space exploration demands. I am pleased that nuclear energy will play such an important role in space. It is one more way in which the atom, used in peace and by men of good will, can advance the human race. I hope we will use it wisely in this way and in all ways that will serve the best interests of men who share this precious Earth and all it has to offer.

ANNIVERSARY OF WARSAW UPRISING AGAINST THE NAZIS

Mr. SCOTT. Mr. President, tomorrow we commemorate the anniversary of the Warsaw uprising against the Nazis, August 1, 1944. The courageous Armiia Ludowa, the home army, which had for years been seriously hampering the German war machine, now mobilized the entire city of Warsaw.

A revolt that was intended to liberate Warsaw in 1 week with Russian aid became a nightmare of terror to the Poles. Forsaken by the Russians, the Poles fought on valiantly with small arms, rocks, and bottles of petrol. Over 250,000 Poles were casualties in Warsaw. After 63 days of privation, the valiant citizens were forced to surrender on October 2.

Their uprising, although a military failure, lives on as a symbol for all freedom-loving people. Their efforts exemplify the soul of Poland—an intense, undying desire for freedom. Poles everywhere dream of the day when Poland will once again be unharnessed from the reins of oppression. I think the most eloquent tribute that can be offered to these courageous people is the text of one of the last radio messages to come out of Warsaw before the surrender:

> Your heroes are the soldiers whose only weapons against tanks, planes and guns were their revolvers and bottles filled with petrol. Your heroes are the women who tended the wounded and carried messages under fire, who cooked in bombed and ruined cellars to feed children and adults, and who soothed and comforted the dying. Your heroes are the children who went on quietly playing among smoldering ruins. These are the people of Warsaw.
>
> Immortal is the nation that can master such universal heroism. For those who have died have conquered and those who live on will fight on, will conquer, and again bear witness that Poland lives when the Poles live.

To this I can only add: These are the people of Poland. I salute you.

THE APPROPRIATIONS FOR THE OFFICE OF EDUCATION

Mr. MOSS. Mr. President, in general, I support the conference committee report on the appropriations bill for the U.S. Office of Education and commend the distinguished chairman of the Senate Appropriations Subcommittee (Mr. MAGNUSON) and his colleagues on the conference committee for their vigorous support for the Senate position on this bill.

I must, however, express disappointment that the conference committee did not allow the full authorized amount—approved by the Senate—for the Bankhead-Jones land-grant teaching funds. This program represents the oldest and by all measures the soundest partnership between the Federal Government and the States in providing educational opportunities for American youth. This principal should be expanded and extended, not curtailed and weakened. This is why I sponsored the bill that would, if approved in the House, provide land-grant status for the College of the Virgin Islands and the University of Guam. The bill, if enacted, would end a longstanding inequity of these areas as the only remaining ones in the United States that do not have the advantages of a land-grant college.

This is why I would hope it would be clearly understood that the $2 million cut in the Bankhead-Jones funds proposed in the conference committee report is occasioned by the difficult fiscal situation, rather than as an opening step in the phasing out of this historic and fundamentally important program.

These funds have long been the cement that helps to hold together the land-grant colleges and universities as a unique national system of higher education in this country, unmatched in the world for its philosophy of service to society or its contributions to the welfare of those it serves. The land-grant system has been termed America's greatest contribution to the history of higher education in the world, and is presently one of our most significant export items.

I agree with the distinguished chairman of the Senate Appropriations Committee that to adopt a method of repeal of existing law by lack of appropriations is "unconscionable," and I would note that the last full-scale review of this program by the appropriate legislative committee was carried out 10 years ago—in 1960. Distribution of these funds is based, in part, on population, and, of course, our population has increased during those 10 years. It is clear, therefore, that funds for the program, by virtue of this increase, have already been reduced.

I therefore urge that before this body is again called upon to act upon an appropriation measure for this vitally important program a detailed reassessment is made of it by the legislative committee with jurisdiction, so that my colleagues and I might have before us at that time recommendations based upon a full and open study of a program I consider to be of unique importance to the past and future development of this country.

THE ROLE OF YOUTH IN THE POLITICAL PROCESS

Mr. MANSFIELD. Mr. President, on Wednesday, the Senator from Massachusetts (Mr. KENNEDY) testified before the Youth Participation Subcommittee of the McGovern Commission on Party Structure and Delegate Selection, which was chartered by the 1968 Democratic National Convention. His testimony was very thoughtful and most relevant. I ask unanimous consent that it be printed in the RECORD.

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

STATEMENT OF SENATOR EDWARD M. KENNEDY

I am honored to appear before this distinguished Subcommittee on Youth Participation and to have the opportunity to participate in these important hearings on the role of youth in the political process.

Already, the Commission on Party Structure and Delegate Selection has made a major contribution to the Democratic Party and American democracy. If the Commission perseveres, the guidelines established by the Commission in its report "Mandate for Reform," issued last April, will eliminate many of the inequities and injustices that for too long have marred the delegation selection process for our National Convention. Equally important, the guidelines will insure far more effective participation in the life of the Democratic Party by all its members, young and old alike.

In light of recent events, it is entirely appropriate that the Commission today is placing special emphasis on the role of youth in the life of our political system. Next January 1, the Supreme Court willing, close to eleven million young Americans between the ages of 18 and 21 will become eligible to vote. Thanks to the historic legislation passed enthusiastically by a Democratic Congress, and reluctantly signed into law by a Republican President, millions of young citizens will begin to enjoy the most basic right of all in a democratic society, the right to vote.

By lowering the voting age to 18, the United States as a nation has passed another major milestone in our long march toward fulfilling the promise of democracy for all our people. We have taken an effective step toward bringing young Americans into the mainstream of the political process and institutions of the nation. Not for fifty years—not since 1920, when the right to vote was granted to women—have we taken a comparable step to broaden the base of our democracy and increase the responsiveness of our government.

We need young Americans in the Democratic Party. We need their ideas and their ideals, their spirit and their dedication. Already, through their historic role on issues like Vietnam, Civil Rights, and the environment, they have taken the lead on our most crucial social problems at home and abroad. The Silent Generation of the Fifties has given way to the Restless Generation of the Sixties and the Seventies. Our youth have been eager to take the high road of change and progress, when too many others have been content to take the low road of expediency and the status quo. More than any others among us, our youth are willing to hold up a mirror to society, and probe the sores that others would ignore.

In short, America's youth have become the conscience of the country. H. L. Mencken put it wisely when he said, "Youth, though it may lack knowledge, is certainly not devoid of intelligence; it sees through shams with sharp and terrible eyes."

At the same time, we must admit the disturbing truth that there has been a severe erosion of loyalty to the traditional party structure among young citizens in recent years, especially college youth. Five years ago, Republicans and Democrats enjoyed a substantial campus following among our nation's youth. All around us now, we see skepticism and cynicism emerging on every college green. We must recognize the massive defections we have suffered in recent years, especially among the idealistic young Americans who should become our leaders of tomorrow. If as leaders of today we do not—or cannot—respond to the challenge, school children a hundred years from now will be reading of Republicans and Democrats, like Whigs, as parties whose star rose and shone brightly for a period in our history, but whose only relevance now is as fossils of the past.

It is no comfort to know that both our large political parties are suffering the same sort of campus casualties. Whenever I travel to colleges today, I see the small craft warnings that the two-party system is in trouble, and that the trouble is getting worse. The shift of American youth way from the existing parties and toward an independent splintered status is a challenge that threatens not only the future of both our Parties, but also the future of our nation.

By history, affection, and present momentum, I believe that the natural home

of most of these new young voters lies in the Democratic Party. No amount of controversy between Old Politics and New Politics, no amount of controversy about the generation gap, can obscure the fact that the Democratic Party is the party of action and ideals, the party of change and progress, the party that most consistently looks to the only future America has—our youth.

To be sure, the 18 year old vote is not a panacea. It is not a panacea for the generation gap, or for the alienation and disaffection of our youth. Nevertheless, it is a significant first step toward meeting the demands of youth for a change and for a greater voice in our political system. Just as the extension of the franchise to black Americans by the Fifteenth Amendment and the Voting Rights Acts of the Sixties, and the extension of the franchise to women by the Nineteenth Amendment, was a partial response to legitimate demands for a greater voice in the political process, so the vote for 18 years olds is an overdue response to the legitimate demands of young people to influence the decisions by which their lives are governed.

If one thing is clear, however, it is that young voters will not come to the Democratic Party unless the Party reaches out to them. That is why our efforts over the next few months and years are so critical. That is why I am so pleased that Senator McGovern and this Commission are already blazing the trail toward greater participation of future generations of young Americans in the life and spirit of the Party.

In essence, the message the Democratic Party needs to get across to young American voters is not so much that the 18 year old vote was a Democratic triumph—although it surely was—as that the Democratic Party has the responsiveness and capacity for growth and change that makes us the party that deserves their support.

The political impact of the new American voters is most usefully analyzed by trying to answer two questions—will eligible young voters actually go to the polls? And, how will they vote? Neither of these questions is easy to answer. Already, they have received widely divergent answers from various election experts.

With respect to the question whether eligible young voters will actually go to the polls, the most convenient base line is the 1968 election. At first glance, the figures are ominous in their indication that large numbers of young Americans will not participate. In the four states where persons under 21 are already eligible to vote—Georgia, 18; Kentucky, 18; Alaska, 19; Hawaii, 20—about 500,000 persons under 21 were eligible to vote in the 1968 Presidential election, but only one in three actually voted. For the nation as a whole in 1968, a dismal pattern of voting participation according to age was established:

Percent of eligible voters who actually voted

Age:	
18–21	33
21–24	51
25–29	60
30–64	72
65 and over	66
All ages	61

The overwhelming fact behind these figures is the shocking lack of voter participation in our population as a whole. Only 61% of our eligible voters actually went to the polls in 1968. 120 million Americans were eligible to vote, but only 73 million actually voted. 47 million stayed home, at a time when the winner—President Nixon—was receiving only 31 million votes. Incredible as it may seem, half again as many people stayed away from the polls as voted for the man who is our President.

Indeed, it is fair to say that of all the great democracies of the Western World, the voting record of America is probably the worst. In Britain last June, 72% of the voters went to the polls, and they called it one of the lowest turn-outs in history, the lowest since 1935, the cause of the Labor Party defeat. In the most recent elections in other democratic nations, the turnout has been even higher—75% in Canada, 80% in France, 87% in Germany, 89% in Sweden and Denmark.

The tragedy of our election apathy is compounded by the fact that the highest proportion of America's non-voters are in the under-30 age group. They have never voted in proportion to their number. They are the worst drop-outs in America today—dropouts from the political process, dropouts from our democracy.

In 1963, President Kennedy's Commission on Registration and Voting Participation expressed its deep concern over the low voter turnout in the 21–30 year old age bracket. The Commission attributed the low participation to the fact that "By the time they have turned 21 . . . many young people are so far removed from the stimulation of the educational process that their interest in public affairs has waned. Some may be lost as voters for the rest of their lives."

Because of the consistently low turn-out of young voters in the past, many election experts take the view that lowering the voting age to 18 will have a negligible effect in the United States. They say the vast majority of newly enfranchised young Americans will not vote anyway. There are several reasons why I do not share this view.

In the first place, the extraordinarily low electoral participation in the 18–21 age bracket is not necessarily an accurate reflection of the pattern that will prevail in 1972. The vast majority of 18–21 year old voters in 1968 was in Georgia and Kentucky, where voter turn-out among all age groups was substantially lower than in the nation as a whole. Thus, as a starting point, it is not unreasonable to assume that voter participation in the 18–21 age group will be equal to the national participation of the 21–24 age group, or even the 25–29 age group. At the very least, 50–60% of the eligible new citizens—5–7 million new voters—are likely to cast their votes in 1972.

In the second place, as the 1963 Commission recognized, many young citizens eligible to vote at 18 will have the opportunity to participate in elections before they leave the educational process. They will receive their stake in the system at the time when they are most receptive.

Both the exercise of the franchise and the expectation of the franchise provide a strong incentive for greater political involvement and understanding. By lowering the voting age to 18, we encourage greater political activity by all the nation's youth, not just those in the 18–21 age group. By lowering the voting age, we give a new incentive for political activity in both the pre-18 age group and the post-21 age group. We extend the franchise downward and upward. We enlarge the meaning of participatory democracy in our society. We give our youth a new arena for their idealism, their activism, and their energy.

We would have a different country today if 18 year olds had voted in the past. We will have a different country tomorrow when 18 year olds begin to vote, because they will not be drop-outs from the political process. They will learn the voting habit in school, and they will keep it all their lives.

In the third place, we are slowly eliminating many of the artificial obstacles to the participation of the under-30 age group in politics. In the past, barriers to voting like excessive residency laws, arbitrary registration requirements, and inadequate absentee ballot procedures fell especially heavily on younger members of the electorate, because of their relatively higher mobility.

The same Federal statute that has just lowered the voting age to 18 also eliminates residence requirements longer than 30 days for voting in presidential elections, and provides greater access to absentee ballots. For every barrier of this kind that we tear down today, we open up a new route to political participation by young voters tomorrow.

In the fourth place, and perhaps most important, any extrapolation for the future from low voter turnout by young Americans in past elections is suspect. The primaries with Senator McCarthy and Senator Robert Kennedy in 1968 launched a revolution in the role of youth in politics. They gave new meaning to participatory democracy and revitalized the techniques of mass participation in politics. The events of 1970 have shown us that the change is here to stay. Out of the ashes of Cambodia and Kent State have arisen hundreds of organizations, on thousands of campuses, involving tens of thousands of students eager to establish new priorities by changing the system from within. Groups like Project Pursestrings, and the Bipartisan Congressional Clearinghouse in Washington, and the Movement for a New Congress in Princeton, are providing expert coordination, research and media materials for political candidates, antiwar organizations, volunteers and voter registration activities. The American Council on Education has negotiated effective guidelines with the Internal Revenue Service for universities to participate in the Princeton Plan so that students may join the homestretch of this year's election campaigns. The two week recess before elections promises to become a permanent part of the American university calendar.

Already, young political workers have fulfilled the promise of 1968 by demonstrating that their interest is not limited to presidential campaigns, but applies to other elections as well. Experts have predicted that if the peace forces in both parties can mobilize the kind of volunteer support they had in New Hampshire and California, Oregon and Wisconsin in 1968, they can turn Congress around at the grass roots in 1970.

In September 1969, Michael Harrington, with the help of college students, young married couples, teenagers and suburbanites, won for the Democrats a 93 year old Republican seat in Massachusetts. In 1970, student volunteers, coordinated by the Movement for a New Congress, have already produced a surprising showing for their candidates in several primaries in New York. Analysis of the New Jersey primary shows that the Movement's effort in a losing cause still generated a substantial swing in favor of its candidate, and that the initial claims of a "Kiddielash" against the students are largely myth.

Indeed, a survey in the aftermath of the New Jersey primary suggests four significant facts about the growing role of youth in politics:

By an overwhelming 6-1 majority, the voters in the district welcomed student canvassers.

A truly infinitesimal minority—less than 1% of the voters—said they would be influenced by student canvassers to vote against the students' candidate.

The best areas for student canvassing are areas that are marginally opposed to the students' candidate.

Most important, student canvassers do increase their candidate's chance of winning. The survey showed the students in New Jersey developed a 2-6% gain for their candidate, and indicated that in a well-organized campaign with carefully selected canvassing, the gain from student participation might rise as high as 8-10%.

Thus, the results of the last three years are beginning to reveal the emerging political truth that the right candidate with a small budget and thousands of volunteers can aspire to beat the wrong candidate, even with a big budget.

The greatest tragedy that could happen

now would be for us to allow this enormous surge of energy, interest and participation in political process to subside after the November election. "All dressed up and nowhere to go" cannot be the epitaph of the youth movement of 1970. There is too much at stake, too much to be fulfilled, too many goals within our grasp for us to allow the momentum to fade.

I am confident that the answer to the question—Will young Americans vote?—is a clear yes. They will go to the polls in extremely significant numbers, and the Democratic Party cannot afford to ignore them.

The much more difficult question is, How will they vote?

The figures are in conflict. They point in opposite directions.

The greatest problem in predicting how young Americans will vote is the confusion that exists in conventional thought about the meaning of the word "youth"—our tendency to assume that young citizens will vote in a monolithic pattern.

Nothing could be further from the truth than the image of young voters created by the film of a few years ago, "Wild in the Streets," in which the voting age was lowered to 14, a pop singer in his early twenties was elected President, and citizens over 35 were led away to compulsory LSD centers.

The source of the confusion is that when people say "youth," they see a certain kind of student, not a workingman. Yet, nearly half of all the newly enfranchised voters in the 18–21 year old age bracket will be workingmen, not students.

According to projections from recent census data, the profile of the 11.5 million potential voters between the ages of 18 and 21 in 1972 will be as follows:

4.9 million will be in school or college: 900,000 in high school; 1.7 million in college and living at home or with relatives; and 2.3 million living in college communities.

4.1 million will be working.

1 million will be housewives.

800,000 will be in the armed forces.

These are figures that the Democratic Party cannot afford to ignore. We simply cannot allow a love affair with campus youth on the issue of the war to weaken or obscure the close tie the party has always had with the labor movement and the working man. The umbrella of the Democratic Party is broad enough to cover every type of young American—the young hard hat as well as the young dove, the worker as well as the student. We are the party of the poor, the black, the young, and the college, but that is not all we are or ought to be. We must also reach out to the unpoor, the unblack, the unyoung, and the uncollege. We must be a party for all seasons, capable of adapting to all the constructive tensions in our society, capable of building the newer world we seek for all our citizens.

The growing gulf between our students and our workingmen—symbolized by the violence on Wall Street and St. Louis in recent weeks—may well be the worst division that now exists in our party and our society. In 1969, a Yankelovich survey showed there is a greater gulf between young college persons and their non-college contemporaries, in terms of basic attitudes and beliefs, than there is between young persons and their parents. We have become so pre-occupied with the generation gap that we have failed to see the class gap that is opening under us and that threatens us far more seriously.

The point is stated well in a report by the University of Michigan Survey Research Center to the American Political Science Association in the fall of 1969:

"Although privileged young college students, angry at Vietnam and the shabby treatment of the Negro, saw themselves as sallying forth to do battle against a corrupted and cynical older generation, a more head-on confrontation at the polls, if a less apparent one, was with their own age-mates, who had gone from high school off to the factory instead of college, and were appalled by the collapse of patriotism and respect for the law that they saw around them."

No alliance between the Democratic Party and young students on the war or any other issue need or should preclude the close ties we have always had with young workers and all the other groups that helped to build the party's greatness in the past. With all the emphasis we place on youth, we must still remember that the age of the median voter in 1968 was 47, and that even with the reduction of the voting age to 18, the median age throughout the Seventies will still be well over 40.

The problems and issues facing our country demand the interest of all our people. Without the support of a broader range of citizens, we will never find the solutions for which we are searching. Only through an open exchange of views can we heal the divisions in our society and our youth. In sum, I believe the Democratic Party is a better forum for resolving these differences than the public streets of New York, Chicago, or St. Louis.

As Democrats concerned with improving the political process in America, and strengthening the procedures of our Party, we can take many steps through this Commission to encourage the participation of youth and to close the gaps that exist:

First, consistent with its mandate, the Commission should treat the federal law lowering the voting age to 18 as a pledge of immediate party reform and as a catalyst for accomplishing all the changes that are needed. Specifically, the Commission must insure that young voters are given an effective opportunity to participate in the delegate selection process for the 1972 Democratic National Convention. The Commission has already adopted three significant guidelines to bring young Democrats into the selection process:

State parties are required to take affirmative steps to encourage representation of persons in the 18–30 age group in the delegation to the National Convention. The guideline requires that the representation be in reasonable proporiton to the number of these young persons in the population of the state.

State Parties are required to amend their Party rules to allow and encourage any Democrat 18 years of age or over to participate in all Party affairs.

State Parties are required to make every feasible effort to repeal or modify state laws that interfere with the two preceding requirements.

Enactment of the statute lowering the voting age to 18 puts strong teeth into these guidelines, and will surely facilitate their implementation, if only the Commission continues the strong pressure it has now begun. The language of the statute makes clear that its provisions apply to all primaries and elections, Federal, State, and local. The statute is broad enough to cover the delegate selection process as well. It will apply to primaries, party conventions, presidential preference primaries, caucuses and all the other elections held as part of the delegate selection process for the 1972 National Convention. Wherever rank and file party members participate directly in the selection of delegates, the new Federal law requires that 18 year olds be eligible to participate. The Commission should begin now to guarantee that the law is implemented by every State party in every state.

As the campaign of 1960 and the spring of 1968 made clear, a sizable percentage of the young can be attracted to the Democratic Party. We know how deeply disappointed and disillusioned they became at our 1968 Convention. We know we must correct the mistakes of that Convention, especially in the delegate selection process. Most important, in 1972, we must give serious consideration to taking action, even to the point of a credentials challenge, against state delegations that refuse to comply with all the great guidelines of the Commission's Mandate for Reform. It is not a time for lip service. It is a time to rescue our ideals with action.

Second, the Youth Participation Subcommittee should maintain the closest possible liaison with the nationwide political movement now under way in connection with the 1970 elections. Throughout America, young citizens are working to elect anti-war candidates this fall, and the overwhelming majority of these candidates are Democrats.

As perhaps never before in our history, we are conducting a great national experiment in mass participation in the political process. The nation is our laboratory. In hundreds of campaigns across the country, away from the glare of presidential politics, hundreds of thousands of young men and women are learning the techniques of organization, voter registration, door-to-door canvassing, issue research, mass mailings, fund raising, citizens' committees, radio, TV, and billboard advertising, and all the other functions, great and small, of the art and science of politics. The data we collect from Federal, state and local contests around the country will be the raw material for the role of youth in every future election, especially the 1972 presidential campaign. As Democrats, we can profit from the experiment of 1970, but only if we participate as much as possible in what is already going on.

Third, the Subcommittee should make a detailed study of the impact of 18 year old voting this year in the British elections, as well as the ways in which both the Labor and Conservative Parties prepared for the election and appealed for the support of youth. Just as the American experience in this year's Congressional elections can tell us much about the effect of youth in influencing the way others vote, so the British experience can teach us about the direct political impact of young voters in national elections.

Similarly, the voting age has just been reduced to 18 in West Germany. Since no national elections have yet been held in which young voters could participate, the situation in Germany is much like that in the United States, and we might well learn a great deal of useful information from the German experience and preparations.

Fourth, the Commission and the National Committee should encourage young Americans to broaden their horizons this year to encompass state and local elections. We cannot place our emphasis in 1970 solely on electing the 92nd Congress. Throughout the decade of the Seventies, vital decisions for the future of the nation will be made in the state and local legislatures and the city and county councils of America. Legislation to redistrict Congress and state legislatures will be enacted in every State to implement the changes of the 1970 census. State legislatures will have the task of voting on Constitutional amendments that may in large part determine the direction of our society for the rest of the century and beyond. We cannot leave the job half done, by focusing too closely on Congress alone. We need to get to work now, to insure that these and other decisions are made in the highest traditions of our democracy, by institutions that are truly responsive to our people.

The Democratic Party should also take the initiative in seeking out new political candidates. The party must take the lead in bringing new faces and new ideas into our society. Intelligent and energetic young candidates will give the party the capacity it needs to grow and respond to changing times. Far more often than not, the allegiance of youth goes to issues and ideas rather than

to personalities. New candidates and fresh ideas can help to end the disillusionment and disaffection of the young, and help us capture the imagination of the nation.

Fifth, once the Congressional elections are over this fall, I hope the Subcommittee will preserve the momentum of 1970 by planning a program for the Democratic Party of continuing political education for American youth. We must build on the start we have made. Above and beyond the requirements of law, our State parties must be encouraged to bring young members into the fold. State and local elections in 1971 will be the testing ground for the presidential elections in 1972. We should begin now to implement the proposals of the Democratic National Committee's Freedom to Vote Task Force. We will need guides to registration and voting for distribution to every new voter. We will need voter registration days in the high schools, and over demonstration days in the community. We will need handbooks and proposals for young political activists. We will need more effective registration and absentee ballot procedures, and more extensive citizen participation and teacher training programs in the schools and in the communities.

Sixth, the Commission and the Democratic Party should take the lead in the movement to reform our election laws, especially those dealing with the financing of political campaigns. Hundreds of thousands of young citizens working in primary campaigns and election campaigns throughout the country are learning about our election laws and their shortcomings. They see the glaring flaws. They are appalled by the gaping loopholes. As many experts have observed, our existing election laws are more loophole than law. Their limits do not limit, and their penalties are empty threats.

Perhaps the most serious problem in the American political system in 1970 is the problem of campaign financing. The skyrocketing cost of running for public office—especially the cost of television—has produced a situation in which the potential candidate of modest means is being driven from the field. Without a source of independent wealth, he faces the Hobson's choice of a shoestring route, he faces almost certain defeat. If he goes the route of the large contributor, he inevitably creates the sort of ambiguous relationship in which he is obligated—or appears to be obligated—to forces of wealth and influence.

Another major problem in our election laws is the reporting, disclosure and limitation of campaign contributions and expenditures. We need a thorough overhaul of these laws, in order to halt the endless proliferation of political committees and the cynical exploitation of existing loopholes.

In addition, we need new incentives to broaden the political base by encouraging campaign contributions from small donors. Through reforms like a tax credit for political contributions, we can bring millions of new participants, especially the young, into the political process by giving them a better stake in the system they are building.

In an era where the name of the game is reform and where the voice of youth is frequently the voice of disillusionment with the "system," the call for reform in this aspect of the political process is strangely muted. The issue will not stay silent for long. Youth is already beginning to prod the monster into public light.

To me, this is one of the major areas that is ripe for reform, an area where we ought to begin. If we can't keep our democracy running and responsive, no amount of reform in other areas can succeed.

Seventh, and perhaps most important, although the Democratic Party must make room for the young, it must make room for them not as youth, but as fellow citizens who have the talent to help the Party reach the goals we seek. For too long, the party has tended to put youth in a separate pigeonhole. There can be no Youth Division in the Democratic Party. Instead, young voters belong part and parcel of our same great organization with everybody else. The only tests for real participation are ability, leadership, and the priceless quality of judgment.

These are the goals I think this commission must hold before it. These are the reforms I believe the Democratic Party must adopt.

For, in hundreds of respects, our youth have set a far-reaching example of insight and commitment for us to emulate. They deserve the respect and support of the Democratic Party. They deserve to serve with us as partners toward our future. Let us see what they do.

PRURIENT ADVERTISEMENTS AND PORNOGRAPHY

Mr. SCOTT. Mr. President, if we let this summer pass without taking action on legislation to curb the distribution of prurient advertisements and the mailing of pornography to children, we will have been remiss in our responsibilities to the hundreds of thousands of citizens across the country who have continued to ask for action in this area. In spite of the many bills which have been introduced in this Congress to protect the privacy of the home and to protect our children from salacious materials, no committee in the Senate has yet taken action in this area.

More than a year ago, the President called upon the Congress to enact legislation which would go far toward restoring to us our rights to be free from offensive materials. S. 2073 and S. 2074 are two of the measures called for by the President. S. 2073 would prohibit the use of interstate facilities for the delivery to anyone under 18 of materials which may be harmful to young people. S. 2074 would prohibit the use of interstate facilities for the distribution of commercial advertising which is designed and intended to appeal to a prurient interest in sex.

Neither of these bills encroaches upon constitutional rights. In the well-publicized case of *Ginsberg* v. *New York*, 390 U.S. 629, the Supreme Court upheld a New York statute which prohibits the sale of materials to minors when these materials could not be denied to adults. The Court found that the legislature may enact a more inclusive definition of obscenity when the statute deals with the protection of children.

Also, the Court has indicated, in several decisions, that regulation of a method of advertising is an acceptable means of legislating in this area. In *Rowan* v. *U.S. Post Office*, 397 U.S. 728, the Court upheld a Federal statute which permits postal patrons to reject advertisements they find offensive and stated that none of the recognized exceptions to the concept that—

> A man's home is his castle includes . . . any right to communicate offensively with another . . .
>
> The asserted right of a mailer . . . stops at the outer boundary of every person's domain.

Also, S. 2074 deals only with advertising and in *Valentine* v. *Chrestensen*, 316 U.S. 52 (1942), it was decided that commercial advertising is not afforded first amendment protection.

These bills, S. 2073 and S. 2074, are carefully designed and drafted to give families the protection they need against the smut peddler and yet they do not intrude upon the rights which our forefathers so wisely protected for us. As the President stated:

> American homes are being bombarded with the largest volume of sex-oriented mail in history. Most of it is unsolicited, unwanted, and deeply offensive to those who receive it.

I urge the Committee on the Judiciary to report these unduly delayed measures to the Senate so that we may respond to a need which has long been recognized, long been discussed, long been of concern to millions of Americans—too long without effective action. It is time to act.

VOLUNTARISM AND THE MILITARY

Mr. HATFIELD. Mr. President, within the next month there will be a debate and vote on Senate amendment 765, an amendment which will implement the recommendations of the President's Commission on an All-Volunteer Armed Force, creating an all-volunteer military within the next year. Between now and the time of the vote, I and possibly other Senators will be introducing into the RECORD for the attention of Senators various statements by individuals noted for their specific knowledge of the draft and an all-volunteer military. Many of these statements were to have been given as testimony before the Committee on Armed Services in hearings on this subject, but those hearings have unfortunately been postponed. Therefore, I ask unanimous consent that a statement by Adm. Arnold E. True be printed in the RECORD.

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

TESTIMONY OF ADM. ARNOLD E. TRUE

My name is Arnold E. True. I am a retired Rear Admiral, U.S. Navy, an Emeritus Professor of Meteorology, a graduate of the U.S. Naval Academy, Massachusetts Institute of Technology, and the Naval War College. I served on active duty in the Navy from 1917 to 1946 and was employed as a college professor from 1947 to 1968. I have had opportunity to observe functioning of the draft from the point of view of the military and also from the point of view of civilians, professors and students.

I believe that the draft should be repealed immediately. I endorse the report of the Gates Commission and recommend that it be implemented at this time. My experience, both military and civilian, supports the arguments and conclusions of this report.

I wish especially to emphasize the point that a peacetime draft is not consistent with a free and democratic society. Our Constitution places the responsibility for war and peace directly on the Congress which is responsive to the people. If the Congress provides the President with unlimited manpower, unlimited funds, and unlimited power of decision in their use, it is violating the spirit of the Constitution, abdicating its responsibility, and inviting a trend toward dictatorship.

A military juggernaut must be active in order to justify and perpetuate its existence.

If good reasons for activity do not exist, they will be invented. Military adventures such as those in Vietnam, Laos, Cambodia, and Thailand will naturally result. History is replete with examples: Alexander the Great, Napoleon, Stalin and Hitler. They usually end in disaster.

The richest and most powerful nation in the world should not have to depend upon a conscripted army in peacetime. When the Congress, representing the people, decides that the country is really threatened from external sources, it should conscript not only men for military duty but also labor and capital with the burden falling equally on all citizens.

In his address on May 30, President Nixon said that there was increasing anarchy at home and abroad. The reasons for this anarchy lie principally in the preoccupation of the U.S. and the world with military solutions to political problems to the detriment of interest in human welfare. Conscripted armies do not solve the problems of pollution, poverty, population, crime, and racial tensions.

The United States does not need a military force of 3½ million men. The external threat is largely of our own making and a response through fear to our own military build-up. In this nuclear age, there is no such thing as *national* security. The only security is *world* security. The true mission of the richest and most powerful country in the world is to lead the way to world peace through political arrangements, not wars.

The young people in our universities see the world and national problems more clearly than the older generation. When they see their Congress abdicating its powers and responsibilities and themselves conscripted into futile and unnecessary wars, they feel helpless and frustrated. A few break windows and throw rocks. More police repression only aggravates their frustration. What they demand and deserve is intelligent and reasonable leadership toward a better world.

The current Strategic Arms Limitation talks in Vienna offer an opportunity for a first step toward a better world. Continuation of conscription, activation of ABMs and MIRVs, and escalation of the wars in Asia will inspire more fear in Russia and China. Fear is not conducive to political settlements. Fear inspires counter military measures and speeds the race towards global suicide.

I urge an end to conscription now.

DIRECT ELECTION OF THE PRESIDENT

Mr. TYDINGS. Mr. President, the constitutional amendment providing for the direct election of the President—Senate Joint Resolution 1—is designed to remedy a number of specific problems found in the present electoral college system. These difficulties, when added together, have lead to a questioning of the rationality and legitimacy of our method of electing Presidents and, in 1968, raised the threat of a major constitutional crisis.

By providing for a direct popular election, Senate Joint Resolution 1 eliminated the following faults of our present system:

First. The lack of legitimacy of a system in which a candidate with a plurality or majority could lose an election to a rival with an electoral majority.

Second. The alleged bias toward very big States because of the unit rule of State electors, and toward very small States because of the three elector minimum per State.

Third. The exaggerated majority in the electoral college, as compared to popular vote totals, giving a close winner an inflated victory.

Fourth. The problem of the faithless elector.

Fifth. The unequal weight accorded to voters in different size States.

Sixth. The general irrationality and antimajoritarian aspects of this archaic institution which are difficult to justify in reasoned debate.

However, Senate Joint Resolution 1 does not eliminate the electoral college's most glaring and threatening weakness—the possibility of crisis due to a third-party candidacy. Under the electoral college, third-party candidates are generally discouraged from running for the Presidency because of the unit rule; unless a splinter party leader can receive a majority of votes in a State, he will not receive any electoral college votes. This unit rule has thus successfully discouraged ideological third-parties. Regional candidates, also, are presented with significant barriers, although these barriers are only of national scope. At the regional level, candidates such as Wallace can attract State majorities and break into the electoral college; yet chances of obtaining an ultimate majority in the electoral college from such a base remain slim. The prospect of eventual failure serves to channel votes away from this type of candidate to "second choice" candidates because it becomes clear to the average third-party voter that his vote will be "wasted" if he votes for his first preference.

Yet in spite of the existing institutional barriers to third-parties, the prospect of continued third and fourth-party candidacies continues. This is a function of the "spoiler" role that a third-party candidate can play. Under our electoral college, a third-party candidate has no effect upon the election outcome unless he can deny an electoral college majority to the election winners. Because of the peculiarities of the electoral college, this is a real possibility for sectional candidates. The possibility of triggering the unknown and awkward procedures of selecting the President in the House of Representatives is enough of a threat to any regular candidate's chance of victory and to the legitimacy of the entire election process, that the third-party candidate has extraordinary bargaining leverage. A refusal to deal with the outsider can mean defeat and/or crisis for the regular party candidates and the certainty of more wholesale political bargaining in the House.

Thus under the present electoral college system, the mechanism of resorting to a House election, when the electoral college fails to produce a majority, is enough of an incentive to create meaningful third-party challenges and the threat of a constitutional crisis, in spite of the inhibiting unit rule of the states.

The provisions of Senate Joint Resolution 1, although otherwise laudatory, create the very same problem of an incentive for third-party candidacies. In this case the trigger device is the 40 percent plurality required for direct election. A candidate outside the two regular parties need only approach 20 percent of the popular vote in order to reach a strong bargaining position. This incentive would apply to ideological as well as to regional candidates because there is no unit rule under the direct election scheme. The 20 percent figure becomes very much in reach of splinter parties when more than one outsider is running. The prospect of two candidates, one regional and one ideological, amassing 20 percent of the vote amongst them is quite realistic in the near future of American politics.

Under the direct election plan, the opportunity for crude political bargaining and threats are as available as under the electoral college. In both, an outsider can offer to withdraw immediately preceding the election and attempt to swing his followers toward a would-be victor in return for a significant political concession. While the haunting threat of a debacle in the House does not offer itself under Senate Joint Resolution 1, the maneuvering and dealing in a run-off race of the two surviving candidates would certainly be intense as they desperately wooed the disappointed followers of the third-party candidates. If experience under the French electoral system is any guide, the run-off makes the first election a test of bargaining strength leads to a further ideological hardening, and creates an atmosphere of shameless deals preceding the run-off. Given the fact that this kind of bargaining would take place under conditions of division and disappointment—it would be used only if no candidate has amassed 40 percent of the vote—cynical political moves might in themselves lead to a crisis of respect and legitimacy in the selection of the President.

It would appear that this incentive to use the 40 percent trigger and run-off is just as great as is the present temptation to deny an electoral college majority and to the House. However, under Senate Joint Resolution 1, the initial restraint of the States' unit rule is absent. Thus, the direct election amendment will increase the attractiveness of third-party Presidential candidacies. If present political trends continue, Senate Joint Resolution 1 will bring a constitutional crisis closer to reality.

Presidential election systems do not cause splinter parties, they merely encourage or discourage them. It is the underlying problems and conflicts in our society which create new parties and political movements. As our Nation continues to feel the effects of both major domestic and foreign crises, it will no doubt experience greater pressure for splinter party groups. This is a function of the deep divisions in our society that have finally emerged and burst into the political area.

In part, this trend of political fragmentation reflects the increase in ideological and rigid political doctrines that threaten to drive the traditional American pragmatism and compromise into the past. No doubt the general politicization of issues in our society draws into the political fray fringe groups that previously suffered silently or remained dormant without hope of change. Perhaps

the widespread frustration and malaise in the Nation plus a feeling of inability to influence the events that shape our destiny, drives concerned groups into strong political movements. Certainly there is little hope in the next few decades that the major schisms and problems that confront our society will disappear; it is more likely that our political parties will be the ones to vanish.

For many, substantial weakening of the two-party system would be a serious, if not crippling blow to the functioning of the American political process. A stable dual party structure serves many vital tasks of our democracy. Two strong parties are essential to maintain the competition for office amongst leaders that provides the honesty and innovation in American politics. Two stable parties provide the continuity of program needed to accomplish major change in a relatively slow moving political process. Most important, with only two parties, there is a need to create a real majority or large plurality for electoral victory. This fact requires that each party provide a political program that attracts a broad spectrum of voters.

Thus in a two party system, the parties are forced to create programs that satisfy a broad range of groups and interests. In the United States, the two major political parties have become the central institutions for moderating and resolving conflicts in our society. Our conventions, faultridden as they may be, and party machinery serve to mitigate and lessen the divisions of the Nation. Without these institutions, the whole burden of resolving conflicts would be thrust into the legislature. Under a multiparty system dogmatic ideology would flourish and compromise disappear. Executive leadership would be difficult because there would be no institution to aggregate enough political support to form a majority President. If the example of modern European parliamentary systems is of any relevance, multiparty governments means bitter conflict and governmental immobility.

Of course, ours is a society that is in desperate need of change and innovation of its policies and institutions. Many believe that the two-party system and barriers to third-parties have impeded these needed reforms. However, historical precedent seems convincing that reform, if it is to be successful, is best directed within a major party. Only the major parties offer the strength of broad support and the structure of continuity that is a prerequisite for meaningful change. This is not to say, however, that the parties do not require major internal reform in order to allow change and challenge from within.

It is difficult to gather the support of large and differing groups in any party for significant change; but this is the cost of governing by consent rather than decree. The only other alternative in such a diverse society as ours is political fragmentation. And fragmentation without coercion will be stagnation.

In short, our political system desperately needs all its institutions that moderate conflict and provide for the means to change. The enactment of Senate Joint Resolution 1 would alter the presidential elections to encourage third parties and undermine one of the key institutions of conflict resolution and change in our system. We should change our electoral system, but in a way that avoids crisis and supports our two-party system.

Under the Tydings-Griffin amendment, the direct election system would continue unmodified in 99 percent of all presidential elections since it is an historical rarity for the winning presidential candidate to receive less than 40 percent of the popular vote.

In that rare case when no one received 40 percent of the popular vote, our amendment would first turn to the time honored electoral college system. If the front runner receives a majority of votes in States which have a majority of electoral votes, he becomes President. In no case can the second place candidate in the popular vote win the Presidency. The reasons for this option are clear: If no one garners 40 percent of the popular vote, there will be no majority President. The question is one of selecting a minority President who has widespread support in a manner that has respect and legitimacy. The electoral system has such legitimacy, and it is a means of demonstrating great support in our States, which are important political units in our system.

Some have pointed out that any use of the discredited electoral college system would raise questions of legitimacy. This does not seem to bear out analysis.

First, there is no possibility of either a faithless elector or the wholesale bargaining in the House—which would vote by state amongst all the candidates—two of the major objections to the present electoral college.

Second, the electoral college, in spite of its faults, retains a tremendous amount of political legitimacy. Its use as an emergency provision would not seem to draw too deeply on the reservoir of legitimacy now available.

Third, this contingency would be employed rarely; and if it were used, it would be under conditions of division and dissent which would raise questions of legitimacy under any contingency plan. Under either the amended or unamended Senate Joint Resolution 1, the contingency provisions only operate if the leading candidate has less than 40 percent of the vote. Thus large groups in the society will already have registered dissatisfaction with both regular parties.

Under a run-off, these splinter party voters are forced to vote for second choices or register their protest by abstentions. Further, the political bargaining inherent in this situation will further add to the mood of dissatisfaction and discontent. It must be conceded that this route of choosing a candidate who is the first choice of only a minority of voters will raise at least as much dissatisfaction with the method of selection as the Tydings-Griffin proposed alternative.

Fourth, only the popular vote winner could be elected under this modified electoral system.

If the leading candidate failed to receive 40 percent of the popular votes and failed to receive a majority of the electoral college, it would be clear that popular election mechanism is not enough, in itself, to select a minority President. For this reason, the Tydings-Griffin amendment would then turn to a special joint session of the newly elected Congress to select a President from the two front runners in the popular vote. Each Congressman would have one vote. No third- or fourth-place candidate would be eligible to become President.

The new Congress, reflecting the most recent manifestation of the popular will, would choose amongst the two leading minority Presidential candidates. The winner would have to receive the majority support of the representative branch of government. The winner would be assured of having the support of Congress.

Again, this provides a means of selecting a minority President with widespread support and by a legitimate institution.

The whole point of the change is that the Tydings-Griffin contingency, unlike the run-off in Senate Joint Resolution 1 discourages its own use. Its success will be its preventative effect. Under this plan, no third-party candidate, ideological or sectional, has a chance of winning the Presidential election, unless he can amass an electoral college majority and be front runner or unless he could receive a majority of votes in the new Congress. There is no incentive for the two front-runners to bargain with minor party candidates. The incentives for third-parties under this amendment to Senate Joint Resolution 1 will be similar to those of an ideological party under our present system; there is little encouragement to run unless a third-party candidate can attract more votes than the two leading parties and an electoral college majority or if the third-party candidate can take second place in the popular vote to be eligible for election by the Joint Session of Congress. If third-party candidates come close to attracting 20 percent of the vote, the two leading candidates would merely switch to an election strategy aimed at an electoral college majority—the same strategy used today. This allows a genuine, national third-party movement such as the Bull Moose Party, to succeed, but discourages small sectional and ideological parties.

Thus under the Tydings-Griffin amendment, the loss of the unit rule in the states as a barrier to splinter parties is replaced with another support of the two-party system without the undesirable effects of the winner-take-all method except in rare cases.

The whole issue of the run-off vs. our plan revolves around the question of selecting a minority President. Neither of these alternatives will be used unless there is such division in our Nation that no candidate can approach majority support. In this situation, we should seek a mechanism that will select a minority President who has enough widespread support so he can govern effectively. Such a selection mechanism should be legitimate in the eyes of our people. And such a mechanism should discourage its own use, thus bolstering a stable two-party system. I believe that only the

Tydings-Griffin plan fulfills all three of these requirements.

SUMMARY ANALYSIS

The amendment retains the basic requirement in Senate Joint Resolution 1 that a presidential candidate must receive 40 percent of the popular vote in order to be elected. However, instead of having a popular runoff if no candidate gets the necessary 40 percent, the popular vote winner will be elected automatically if he wins a majority of the electoral vote.

If the popular vote winner does not receive 40 percent of the popular vote or a majority of the electoral vote then the newly elected Congress sitting in a Special Joint Session shall elect the President from among the two highest popular vote recipients. The Special Session will be held on the first Monday in December in the manner provided for by Congress. The election shall take place immediately after the assembling of Congress in Joint Session and after a quorum, consisting of three-fourths of the Members of Congress, has been attained. By a record vote the candidate receiving the most votes shall be elected President.

The special session shall be convened only for the purpose of electing the President and will not cut short any pending regular session or affect the powers or term of office of Members of Congress assembled for such a regular session.

An additional provision is included which allows Congress to set a presidential election earlier, but not later, than the present date for such elections. In addition, the results of the popular election must be declared by the third Tuesday after the first Monday in November. Since section 5 provides that a runoff election in Congress shall be held on the first Monday of December, at least a week will elapse between the formal declaration of the results and the second election. In the event that Congress determines there is not adequate time for recounts between the present November election date and the deadline for declaring the results an earlier date may be set for the initial election.

I ask unanimous consent that the text of my amendment No. 711 be printed in the RECORD.

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

AMENDMENT NO. 711

Beginning with line 20, page 2, strike out all to and including line 4, page 3, and insert in lieu thereof the following:

SEC. 3. The persons joined as candidates for President and Vice President having the greatest number of votes shall be declared elected President and Vice President, if such number be at least 40 per centum of the total number of votes certified. If none of the persons joined as candidates for President and Vice President shall have at least 40 per centum of the total number of votes certified, but the persons joined as candidates for President and Vice President having the greatest number of votes cast in the election received the greatest number of the votes cast in each of several States which in combination are entitled to a number of Senators and Representatives in the Congress constituting a majority of the whole number of Members of both Houses of the Congress; such persons shall be declared elected President and Vice President. For the purposes of the preceding sentence, the District of Columbia shall be considered to be a State, and to be entitled to a number of Senators and Representatives in the Congress equal to the number to which it would be entitled if it were a State, but in no event more than the number to which the least populous State is entitled.

If, after any such election, none of the persons joined as candidates for President and Vice President can be declared to be elected pursuant to the preceding paragraph, the Congress shall assemble in special session, in such manner as the Congress shall prescribe by law, on the first Monday of December of the year in which the election occurred. The Congress so assembled in special session shall be composed of those persons who are qualified to serve as Members of the Senate and the House of Representatives for the regular session beginning in the year next following the year in which the election occurred. In that special session the Senate and the House of Representatives so constituted sitting in joint session shall choose immediately, from the two pairs of persons joined as candidates for President and Vice President who received the highest numbers of votes cast in the election, one such pair by ballot. For that purpose a quorum shall consist of three-fourths of the whole number of Senators and Representatives. The vote of each Member of each House shall be publicly announced and recorded. The pair of persons joined as candidates for President and Vice President receiving the greatest number of votes shall be declared elected President and Vice President. Immediately after such declaration, the special session shall be adjourned sine die.

HEALTH CARE FOR VETERANS

Mr. HANSEN. Mr. President, over the past several months the Veterans' Affairs Subcommittee of the Committee on Labor and Public Welfare has studied the problems of insuring quality health care for veterans which have resulted from budgetary restrictions over the past several years. Unfortunately, much of the criticism over this problem has been interpreted as reflecting directly upon the abilities of the present Veterans' Administration Administrator, Donald Johnson.

An article published recently in the Washington Evening Star reports that Administrator Johnson is regarded by leaders of veterans organizations and key Members of Congress involved in veterans affairs as one of the best administrators the VA has ever had.

I ask unanimous consent that the Federal Spotlight article entitled "VA Resurgence" be printed in the RECORD.

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

VA RESURGENCE

One of the best jobs in town is being done by Veterans' Administration Administrator, Donald Johnson.

Hard-driving and loaded with talent, Johnson has put new life and vigor in the VA as it faces the increased challenges resulting from the Vietnam war.

The VA recently has had some criticism regarding its hospital operations, but this criticism is regarded as unjust and unfair by most veterans organizations and key members of Congress. Of course, there always is room for improvement, but VA does a generally excellent job with the resources it has.

Leaders of the various veterans organizations and key members of Congress involved in veterans affairs say Johnson is one of the best Administrators the VA has ever had.

NINTH ANNUAL CONVENTION NATIONAL COUNCIL OF SENIOR CITIZENS

Mr. MOSS. Mr. President, from June 11 through 13 the National Council of Senior Citizens held its ninth annual convention. I have long followed the admirable work of this organization in advancing the needs of our elderly. I am especially grateful for all the assistance I have received from this organization during 12 years in the Senate.

I was a guest at this recent convention and had the opportunity of discussing important questions with President Nelson H. Cruikshank, Executive Director William R. Hutton, and many other members of the council.

At this convention the council adopted a number of resolutions. As chairman of the Subcommittee on Long-Term Care I have great interest in the thoughtful resolutions which relate to the institutional care of the aged. These resolutions represent thoughtful consideration of some of the most perplexing problems in current society. Accordingly, I commend these resolutions from the National Council of Senior Citizens to all Members of Congress and ask unanimous consent that they be printed in the RECORD.

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

RESOLUTION 2: MEDICAID

Whereas, Medicaid was designed to serve the millions of Americans, particularly those under 65 whose income was so low they could not afford the costs of medical care,

Whereas, the original legislation obligated all States to develop a program of comprehensive services by 1975—later extended to 1977, and now completely abolished in the pending Social Security bill, H.R. 17550, on the argument that costs were skyrocketing and the program was being exploited by practitioners—a product in part of inadequate medical surveillance.

Whereas, various restrictions are being place on Medicaid, including granting the States the right to impose deductibles, thus still further cutting back on the intent of the original legislation.

Now therefore, be it resolved, that this Convention reaffirm its support of Medicaid as an essential program to meet the costs of health care of persons with low income, and urge that the provision requiring States to develop a comprehensive program not be striken,

Be it further resolved, that until a program of National health insurance is established and adequately financed, the Medicaid program is essential to the well-being of millions of Americans living on the borderline of income adequacy.

Be it further resolved that the Federal Government establish firmer controls over medical charges and utilization to stop exploitation of the program.

COMBINING RESOLUTIONS NOS. 3 AND 9:

INTERMEDIATE CARE FACILITIES

Whereas, the provision of services to ailing elderly persons in intermediate care

facilities was a major accomplishment of the Social Security Amendments of 1967; and

Whereas, this program was designed to meet a need not covered by Medicare, the Federal program of health insurance for the elderly, nor Medicaid, the Federal-State program of health care for the needy; and

Whereas, many hospitalized individuals reach a condition unlikely to benefit from further hospitalization or care in a skilled nursing home but still requiring services not available in their own homes; and

Whereas, Medicare now makes no provision for this contingency and there is little indication the program will be adequately developed under Medicaid;

Now, therefore, be it resolved, that Congress make intermediate care facilities eligible for reimbursement under Medicare, that the Social Security Administration establish conditions of participation for intermediate care service under Medicare including transfer agreements with hospitals and extended care facilities on a basis of reasonable cost of the care provided, and

Be it further resolved, that the National Council of Senior Citizens join with Congressman David Pryor (D., Ark.) in protesting the recent action of the Secretary of Health, Education, and Welfare in eliminating all Federal requirements governing intermediate care and intermediate care facilities under Medicaid. (Federal Register June 10, 1970)

Be it further resolved, that removal of any and all Federal requirements governing intermediate care and intermediate care facilities under Medicaid endangers the program by making it possible as a money saving device for States to substitute intermediate care for patients in need of skilled nursing care; and

Be it further resolved, that the National Council of Senior Citizens insist upon the Department of Health, Education, and Welfare recalling its action of June 10, 1970, and proceeding instead with development of an intermediate care program as the law requires.

RESOLUTION 4: MEDICARE

Whereas, the National Council of Senior Citizens views with pride and satisfaction the significant role it played in the enactment of Medicare,

Whereas, a series of financial barriers, co-insurance, deductibles, premium payments for Medicare Part B (Doctor insurance—scheduled on July 1st to go from $4.00 a month to $5.30), and non-coverage of out-of-hospital drugs, continue to limit and deny adequate health protection to the elderly,

Whereas, escalating costs and evidence of overcharging and abuses of the program call for effective cost controls and penalties that do not, however, limit the services or penalize the patient,

Whereas, the option provided under the House passed Social Security bill, H.R. 17550, would enable Medicare recipients to participate in pre-payment health plans which provide both preventive as well as maintenance health care services at lower cost than the present disorganized health system,

Now therefore, be it resolved, that this Convention holds that the co-insurance and deductible features of Medicare and the monthly payment for Part B must be eliminated, and that the added cost be met by contributions from general revenues, *and further, this Convention supports the elimination of the three year enrollment period for Part B of Medicare and Congressional action to limit physicians' charges to a reasonable amount,*

Be it further resolved, that the cost of prescription drugs, eye care, eyeglasses, dental care, dentures, hearing aids, and routine foot care, be included in Medicare, and that hospital coverage be extended to 365 days,

Be it further resolved, that the National Council support and promote the enrollment of seniors in pre-payment health care plans and the further and substantial development of such plans,

Be it further resolved, that all persons receiving Social Security benefits be included under the Medicare program.

RESOLUTION 7: SAFETY IN NURSING HOMES

Because of the terrible loss of life which results when fires occur in institutions where patients are confined without ability to ambulate.

Be it resolved that the National Council of Senior Citizens call on the Federal Government to institute the following minimum fire safety standards:

(1) Medicare's conditions of participation in Extended Care Facilities and Medicaid's standards for skilled nursing homes must be revised to include compliance with the Life Safety Code of the National Fire Protection Association.

(2) The U.S. Department of Commerce should promptly implement the Flammable Fabrics Act and should replace its recommended "pill test" as it relates to carpet and rugs with the UL 723 tunnel test.

(3) Carpeting manufacturers should be ordered to label their products in such a manner as would inform the public of their flammable properties under this tunnel test and should sell only Class A or Class B carpet to nursing homes, hospitals, and schools.

(4) The U.S. Congress must also insist on licensed institutions prohibiting all smoking except in specified areas in hospitals and nursing homes where patients are confined without the ability to ambulate.

RESOLUTION 8: EXPLOITATION AND ABUSE OF THE ELDERLY SICK

Whereas, the National Council of Senior Citizens is deeply committed to assuring that the highest standard of care shall be afforded to the one million of our fellow seniors who are in nursing homes, financed under the Medicare, Medicaid, and other programs,

Whereas, there is mounting and deeply distressing evidence that in too many nursing homes, elderly people are neglected, treated with indignity, receiving minimal, if any, health care,

Whereas, the many State and Federal agencies, including the Department of Health, Education, and Welfare, and State Health & Welfare departments have failed to secure the appropriations required, or to exercise the aggressive leadership required to enforce standards of safety, health, and general welfare of residents, with the result that too many elderly persons have been neglected, and the payments for their care misused.

Whereas, as a result in part of the failure of governmental authorities to enforce standards, commercial operators, looking for quick returns on their investments, have invaded the nursing home field by establishing what amounts to chains of motels in which little concern for the health and welfare of the residents has been exercised, and have succeeded in converting the nursing home program into housing programs instead of health programs, and have imposed upon elderly people who are sick a "buyer must beware" philosophy, therefore,

Be it resolved, the National Council of Senior Citizens Hereby salutes Congressman David Pryor of Arkansas, who, by working as a volunteer in the Washington area nursing homes, exposed the extent to which many older people are dehumanized in many nursing homes in the "thirsty quest for big profits," and further, the lack of leadership and cooperation of the governmental bodies with respect to protecting the sick elderly, be it further

Resolved, that the National Council of Senior Citizens endorses the resolution introduced by Congressman Pryor, calling for the establishment of a select committee on nursing homes and homes for the aged, charged with a wide range of Federal programs concerned with nursing care, viz HEW, through Medicaid, Medicare, and the Public Health Services, the Mortgage Insurance Program of the Housing Urban Development Agency, the Loan Program of the Small Business Administration, and the responsibilities of the Securities and Exchange Commission for the supervision of corporations issuing stock for nursing home operations, be it further

Resolved, that a substantial increase in direct grants and loans be made to non-profit and governmentally operated nursing homes, with a five-year goal of 50% of the homes under non-profit auspices.

Be it further resolved, that substantial funds be provided for alternative methods of care—foster homes, sheltered low-cost supervised housing, and day care centers.

RESOLUTION 8: EXPLOITATION AND ABUSE OF THE ELDERLY SICK

Resolved, that the National Council of Senior Citizens, through its affiliated clubs, develop a program of citizen review teams in which responsibility for periodic inspection and visiting of nursing homes in the clubs' areas would be vested.

RESOLUTION 10: PUBLIC FUNDS TO CONSTRUCT NON-PROFIT AND PUBLIC NURSING HOMES

Whereas, the State and Federal governments now provide an excess of 70% of the monies for the care of the elderly in nursing homes, and

Whereas, such public expenditures should not be made for the purpose of increasing the personal profits of nursing home operators, but should be provided solely to secure the public health at least cost to the taxpayers; and

Whereas, only a relatively small number of nursing homes in this country are operated for non-profit purposes; and

Whereas, the threat exists that the entire field of nursing homes may become a field totally operated for profit; and

Whereas, such a development would be harmful to the health and welfare of our elderly population, and

Whereas, nursing homes are not always located where the need for them exists if their location is determined solely by the promise of profit;

Now therefore, be it resolved that the NCSC call upon State and Federal governments to provide substantial funds to non-profit organizations to construct and operate nursing homes, and, where necessary, to have constructed, under government auspices, nursing homes to be operated by government agencies.

ADMINISTRATION'S FAMILY ASSISTANCE ACT

Mr. JAVITS. Mr. President, yesterday I introduced a series of amendments to expand and strengthen the administration's Family Assistance Act. As I indicated in my statement, the act represents a long overdue and commendable effort at meaningful reform of the inequities in the present aid to families with dependent children (AFDC) program.

Secretary Richardson's impressive testimony before the Committee on Finance this week indicates the administration's deep commitment to enactment of meaningful welfare reform in this Congress.

Mr. President, the act is a straightforward attempt to deal with the various public assistance programs—AFDC, food stamps, public housing subsidies, and medical insurance—in a comprehensive manner. To this end, I am pleased to

note recent reports that the President intends to exercise the personal leadership in this regard commensurate with the realization that this bill represents the first effort since Congress enacted the Social Security Act in 1935, to view the public assistance program in such a comprehensive manner.

There are now more than 24 million poor in the country yet poverty is not a chosen way of life. A typical welfare family of four spends all but $9 of its average monthly income of $284 on the elementary necessities of life—generally inadequate food, clothing, and shelter. While this act may be improved, I believe the Senate must be given the opportunity to vote on this historic measure and I note with great approval that the distinguished chairman of the Committee on Finance (Mr. LONG) has indicated his intention to report out to the full Senate, this legislative milestone.

Mr. President, I ask unanimous consent that an editorial published in this morning's New York Times, urging passage of the Family Assistance Act, be printed in the RECORD.

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

PRIORITY FOR MR. RICHARDSON

The most urgent task for Elliot L. Richardson in his new job as Secretary of Health, Education and Welfare is to pilot through Congress the Nixon Administration's complex welfare reform bill. When he became Secretary, the House had already acted favorably but the bill was in deep trouble in the Senate Finance Committee.

The troubles are not yet over, but in his lengthy appearances as a witness before the Finance Committee, Mr. Richardson has made an encouraging debut. He has impressed even committee critics of the bill by his evident mastery of the many details of this complicated measure. He has been patient and resilient under prolonged and frequently repetitious questioning.

Passage of this plan is critically important. The bill is an effort, the first since Congress approved the Social Security Act in 1935, to take a comprehensive view of the welfare problem and to relate in a meaningful way Aid to Families with Dependent Children, food stamps, public housing, and medical insurance. It would provide a basic income of $1,600 in cash plus $894 in food stamps for a family of four.

The working poor as well as the unemployed would benefit. Of the 3,700,000 families who would receive assistance, two-thirds are headed by a man or woman who is employed but whose earnings are extremely low. Except for a mother with children under the age of six, every adult benefiting from the plan would have to register for work or training for a job. Since benefits are graduated, incentives are built into the plan to encourage most individuals to raise their earnings and work themselves out of welfare.

Underneath the many specific questions propounded by conservative Senators, there is the fear that the bill will encourage the poor to malinger and avoid work. Yet experience during World War II and other periods of full employment has shown that almost all people would rather work than subsist on welfare. The number of deliberate welfare cheaters is negligible.

We believe the bill could be improved but our concerns are the opposite of those of the doubtful Senators. The base income of $1,600 is too low. The bill tends to be unfair to New York and other Northern states which are more generous in their welfare payments than states in the South. But these and other objections do not add up to an argument for killing the plan. In dealing with a problem which is so many-sided, Congress and outside critics alike have to expect that in any plan there will be some anomalies and weaknesses which only experience can correct.

In its progress through Congress thus far, the bill has benefited from the intelligent cooperation of Administration officials and members of Congress. If Senator Long and his colleagues in both parties on the Finance Committee continue the pattern of constructive collaboration with Secretary Richardson, this necessary and far-reaching reform can become law, thereby reflecting credit on all participants and bringing genuine help to millions who desperately need it.

THE F–111 DEBACLE

Mr. PERCY. Mr. President, the Senate, over the course of the last eight years, has spent an abundance of time and energy investigating the F–111 debacle. It has become a source of national embarrassment as we have uncovered evidence of waste, negligence, mismanagement and official irresponsibility surrounding the negotiation and implementation of this contract. At the same time, it has become a source of deep concern, especially to those of us who have participated in the prolonged investigations and hearings.

In this sort of situation, it is always the taxpayer who loses the most: he loses his tax dollar, he loses his military defense security and, worst of all, he loses confidence in his government. These are losses our society can ill afford; they are sacrifices no citizen should be required to make.

The vigilance of private citizens, particularly in matters of military spending, is rare. It takes a special perseverence and special understanding for persons outside the clandestine circles of defense policymaking to penetrate its technical and political intricacies. When such a private citizen succeeds in mastering these intricacies, it deserves more than passing notice.

Mrs. Phyllis Schlafly, one of my Illinois constituents and a candidate for Congress from the 23d District, has proven her mastery of the TFX affair by preparing a detailed report of the incredible facts surrounding it. And in preparing her report, she has brought with her the personal credentials necessary to make her equal to her undertaking.

Mrs. Shlafly is a graduate of Washington University, in St. Louis, and received her master's degree in government from Radcliffe College in Cambridge, Mass. She is a member of Phi Beta Kappa and of Pi Sigma Alpha, the political science honorary society.

During World War II, Phyllis Shlafly was a gunner and ballistics technician at the largest ammunition plant in the world, the St. Louis Ordnance Plant. She has been doing research and writing on national defense ever since. She testified in 1963 before the Senate Foreign Relations Committee on the nuclear test ban treaty, and in 1969 before the Senate Armed Services Committee on the ABM. She is a coauthor of three books on nuclear strategy and weaponry written in collaboration with Rear Adm. Chester Waro, USN (retired). "The Gravediggers," "Strike From Space," and "The Betrayers."

In my judgment, Mr. President, the health of our democracy is predicated on informed and active citizenry. It recognizes that our national survival and success ultimately rest upon each person assuming his full share of responsibility for governmental policies. I commend Mrs. Schlafly's report to the Congress. Though there are those who would disagree with its contents, it should be read and considered by each Member both for its substantive merit and for the quality of hope it injects in the struggle to maintain and advance the promise of our democracy. I ask unanimous consent that Mrs. Schlafly's report on the F–111 aircraft be printed in the RECORD.

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

STATEMENT BY PHYLLIS SCHLAFLY

The Senate Permanent Subcommittee on Investigations has heard volumes of testimony from men who are expert on various aspects of the F–111 plane—formerly the TFX—including the contract award, production, and performance. For the benefit of the American public, I believe it is necessary to include testimony in three additional areas: (1) comment on the lack of coverage given by television and newspapers to the truly startling testimony heard by this Subcommittee during 1970; (2) a summary of the salient points in the TFX case in language the layman can understand because the evidence is so extensive and detailed that it is difficult for the American public to see the forest for the trees; and (3) comment on the consequences of what Senator John L. McClellan has called a "multi-billion dollar blunder."

I.

In the last few weeks, this Subcommittee has produced amazing testimony. Tristan J. Keating, the Air Force's chief systems engineer for the F–111 program, testified that wind-tunnel tests conducted in 1962—before the TFX contract was signed—showed the General Dynamics plane would not have the necessary supersonic dash range.

Brigadier General Alfred L. Esposito, director of the F–111 program, testified that these design inadequacies were known by Secretary McNamara before the TFX contract was awarded.

There has been a virtual news blackout on this sensational testimony. Millions of television viewers and newspaper readers are unaware of the hearings and of their great significance. Yet, the truth about the TFX plane is of vast importance to the security of America and to the pocketbooks of our citizens.

II.

For the privilege of building 1,700 TFX fighter planes, bids were submitted in January 1962 by two manufacturers: the Boeing Company and General Dynamics Corporation. Much suspense and anticipation built up during the many months the decision was pending, because whoever won the contract would get the choicest plum in the history of U.S. Federal spending.

Several hundred top technical Air Force and Navy experts spent 275,000 man-hours studying the competing designs. As a result, the Pentagon Source Selection Board, composed of the most experienced military experts, unanimously recommended the Boeing plane as better and cheaper. No evaluation group at any level ever recommended the General Dynamics plane. The Boeing plane was superior in almost every way; it had longer range and greater firepower, it could

take off and land in shorter distances. The Boeing bid was $415 million lower than the General Dynamics bid.

Yet, Deputy Secretary of Defense Roswell Leavitt Gilpatric, with the approval of Secretary of Defense Robert Strange McNamara, overruled the Source Selection Board, and on November 24, 1962 awarded the contract to General Dynamics.

In order to answer the criticism which resulted from this announcement, Secretary McNamara, Secretary of the Navy Fred Korth, and Secretary of the Air Force Eugene Zuckert released a "Memorandum for the Record" attempting to explain why they overruled the Source Selection Board and all technical experts.[1] Here are the principal reasons they presented:

1. "Commonality." This was a McNamara-manufactured expression by which he claimed that "85% of the parts in the General Dynamics version are identical, contrasted with 60% in the Boeing proposal."

2. The General Dynamics proposal "offers the better possibility of obtaining the aircraft desired on schedule and within the dollars programmed."

3. "Excessive optimism in the Boeing proposal—the apparent belief that thrust reversers can be developed . . .; the view that the variable sweep wing can be quite easily applied to the TFX concept; the use of titanium in structural members; and the unique design for the propulsion installation."

4. "In the raw score comparison, General Dynamics received 175.6 points and Boeing 172.1."

These four arguments were all refuted by aircraft experts.

1. The Navy's top civilian aeronautical engineer, George Spangenberg, testified concerning the "commonality" argument:

"It's all poppycock. We think Boeing gave us a better proposal at a better price. You certainly don't want to pay more money to get an inferior product just because it meets some word—commonality—better." [2]

The Chairman of the Source Selection Board, General Robert Ruegg, testified that "commonality" was a liability, not an asset. He said that too much "commonality" made the Navy version too heavy to operate off a carrier.[3] Years later, after this prediction had proved absolutely accurate, McNamara retorted that the Navy would just have to build stronger decks on the carriers.

2. McNamara's argument that General Dynamics would be "on schedule and within the dollars programmed" could not be supported by the record. On the basis of past performance, Boeing had a better record of producing military planes within its bids than General Dynamics. Boeing had built the C–97, B–47, KC–135, and B–52 at an average of 1.1% under its bids. General Dynamics had built the F–102, F–106, and B–58 at an average of 4.8% over its bids.[4] Since the TFX contract was awarded, McNamara's argument has been proved completely false. General Dynamics is years behind schedule. The cost was supposed to be $2.9 million per plane. On July 10, 1968 The New York Times reported that the cost had risen to $8 million each. On March 23, 1970 Senator McClellan announced that the cost was up to $16 million per plane, a more than 400 per cent increase.

3. Technical experts at the time demolished all McNamara's arguments about Boeing's "excessive optimism," and technological progress since then has proved that Boeing's "optimism" was completely valid. The Air Force Vice Chief of Staff, General William McKee, testified that the Boeing "thrust reverser" was an advantage because it "provides far better deceleration" in combat maneuvering.[5] The Boeing variable sweep-wing concept was copied by General Dynamics, and also by the Russians.[6]

Footnotes at end of article.

and metallurgists testified that titanium had already been used successfully in aircraft structural members. On March 25, 1970, the Senate Permanent Investigations Subcommittee heard testimony that the steel wing boxes on the General Dynamics F–111 developed large cracks, and it was necessary to replace them with titanium boxes—the same metal McNamara had rejected in the Boeing bid.

4. It finally came out that the McNamara "Memorandum for the Record" had arithmetic errors of $32 million and $29 million.[7] Secretary Zuckert admitted that the "Memorandum" had falsely taken the superior Boeing peformance figures and assigned them to General Dynamics. Colonel Gayle of the Air Force said that all errors in the "Memorandum" favored General Dynamics.[8]

This Subcommittee began its investigation on February 26, 1963 under the chairmanship of Senator John L. McClellan. As witness after witness was called, it became clear that everyone with any technical credentials favored the Boeing plane, and practically no one wanted the General Dynamics plane except McNamara, Gilpatric and Korth. General LeMay testified that he could not recall a single instance where the Source Selection Board had ever before been overruled and he added:

"I thought we had such a clear cut and unanimous opinion all up and down the line that I was completely surprised at the decision." [9]

Admiral Anderson testified that McNamara's decision was a "surprise," and predicted that the Navy would end up with a plane too heavy to operate from the majority of aircraft carriers.[10] Admiral Anderson summed up his opinion of the TFX this way:

"The justification for the contract given [by McNamara] was intellectually dishonest." [11]

The best informed man on the technical merits of the competing General Dynamics and Boeing designs was Albert W. Blackburn of the Office of Defense Research and Engineering. He had been a Marine combat pilot, a North American Aviation test pilot, and held a Master's Degree in aeronautical engineering from M.I.T. He had been assigned to the TFX project for two years. Blackburn wrote his own "Memorandum for the Record" on March 1, 1963 in which he stated emphatically:[12]

"[The award to General Dynamics] could not in any way be associated with the merits of the two proposals on either an operational, technical, management, or cost basis. The operational commanders were the strongest in their support of the Boeing design; however, the depth of technical development of the Boeing design and its imaginative innovations such as thrust reversers, highlift devices (later adapted by General Dynamics) and top-mounted engine inlets clearly pointed in favor of their proposal. . . . From the management point of view, the handling of such major Air Force weapon systems as the B–47, B–52, and the Minuteman, as well as the KC–135/707 development, must be considered superior to the management given the F–102, F–106, and the B–58 series and the notoriously poor management exercised in the General Dynamics jet transport program."

The Pentagon had asked for four separate design submissions from the two companies. Blackburn proved that, after each of the four design submissions (January, May, June and September, 1962), Boeing was unanimously rated both better and cheaper. He made clear that the Pentagon request for the fourth submission was to give General Dynamics additional time to try to match the superior Boeing design. Blackburn wrote:

"All the imaginative aerodynamic fixes devised by Boeing in their third submission to satisfy the very difficult Navy maneuver requirements somehow found their way into the final General Dynamics design to a degree of similarity that would hardly be coincidence."

After the Blackburn "Memorandum" had demolished all McNamara's technical arguments in favor of General Dynamics, Secretary McNamara appeared before the American Society of Newspaper Editors on April 20, 1963 and said that his TFX award:

"Will yield a saving of approximately $1 billion."

Senator McClellan asked the General Accounting Office to check this strange new cost figure just revealed by McNamara. The Comptroller General testified that his office could not find any cost records to substantiate McNamara's statement. The Director of Defense Accounting for the GAO, William A. Newman, quoted McNamara as saying "he had the figures in his head, indicating he did not have them on paper." Newman said he could not "audit figures in somebody's head." [13]

A knowledgeable reporter then asked McNamara how he could reject the Boeing bid and say it lacked "cost realism" when he admittedly had no cost studies on paper. McNamara replied:

"I'm a $500,000 a year executive. I was the second-highest paid accountant in the United States." [14]

On December 10, 1965 at the LBJ Ranch in Texas, McNamara announced he planned to scrap 345 B–52 bombers and 80 B–58 bombers and replace them with 210 TFX bombers, which he called the FB–111. McNamara emphasized:

"The FB–111 will have twice the speed of those aircraft, approximately, with approximately the same range. . . . It will carry fifty 750-pound high-explosive bombs."

This was a triple lie. When it is carrying bombs, the FB–111 cannot fly any faster than the B–52. This is because the FB–111 is so small that its bombs must be hung from its wings. This creates enough "drag" to prevent the plane from flying any faster than the B–52.

Second, the FB–111 has only half the range of the B–52. The authoritative Air Force/Space Digest stated:

"Even the early B–52s . . . will fly more than 6,000 miles fully loaded. . . . With 48 bombs under its wings and carrying only internal fuel [the FB–111] couldn't exceed 2,500 miles . . ."

McNamara's third lie is his statement that the FB–111 will carry fifty 750-pound bombs. The FB–111 can carry six bombs from each of eight wing stations for a total of 48, provided its wings are fully extended. When the "sweep wing" is swept back for supersonic flight, the pilot must dump half his bomb load.

On April 4, 1966 the House Armed Services Committee issued a report which concluded:

"Regrettably, the statistics used by the Secretary of Defense to illustrate the claimed superiority of the FB–111 over the B–52 . . . and B–58 aircraft . . . had the net effect of significantly misrepresenting the comparative capability of these aircraft. . . ." (emphasis added)

By 1967 the Pentagon conceded that the cost of the TFX program had doubled from $6.5 billion to $13 billion. Furthermore, the price tag covered 400 fewer planes (1,300 instead of 1,700). The cost and delay of the TFX were exceeded only by its poor performance record.

Senator McClellan reported to the Senate on August 22, 1967 that the Navy F–111 had 257 deficiencies and "remains unfit for service use" and "incapable of carrier-based operations." The Navy F–111 was nearly 10,000 pounds overweight, and 11,000 feet below its planned combat ceiling. On July 10, 1968, the Defense Department completely cancelled the Navy F–111 because of failure to meet specifications, and Secretary of Defense Laird has

since awarded a contract for an entirely new Navy fighter plane, F–14A.

Hanson W. Baldwin, military editor of *The New York Times*, on August 11, 1967 set forth numerous technical troubles of the TFX. He said that, when testing the F–111 with half bomb loads, the vibrations were so severe that the pilot had difficulty in reading his instruments and "they were shaking the shackle pins off the bombs." Baldwin added, "One problem that has plagued the plane since it first flew—a sharp stalling or surging of the engine during flight—still persists." [15] The Pentagon acknowledged that Baldwin's article was accurate.[16]

Meanwhile the Air Force version, the F–111A, has suffered 15 crashes and has been indefinitely grounded since December 22, 1969. One fatal crash on April 21, 1967 killed veteran test pilot Ralph Donnell, who earlier had been quoted or misquoted as saying that TFX critics "are going to eat their words." [17] The last fatal crash in December of 1969 killed two highly experienced Air Force combat veterans—after the wing broke off.

The record proves beyond a shadow of a doubt that there was no sound technical reason for McNamara's decision to grant the TFX contract to General Dynamics. The largest single contract in the history of the United States was awarded—not to the low bidder, but to the high bidder—not for the better design, but for the poorer design.

The Pentagon official who actually signed the TFX contract was the No. 2 man in the Pentagon, Deputy Secretary of Defense Roswell Leavitt Gilpatric. From 1958 to January 1961, Gilpatric was a partner in the New York law firm of Cravath, Swaine & Moore.

Officials of General Dynamics testified that they had paid this law firm more than $300,000 from 1959 through March 1963.[18]

Gilpatric claimed he resigned from the firm when he went in the Defense Department in January 1961, but Senate investigators proved that while he was Deputy Secretary of Defense, Gilpatric received $20,000 per year from the firm, and that the insurance for him and his secretary was continued pending his return.

Immediately after the TFX contract was signed by Gilpatric on behalf of the Defense Department, Gilpatric's law firm was named the general counsel for General Dynamics, and Gilpatric's partner, Maurice T. Moore, was named a director. On January 9, 1964, Gilpatric resigned as Deputy Secretary of Defense and returned to his New York law firm, which was still representing General Dynamics for a fee of more than $100,000 a year.

The other Pentagon official who participated with McNamara and Gilpatric in overruling the Pentagon Source Selection Board in awarding the contract to General Dynamics was Secretary of the Navy Fred Korth. When he became Secretary of the Navy in January 1962, he resigned as president of the Continental Bank in Fort Worth, Texas, but kept $160,000 in bank stock, and told the Senate Committee that he intended to return to the Bank at the end of his Government service.[19]

In the fall of 1961, Korth arranged a $400,000 loan to General Dynamics—a very large loan, indeed, for a bank with a loan limit of $600,000.[20] After becoming Navy Secretary, Korth had 21 conferences and telephone contacts with General Dynamics officials. As Secretary of the Navy, Korth continued his enthusiastic assistance to the Continental Bank. Senate investigators produced letters promoting business for the Bank which Korth had written on official Navy stationery. The investigation also turned up correspondence from the Continental Bank thanking Korth for bringing in $20,000 and $30,000 accounts.

After General Dynamics received the TFX award, the $400,000 loan was repaid to the Continental Bank of Fort Worth.

III.

The consequences of the TFX "multi-billion dollar blunder" are tragic to behold.

The American taxpayers have footed the bill for the most costly single mistake in the history of Federal spending. From Teapot Dome to Dixon-Yates, all other scandals were minuscule by comparison.

Far more disastrous than the money lost, is the seven years of precious time lost—time which can never be regained. While the civilian Defense Secretaries were spending billions on the TFX, and devoting enormous time and manpower to covering up its defects, the fighter planes we need for the protection of America were not built. During these seven years, the Soviets produced superior fighter planes, one of which, the Foxbat, set a new fighter speed record of 1,804 miles per hour.[21]

Because McNamara thought the TFX could also be used as a strategic bomber, he phased out our only supersonic bombers, the B–58s, and refused to approve the Air Force plans for an advanced manned strategic bomber.

On February 2, 1970, Secretary of Defense Laird stated that, by the time the U.S. can build a replacement for the B–52s, all of them will be at least 18 years old and many of them 25 years old.

During these seven lost years, the strategic military balance of the world has shifted. When the TFX contract was awarded, the United States had overwhelming nuclear superiority over the Soviet Union in the proportion of at least five to one. Today, our superiority is completely gone.

On February 13, the great nuclear physicist, Dr. Edward Teller, the "father of the H-bomb" and presently assistant director of the Nuclear Weapons Laboratory at Livermore, California, said that the United States fell behind Russia when Robert S. McNamara was Secretary of Defense from 1961 to 1967, and that McNamara had "told a fairy tale about continued American superiority. The possibility arises that the Russians will be so superior to us that they might deliver a first strike so powerful we may not be able to retaliate." [22]

On February 18, President Nixon told Congress that the more than 4-to-1 lead in land-based intercontinental ballistic missiles the United States had in 1965 is gone, and by the end of this year the Soviets would have 1,290 ICBMs to our 1,054.

On April 20, 1970, Secretary Laird said that from 1965 to 1970, the Soviet Union has more than tripled its arsenal of long-range nuclear weapon launchers and quadrupled the nuclear megatonnage of its strategic forces. During this same period, the United States did not add a single long-range nuclear missile launcher and cut our nuclear megatonnage by 40 per cent.

As we face a perilous future in which our enemy has superiority over us in the only weapons which count, let us reflect on the words of the poet:

"Of all sad words of tongue or pen,
The saddest are these: 'It might have been!' "

France fell in six weeks because its armies were equipped with obsolete tanks and aircraft. England won the Battle of Britain—despite the disarmament policies of its Baldwin-Chamberlain government—because the Royal Air Force developed a superior fighter, the Spitfire.

The United States can keep the peace in the seventies if our military and civilian experts are given the new weapons considered necessary to defend us.

"When a strong man armed keepeth his palace,
His goods are in peace:
But when a man stronger than he shall come upon him,
And overcome him, he taketh from him all his armour
Wherein he trusted, and divideth his spoils." [23]

FOOTNOTES

[1] Reprinted in Clark R. Mollenhoff, *Despoilers of Democracy*, 1965, pp. 399–402.

[2] U.S. Senate Government Operations Committee, Permanent Subcommittee on Investigations, Hearings on the TFX Contract, 1963, Part 3, p. 726.

[3] TFX Hearings, Part 2, p. 523.

[4] *Congressional Record*, July 2, 1964, p. 15383.

[5] TFX Hearings, Part 3, p. 768.

[6] The Soviet air show at Domodedovo Airport in July 1967 featured new Mikoyan variable sweep-wing fighters and new Sukhoi variable sweep-wing attack planes.

[7] Statement of Senator John McClellan, March 13, 1963.

[8] *Congressional Record*, July 2, 1964, p. 15383.

[9] TFX Hearings, Part 3, p. 699.

[10] TFX Hearings, Part 3, p. 792, 799.

[11] *Saturday Evening Post*, June 17, 1967, p. 39.

[12] Reprinted in *Despoilers of Democracy*, pp. 405–411.

[13] TFX Hearings, Part 3, p. 883.

[14] *Despoilers of Democracy*, p. 191.

[15] This problem is due in part to the air inlet ducts under the wing roots. General Dynamics had copied the Boeing swing wing and highlift devices but neglected to copy the Boeing top-mounted engine air inlet ducts. See Blackburn "Memorandum" cited above.

[16] AP Dispatch, Aug. 12, 1967.

[17] *Saturday Evening Post*, June 17, 1966, p. 40.

[18] TFX Hearings, Part 4, pp. 1092–1093.

[19] U.S. Senate Armed Services Committee, Hearings on the Korth Nomination, Jan. 18, 1962, p. 4.

[20] TFX Hearings, Part 7, p. 1883.

[21] *Aviation Week & Space Technology*, Nov. 13, 1967, p. 35.

[22] Speech in Las Vegas, Feb. 13, 1970.

[23] Luke 11:21–22.

SCHOOL BUSING

Mr. TALMADGE. Mr. President, with the opening of the 1970–71 school term this fall, many school systems will be faced with Federal court orders and executive decrees that require busing of schoolchildren in order to achieve somebody's notion of racial balance.

Schoolchildren and teachers, black and white, will be bused far from their homes and out of their neighborhoods. Courts have ordered steps taken to establish "unitary" school systems, although what is "unitary" to one Federal judge does not mean the same thing to another Federal judge. In fact, the U.S. Supreme Court itself has never adequately defined the term. Of course, harsh standards are being applied against many cities in the South, while cities in every other part of the Nation—which actually have larger degrees of racial separation in the schools—are allowed to do business as usual. The Washington Evening Star of July 30 contains a splendid editorial column written by James J. Kilpatrick, urging the Supreme Court to clearly define its desegregation terms and, I would hope, to apply them nationwide. This was a very fine column, forcefully setting forth the problem.

I bring it 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:

A QUESTION FOR THE COURT: HOW SOON IS POSSIBLE?

(By James J. Kilpatrick)

Back in March, Chief Justice Warren Burger filed an unhappy memorandum in the Memphis school desegregation case. His colleagues had summarily reversed the 6th Circuit, and then had ordered the district judge to get on with his job of promptly decreeing a "unitary" system.

Burger wanted to hear argument in the case. So did Justice Potter Stewart. But Justice Thurgood Marshall was then in the hospital with pneumonia. Justice Harry A. Blackmun had not been confirmed. The Court was limping along with seven members, and it seemed no time to tackle the whole knotty problem of school segregation again.

But Burger didn't like it. "As soon as possible," he said, the court ought to resolve the "basic, practical problems" of desegregation decrees.

It is time to ask the chief justice and his colleagues, bluntly but with no disrespect: How soon is possible?

The high court adjourned on June 29 for a vacation of more than three months. Granted this is not pure holiday. Members of the court do some loafing, of course, as other men do, but they also work on petitions for appeal and spend hours in research and reading. Nevertheless, the effective work of the court—the hearing and deciding of cases—has ground to a halt, not to be resumed until October.

Meanwhile, in the schools, chaos. Burger himself may believe that "the suggestion that the court has not defined a unitary school system is not supportable." Bosh! He would be hard put to find two federal judges in the country who agree on the term. The court also has demanded that school systems must be "nonracial." But from Norfolk to Los Angeles, trial courts—often reluctantly—are applying racial criteria.

The court has further demanded that all traces of discrimination be eliminated "root and branch." It is a fine phrase, but who knows what it means? As Virginia's District Judge Walter Hoffman recently made clear, all but five of the 50 states have some "roots" of racial discrimination in their law. In such states as Indiana, these roots manifestly have contributed to the location of existing school buildings. The black pupils of Gary are far more segregated than the black pupils of Norfolk or Richmond.

Yet such is the confusion in this field of the law that Gary's segregation is regarded as "de facto," and thus to be accepted, while Virginia's lesser segregation is residually "de jure," and hence to be condemned. Both Norfolk and Richmond face Draconian orders to destroy their neighborhood schools through the madness of compulsory busing. Gary is immune.

Such a dual standard of justice, as Virginia's Senator William B. Spong, remarked the other day, is morally and constitutionally indefensible. Whatever the Constitution requires of our public schools—and no one knows, for the Supreme Court offers little but ringing gibberish—the Constitution presumably requires the same thing of all states.

Is gibberish too strong a word? Consider. The court's definition of a unitary school system is one "within which no person is to be effectively excluded from any school because of race or color." All clear? Yet in Norfolk alone, 16,000 pupils would be effectively excluded from the schools they normally would attend because of their race or color.

The court has insisted there be no black schools and no white schools, but "just schools." Great. What are "just schools?" Why, says the court, they are schools in which race is not a factor. But race has become the sole factor in recent lower court decrees.

This intolerable mess was created by the Supreme Court. It can be resolved only by the Supreme Court. Marshall has now recovered. Blackmun is seated. If Burger will roust his idle brothers out of their hammocks, any one of a dozen pending cases could be swiftly scheduled for argument at a special sitting of the court. It seems little enough to ask of nine men who collectively are paid $542,500 a year to function as the highest tribunal in the land.

SEABED TREATY

Mr. TOWER. Mr. President, I am concerned about the contents of a proposed treaty which is presently being circulated in the executive branch of the Government. The treaty proposal is to be taken to Geneva, Switzerland, where it is to be presented on August 3 to the United Nations Seabeds Committee which is meeting there. This proposal was drafted pursuant to President Nixon's statement on U.S. oceans policy dated May 23, 1970.

In that statement, the President proposed that by appropriate treaty, the United States and all other coastal nations renounce their sovereign rights to the minerals lying on and under the seabed of the high seas beyond a distance further from shore than the 200-meter isobath. The 200-meter isobath is a contour line showing where the seabed is 200-meters below the ocean's surface. Portions of the revenue from the mining of these minerals would be given to an international organization composed of representatives of parties to the treaty. This revenue would be used to aid developing nations. The statement also noted a need to establish international safety codes for prevention of pollution of the oceans as a result of mining operations. The coastal nations, however, would retain a degree of control over minerals on the seabed beyond the 200-meter depth limit. This control was intended by the President to extend to the seaward edge of the submerged land continent.

The draft of this treaty proposal has not yet been made public. There seems to exist a strange and unexplained sense of urgency about this treaty. I understand that portions of this treaty are of serious concern to many Americans.

Therefore, I should like to discuss this matter before the draft of the treaty is whisked over to Geneva by August 3.

First, I have not been convinced that it is in the best interest of the American people to irrevocably surrender their present sovereign rights to these resources without ample assurance that they will get something in return. What that "something" is, or could be, I do not know.

It has been estimated that the quantities of minerals which exist on and under the seabed are equal to the quantities of minerals presently discovered and yet to be discovered onshore. If these reserve estimates are correct, and if the treaty is ratified in its present form, the American people will have made one of the largest single gifts to "mankind" in the history of the world. The gift could involve billions and billions of dollars resulting from payments otherwise accruing to the U.S. Treasury and the American people. While I admire the good intentions of the treaty, and while we can all be justifiably proud of the historic generosity of the American people, I am not convinced that the Americans ought to relinquish their rights to these resources without further study and the certain knowledge that doing so would be in the public interest.

The Nation needs its energy resources in order to maintain its high standard of living, its position of world leadership, and its military strength.

Second, I am unconvinced of the need to hurry the international dissemination of this complicated document. I fear that the treaty may not have received the proper amount of consideration. A single instrument of this importance which may affect the mineral resources of the Nation for decades to come must not be entered into unless and until the terms are known, understood, and approved by all interested parties.

Third, even though I have recently learned that the draft treaty will be circulated with a disclaimer that it does not necessarily represent the final views of the U.S. Government, I am, nevertheless, concerned that it will unnecessarily expose a position which the United States may not gracefully be able to reject or substantially modify in the future.

Yet, I intend to take the disclaimer at face value, and after the draft treaty is made public, I will carefully review it. If I am persuaded that substantial revisions are necessary, I will insist they be made and ask my colleagues and the President of the United States to join me in efforts to insure their inclusion in subsequent drafts of the treaty which are offered at international negotiating conferences.

Mr. President, I do not understand the need for rapid and precipitate action on this treaty.

I strongly urge that no binding agreement be made at the coming Geneva meeting until such time as the whole question of the treaty can be examined with calm reflection, without haste and full disclosure of the terms and conditions of the treaty.

CONSUMER PROTECTION ACT OF 1970 — SAFEGUARDING CONSUMERS' RIGHTS

Mr. TYDINGS. Mr. President, last week the Committee on Commerce approved the Consumer Protection Act of 1970 which is, in my opinion, the most important consumer bill presently before Congress. The bill approved by the committee includes a consumer class action procedure that will give the defrauded buyer, for the first time, an effective remedy, while fully protecting the overwhelming majority of businessmen who are honest. If this bill is enacted, as it should be, it will be a legislative milestone—the first major across-the-board legislation that will allow consumers to fight for and vindicate their own rights in court. This one bill is a major step

toward redressing the vast imbalance of power that now exists between the buyer and the dishonest seller.

BUYER BEWARE

For too long, our legal system has unfairly commanded "the buyer beware." This was all very well when one was selling a cow to his neighbor and the man had a chance to look the animal over.

But in today's complicated marketplace, whatever reason there may have been for such a policy in the early stages of the development of our economy, it no longer exists. The doctrine's chief effect today is to place an undue burden on the party least capable of carrying it—the consumer. Too often the modern consumer is unable to judge the technical qualities of the product he purchases, to resist sophisticated Madison Avenue sales campaigns, or to comprehend the multitude of credit plans and financial deals that he may be offered. Although most businessmen are highly principled, every year the unscrupulous few steal billions of dollars from consumers through the sale of misrepresented merchandise. The least educated and the poorer segment of our society, those who can least afford it, suffer the most, but everyone is affected. Commissioner Mary Gardiner Jones of the Federal Trade Commission put it this way:

> No matter how informed and sophisticated the consumer, deception will take its toll and the very morality of the community is at stake when there is no effective legal action to be taken against such dishonest merchants.

In recent years Ralph Nader and other consumer advocates have focused public attention upon fraud in the marketplace. Despite their efforts, however, and despite the development of consumer protection laws and agencies, our society continues to require that the buyer beware. Ralph Nader estimates that—

> At least 95 percent of illegal consumer abuses are never adjudged to be such by our legal system. The arm of the law never reaches these abuses, thereby permitting an "overworld" of corporate crime which reaps billions yearly from the defenseless consumer.

AGENCIES TOO SLOW

The past history of the Federal Trade Commission indicates the weaknesses of the present agency approach to the prevention of consumer frauds. Even Commissioner Philip Elman of the Federal Trade Commission has charged that his agency is marked by "waste, inefficiency, and indifference to public interest."

In an effort to meet some of these problems, the Consumer Protection Act of 1970 contains provisions that would measurably increase the effectiveness of the Federal Trade Commission. But no administrative agency can possibly guard the consumer rights of millions of individuals or process the tens of thousands of complaints received each year. By their very nature consumer protection agencies must select only the most blatant forms of fraud and only those operating on a large enough scale and sufficiently affecting the public interest to justify the expenditure of valuable agency time and money. Delay is always present in a bureaucracy, and administrative budgets and personnel are limited. We should not rely upon the massive and slow Federal bureaucracy to solve local problems.

Clearly, we must provide a legal remedy that will enable the individual to act immediately and effectively on his own initiative. The injured party can be the best guardian of his own interest, if we give him the means to protect himself. In my opinion there is no better means than the traditional American tool: the private lawsuit.

Today, of course, the victim of consumer fraud may file a private action for fraud or for rescission of a sale contract on the basis of misrepresentation. At present, this ability is more theoretical than real. Lawsuits are costly; the financial loss to a single consumer is not usually large enough to make it practical for him to go to court. His court costs and attorney's fees may far exceed the money he is likely to recover if he wins his suit; in most cases, losses of $50, $100, or even $200 cannot be recovered without spending hundreds of dollars for legal fees.

If we could provide consumers with a means whereby the claims of dozens of them could join together in one court action, we would have enabled them to share the court expenses and to obtain a qualified attorney on reasonable terms.

THE CONSUMER CLASS ACTION

I am talking, of course, about the consumer class action or the "Get your money back" action as the Consumer Federation of America calls it. If such a procedure were available, a housewife defrauded of $25 would no longer have to grin and bear it. She and others who have been similarly defrauded of their money could join together at minimum individual cost, and sue not only for their own damages but for the damages of tens or hundreds of other victims as well.

In addition to being economically impractical, even successful individual suits are unlikely to prove an effective deterrent to the dishonest company. In fact, many irresponsible companies probably treat the loss of an occasional small judgment as one of the risks of the trade; a risk made worthwhile by their continued high profits through misrepresentation and deceit.

The consumer class action, on the other hand, has valuable effects that extend beyond the recovery of individual damages by injured consumers. The mere possibility of such a remedy would deter improper conduct. Although the dishonest merchant may be able to safely ignore the separate complaints of many individuals, he cannot afford to disregard the public criticism of many voices raised in unison.

For years class actions have had the potential of being an invaluable weapon in the consumer's arsenal, but the class action procedures available in most cases are, unfortunately, outmoded and archaic. While the vast majority of States provide some form of class actions, the manner in which they define the procedure usually makes it unavailable in a consumer-fraud situation. And, most important, jurisdictional limitations make the Federal courts even less available for consumer class actions than State courts.

THE ADMINISTRATION'S SUPPORT

Because of these problems and the obvious need for vigorous action in the consumer field, in the spring of 1969 I introduced the Consumer Class Action Act. That bill, S. 1980, was designed to open the Federal courts to consumer class actions based on the violation of State consumer protection laws. In July, the Subcommittee on Improvements in Judicial Machinery, of which I am chairman, held hearings on the legislation.

Among the witnesses were Ralph Nader; Virginia Knauer, the President's Consumer spokeswomen; and Bess Myerson Grant, who is in charge of consumer affairs for the city of New York. These witnesses and others, supported the basic concept of the bill—opening the Federal courts to consumer class actions.

Mrs. Knauer, however, recommended a somewhat different approach than S. 1980. She suggested instead legislation to permit consumer class actions in Federal court for the broad range of practices condemned as unfair or deceptive under the Federal Trade Commission Act. I felt that this was a valuable suggestion, and I introduced a new bill, S. 3092, in October, combining Mrs. Knauer's proposal with my own. I am pleased that the Senator from Utah (Mr. Moss), chairman of the Consumer Subcommittee of the Commerce Committee, the Senator from Hawaii (Mr. INOUYE), the Senator from Massachusetts (Mr. KENNEDY) and the Senator from New Mexico (Mr. MONTOYA), cosponsored this legislation.

Basically S. 3092 broadened the provisions of S. 1980 to include the body of Federal law proposed by Mrs. Knauer. Subsequently, despite Mrs. Knauer's testimony, the administration proposed a much watered down version of a class action bill that would forbid any consumer suit unless the bureaucracy of the national administration approved it. This approach would destroy the whole class action idea—that private lawsuits over local issues should be decided without the intervention of the massive and slow moving Federal bureaucracy.

Fortunately, the Commerce Committee, to which the administration's bill and my own were assigned, rejected the administration's approach. The proposal approved last week by the Commerce Committee guarantees a major increase in legal muscle for the consumer.

SAFEGUARDING THE BUSINESSMAN

Equally important, this bill contains stringent safeguards that will fully protect the Nation's honest businessmen, who after all are in the great majority. The overwhelming vote by which the committee approved the bill testifies to the protections that have been written into it.

First, I would like to emphasize that class actions are controlled by rule 23 of the Federal Rules of Civil Procedures, a rule that gives the judge great discretion in controlling the suit and protecting the parties. For example, a judge can reject a class suit if he feels it is in-

appropriate, too cumbersome, or inefficient. In fact, he can require the plaintiff to demonstrate a substantial probability that he will succeed on the merits before the case moves forward even to the pretrial stages of pleading and discovery.

Rule 23 gives the judge broad powers to insure that the action is not unduly delayed and does not cause unnecessary expense. It requires that he explicitly approve and supervise proposed settlements, thus preventing the so-called strike suit where a few claimants, in effect, blackmail the defendant into a large settlement for themselves. It enables him to impose appropriate conditions upon the plaintiff before accepting the class suit. Indeed, in an appropriate case the judge can even appoint public counsel rather than allow private counsel to represent the class.

These and other safeguards exist in rule 23 itself. In the committee, however, we were not content to rely upon these protections alone. We adopted a number of important amendments to the legislation that make certain that the principled businessman is protected:

First. We eliminated the broad body of State consumer law originally proposed and substituted defined lists of prohibited practices so that businessmen are clearly warned of the improper conduct that might subject them to class action under the bill. The list of practices can only be expanded by the promulgation of rules by the Federal Trade Commission in accordance with established rulemaking procedures and after hearings.

Second. We limited the scope of the bill to knowing intentional behavior. The bill deals with fraud, not with mere negligence or sloppy workmanship.

Third. We added a provision enabling the court to review agreed upon legal fees and to assure that those fees bear a reasonable relationship to the work actually performed.

Fourth. We provided that no individual can join a suit unless he has a purchase of $10 or more involved.

Fifth. We included specific provisions designed to encourage the settlement process and granting the judge additional controls over that process.

Sixth. We provided that the private action could not proceed until the Federal Trade Commission and the Justice Department had notification of the complaint and a reasonable opportunity to handle the problem themselves. This provision is also designed to eliminate the filing of multiple suits.

Finally, and perhaps most important, we provided that any plaintiff who brings a frivolous consumer class action suit to harass or intimidate a defendant will be held liable for the full costs of the action, including the defendant's attorneys' fees.

All of these add up to the full protection that the honest businessman deserves. At the same time they do not lessen the value of the bill as a weapon against those few unscrupulous merchants who give the entire business community a bad reputation. Their elimination should lead to an improved relationship between the businessman and his customer as fraud is driven from the marketplace.

The whole thrust of the bill is to provide the defrauded with a remedy that works; to replace old legal procedures which only provide roadblocks. With the bill, our traditional laws of fraud can be used by the average American, so that every buyer can have his day in court.

REPORT ON CAMPUS UNREST

Mr. FANNIN. Mr. President, some disappointment has been expressed in the special report made to the White House on campus unrest.

The problem is a deep one and complex. And those who have been studying the issue have been devoted, but I am disappointed in the tendency to lay the answers to so many of our social and educational problems to the National Government and national leaders.

Our universities and colleges cannot lay their course and their future in the policies along of the National Government and national leaders. The campus itself is our greatest emblem of independent and free expression, the guardian of knowledge, and the inspiration of our new leaders of tomorrow.

If campus unrest is the fault of communication between our national leadership and our college leaders, we must remember that communication is a two-way street.

The citadels of our intellect must bear part of the responsibility for the course of national events. National courses and policies are not laid down or evolved overnight. Nor can they be changed overnight. Change must be made in an orderly manner.

Positive, constructive criticism that answers the needs of today for the national leaders performs a great service. Negative criticism that blames and blames alone only adds to the unrest and the greater need for guidance and unity.

I believe that the finest course that our university leaders could take would be to shoulder their full blame—whether or not blame should be shared—for campus unrest. After all, though, leaders have a responsible and responsive role in troubled times.

From this approach, I feel progress will be made—and national leaders will listen.

Certainly, in my view, the worst approach that can be taken is to place full blame—and with it full reliance—on our national leaders and National Government to resolve unrest on the campus.

I ask unanimous consent to have printed in the RECORD a perceptive and discerning article entitled "Campus unrest: Don't Blame Mr. Nixon," written by Douglas L. Hallett, editorial chairman of the Yale Daily News, and published in the Wall Street Journal of July 29, 1970.

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

CAMPUS UNREST: DON'T BLAME MR. NIXON

(By Douglas L. Hallett)

(NOTE.—Douglas L. Hallett, a senior at Yale University and editorial chairman of the Yale Daily News, is a summer employe in The Wall Street Journal's Washington bureau.)

WASHINGTON.—President Nixon has now had an opportunity to study the initial testimony of his Commission on Campus Unrest headed by William Scranton. He has also received a report from his special adviser on campus problems, Alexander Heard, chancellor of Vanderbilt University. Hopefully he will read both selectively. Although the commission and Mr. Heard have elucidated some of the problems facing universities, their basic thrust is much too one-sided and much too limited by contemporary events to be of any real value.

While the testimony before the Scranton commission and Mr. Heard's report make some reference to the need for reform on university campuses themselves, the dominant tone is somewhat different: The President is at fault. He must listen to the students, respond to their views, end the war, and if that cannot be done tomorrow, at least try to "communicate" with the nation's colleges and universities.

"It may well be that the only line in your report that will have meaning for our colleges and universities is the line that reads: 'This war must end'," said Sen. Edward M. Kennedy (D., Mass.). From Robben Flemming, president of the University of Michigan: "An end to the use of American troops in Vietnam will not still campus unrest, but it will do more than anything else to help contain it." From Charles Palmer, president of the National Student Association: "As long as there is substantial American military involvement in Indochina, students will continue to oppose it."

And the foundation of criticism of the war is always buttressed with the nation's other alleged failings. "Unless we can begin now (restoring youth's faith by doing their bidding)," testified Yale psychologist Kenneth Keniston, "ours will not only be a divided and sick society, but a society that has lost the best of its youth—a society on its deathbed." Even calm Mr. Heard recommended "that the President increase his exposure to campus representatives, including students, faculty and administrative officers, so that he can better take into account their views, and the intensity of those views, in formulating domestic and foreign policy."

There is, of course, some validity in these views. Certainly the war and the threat of the draft have created consternation on campus. Certainly many able students are shocked by the disparity between their own luxury and the deprivation around them when they leave comfortable suburban high schools for the dirt and tedium of urban university neighborhoods.

IMPORTANT SOCIAL FACTORS

Even more important are other social factors the Scranton Commission and Mr. Heard have yet to discuss. Students discover in college for the first time that they will not inherit the earth, that the increasingly centralized nature of the American economy has foreclosed many of the opportunities for self-expression they thought they would have. Thousands study international relations in college, but the State Department can use only 150 each year. Only a few in any profession can rise to positions where individual initiative and creativity are truly possible.

But no amount of frustration with society justifies or explains the destructive path some student protest has taken recently. President Nixon has withdrawn more than 100,000 troops from Vietnam and instituted draft reform that will lead to a voluntary

army. He has proposed an income maintenance plan that would be the most revolutionary domestic program in a generation and he is already the first President since Franklin Roosevelt to spend more on domestic programs than on defense.

It can be argued that these steps are not enough. But can it really be argued that they are so unsatisfactory that burning buildings and disrupting classrooms become justifiable or even understandable?

Can it really be argued that students, a group possessing the luxury of time to use traditional political channels and the most potential for eventually controlling them, deserve the President's special attention?

Can it really be argued that students are doing anything more than indulging their own uncontrolled emotions when their activities polarize the society and undermine the political viability of issues with which they are supposedly concerned?

Mr. Keniston and others who have been counseling the President over the past few weeks may be optimistic about the students and their concerns, but the real radicals in this society fear them. They see many students as indulging themselves at their expense. The Black Panthers denounced the white students who took to the streets during the May weekend demonstrations as "racist exhibitionists who know black people, and not they themselves, will have to face the repercussions of their madness."

And Steven Kelman, a Socialist and recent Harvard graduate whose book, "Push Comes to Shove," is the best yet on campus unrest, blasted his fellow students before the Scranton Commission for their "snobbish, arrogant and elitist attitude." He said unrest would continue "as long as students continue to regard the American people not as potential allies in solving problems but as an enemy to be confronted."

A FUNDAMENTAL REALIZATION

Neither the Panthers nor Mr. Kelman would appreciate being coupled with Vice President Agnew, but they share with him one fundamental realization: Most so-called student radicals cannot be trusted. Students don't know what they want. They identify for periods of time with anybody from Eugene McCarthy to Bobby Seale, but their commitments are transitory. The outrage that followed the Cambodian incursion has not been followed by sustained political activity among students. As president Kingman Brewster of Yale knew when he undertook his policy of generous tolerance last spring, students get bored easily when it comes to the hard work of political organization and stop when the initial enthusiasm has passed.

Worse yet, students are frighteningly ignorant of the problems the country faces and of the efforts that have been made to solve them. They react strongly to rhetoric because they have nothing else on which to rely. It can be argued that President Nixon's withdrawal from Vietnam is too slow, but those who make this point should be willing to acknowledge that Mr. Nixon is doing exactly what Robert Kennedy proposed in 1968.

Similarly, it is possible to quarrel with the "new urbanology" of Daniel Patrick Moynihan and Edward Banfield, but it should also be clear that their approach is designed partially to eliminate the statism that proved so ineffective in the Johnson Administration's "Great Society" programs. Students, in their false morality, refuse to make these acknowledgements because their historical sense is too weak to breed in them the tolerance that should come with learning.

Responsibility for this situation does not, as the Scranton commission testimony and Mr. Heard's report come close to implying, lie with Mr. Nixon. Rather, as only a few brave academic souls such as former Cornell President James Perkins have partially conceded, it lies with the very same people who have been devoting so much energy to blaming the President: The faculty and administrators of the nation's colleges and universities. During the Fifties, Mr. Perkins argues, universities became so distracted by the McCarthy furor that they failed to keep pace with changing historical currents. Instead of changing teaching content and academic structures, they just marked time.

On a public policy level, Mr. Perkins believes this led to the universities' advocating two premises that were "bankrupt" long before the academic community noticed. One was that the United States could intervene freely throughout the world. The other was that integration, accepted by both black and white, would be the answer to racial tensions. Mr. Perkins says these faulty ideas have "chopped up" universities. And although he does not continue his argument, presumably he means that this has taken place at least partly because the universities have refused to accept responsibility for their views. Now, in their efforts to escape responsibility, they are blaming Mr. Nixon. In the process, they are breeding in their students the kind of rigidity that comes only with a one-sided historical analysis.

UNCHANGED SINCE THE MIDDLE AGES

The Perkins analysis can also be extended to the internal structure of universities. Universities are the only institutions in American society that have not fundamentally changed since the Middle Ages. They still maintain highly structured tenure systems that protect incompetence and cheat the student out of the personal tutoring that he is told best universities offer. But the academic community's own rigidity does not stop it from lashing out at the political system and accusing it of the very same authoritarianism and repression academic institutions so perfectly exemplify. Learning from people who engage in this kind of self-delusion and self-projection, students naturally come away confused about their history and their place in it.

In fairness, it must be noted that the problem lies deeper than the campus. The loss of historical perspective and the diminished and unsure sense of the self that it brings have been encouraged by other institutions as well. Writes historian Daniel J. Boorstin, "In our churches the effort to see man sub specie aeternitatis has been displaced by the 'social gospel'—which is the polemic against the supposed special evils of our time. Our book publishers and literary reviewers no longer seek the timeless and durable, but spend most of their efforts in fruitless search for ala mode 'social commentary'—which they pray won't be out of date when the issue goes to press in two weeks or when the manuscript becomes a book in six months." Nor have the news media, in this day of up-to-the minute television coverage, done much to develop in their audience a feel for the slow and deliberate character of social change.

But inevitably the universities must take primary responsibility for the confusion among many of our students. More than any other institution, they influence the thoughts and feelings of the brightest of our young. And more than any other institution, they are responsible for preserving our past and passing along the best of it to the next generation. They have failed miserably in that role. And only when they begin to succeed will students turn to more constructive paths for their emotional surges.

This does not mean President Nixon cannot take some steps to ease campus tensions. He can persuade his Vice President to soften his statement that appear to many students to be deliberate incitement to riot. He can make a far better intellectual presentation of his own views than he has so far. He can begin advocating the kinds of public and private decentralization that will create new opportunities for self-expression for students and others. But Mr. Nixon should resist, and resist vigorously, anybody who advises him to institute artificial consultation with students that cannot be followed by policy decisions the students desire. The problem goes far beyond anything symbolic gesturing could solve, and besides, students get too much of that already on their campuses.

THE FIGHT FOR A CLEAN C. & O. CANAL

Mr. MATHIAS. Mr. President, more and more Washington area residents and visitors are discovering the recreational assets of the Chesapeake & Ohio Canal. The Department of the Interior has endorsed my pending legislation to expand and improve this historic waterway as a national historical park, and many national and area organizations have joined in seeking prompt congressional action on this measure.

Too little attention has been paid, however, to the men of the National Park Service who work every day to maintain the canal, keep it as clean as possible, and secure all the improvements feasible with inadequate funds and too little acreage. One such group is the maintenance crew which fights a daily battle with litter and trash in Georgetown, along the most heavily utilized section of the canal. They deserve our thanks and our help.

In an article published in the Washington Post of July 24, William L. Claiborne summarized the work of this group of public servants. 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:

FIGHT FOR CLEAN CANAL: TRASH DUMPERS, RIVER KEEP CREW BUSY

(By William L. Claiborne)

Donald Foster and his C & O Canal maintenance crew are something akin to Sisyphus of Greek mythology who was compelled to roll a huge stone up a mountain each day only to have it roll back down just before reaching the top.

Each day throughout the summer, a dozen workmen ply the waters of the historic canal, removing obstructions and skimming off truckloads of trash.

Each night, just after the workmen turn their backs to leave the job, fresh trash is swept into the canal through two feeder points from the Potomac River or is dumped in at the Georgetown portion of the waterway.

"It just keeps coming in, and we just keep taking it out," Foster observed yesterday.

Foster was born in a house alongside the canal near Potomac, Md., and he used to swim in the C & O as a boy. His affection for the old canal keeps bringing him back "to try to keep it like it used to be."

The job of the canal maintenancemen is an uphill one, occasionally fraught with frustrations. But the workers feel they are holding their own and, except for a hard-to-control segment in lower Georgetown, the evidence bears this out.

The canal intersection at Potomac Street NW is the worst place, Foster said, because each day boxes of garbage and even old furniture and mattresses are thrown into the water there by area residents.

Four times a day, canal crews clean up the debris but still fall short of keeping the water clean. "After doing this four times a day, we'll get calls that it hasn't been done in a week. And it may seem that way," Foster said.

The canal crews are attacking the trash problem several ways.

Small trash usually floats downstream until it becomes trapped in one of the 84 locks along the canal where workmen remove it. There are 24 locks in the 25-mile portion under the control of Foster, who is an acting assistant supervisor of the National Park Service.

Other crews operate out of a 15-foot boat, using grappling hooks to remove large debris and rakes to clean the canal's surface and sides.

Also, nine "blow offs"—venting locks used to drain water from the canal into the Potomac—are used to draw off and trap accumulations of debris.

But the Potomac appears to have an inexhaustible supply of floating debris to channel into the canal. On Monday, a crew completely cleared the intake at Violet's Lock, 22 miles north of Washington, but yesterday it was almost completely obstructed with trash from the Potomac.

In its heyday, between 1850 and 1880, the C & O Canal was in almost constant use, with 74 operating locks along its 184-mile length between Cumberland, Md., and Rock Creek.

If that kind of use were possible today, the pollution of the canal would cease to be a problem, according to Floyd B. Taylor, canal superintendent.

"Constant use creates a surge of current and sweeps debris down the canal into the river," said Taylor. However, the principal lock use now is for daily barge trips in Georgetown and weekend trips at Great Falls.

But the slack in water velocity, Foster noted, has its advantages. "Our idea is to keep it clean without moving the water too fast. You have to think of the canoeing, too," said Foster.

In addition to cleaning the canal waters, Foster and the other park service workers are responsible for maintaining the locks, rebuilding washed-out banks and water flues and maintaining recreation areas.

Foster views the mandate of the job as "doing the job the old way and keeping the canal as it was. After all, it's a piece of history."

It may become officially a piece of history if Congress enacts a pending bill to make the C & O a national historic park. One of the bill's backers, Rep. John P. Saylor (R-Pa.), has predicted passage of the bill "before the snow flies."

MIDDLE EAST: MYTHS AND FACT—I

Mr. TYDINGS. Mr. President, with the development of a significant Soviet military presence in the United Arab Republic in recent months, the focus of U.S. international concern has shifted suddenly to the Middle East. For in no other area of the world are the risks of a United States-Soviet confrontation so great.

As Senators know, we have seized the diplomatic initiative in offering a plan of settlement in the Middle East based on the U.N. resolution of November 22, 1967. While progress to date has been tentative and delicate in nature, no approach that might produce an end to the fighting and the foundations of a meaningful peace ought to be left unexplored. For no less than world peace, the survival of Israel, and the well-being of the Arab peoples is at stake.

Unfortunately, the administration has not yet reached a definite decision to sell Israel the aircraft she needs to maintain the balance of military power in the area. In my opinion, and that of a great majority of the Senate, the failure to sell Israel these planes is a tragic mistake. Providing Israel with the means to deter attacks has been the cornerstone of our Middle East policy. Direct Soviet intervention has tipped decisively the balance of power against Israel and thereby increased the possibility of yet a fourth round in the Arab-Israeli war. Before it is too late, it is imperative that this balance be restored.

If the Senate is to assume its full constitutional responsibilities in the conduct of American foreign policy, we must be informed. Much national debate over U.S. actions in the Middle East has been distorted by a lack of information and much misinformation.

Earlier this year, the Near East Report, edited by I. L. Kenen, issued a special report entitled "Myths and Facts—1970." This excellent compilation of prevailing myths and relevant facts on the troubled Middle East is enormously useful in determining what America's foreign policy posture ought to be.

In an effort to make this valuable compendium available to all who seek a just and lasting peace in the Middle East, I intend to place in the RECORD the entire "Myths and Facts—1970" in a series of installments.

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

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

NEAR EAST REPORT

I. THE RIGHT TO EXIST

The existence of all member states of the UN is accepted and unchallenged.

Israel is a conspicuous exception.

Arab propaganda invariably begins with this polemic:

Question

What right does Israel have to exist?

Israel has a celebrated historic background. No state has such an impressive international birth certificate—the promise of the Bible; the Balfour Declaration, which recognized the connection of the Jewish people with Palestine; the League of Nations Mandate, which confirmed and incorporated the Balfour Declaration; the UN partition resolution in 1947; the formal admission of the State of Israel to the UN in 1949; and the recognition of Israel by the vast majority of the nations of the world.

Myth: Arabs claim the Jews are alien invaders.

Fact: The Jewish people had self-rule in Palestine for some 2,000 years. They ruled from Joshua's conquest until they were exiled by the Babylonians in 586 B.C. Fifty years later they returned to rebuild the homeland. For the next six and one-half centuries, until the uprising of Bar Koohba in 132 A.D., there were autonomous or independent Jewish governments.

The Roman conquest suspended Jewish sovereignty, and from that time until 1948 the country never regained independence; it became the province of many empires. The Romans were replaced by the Byzantines, and they by the Arabs. From 637 A.D. to 1701 A.D., Palestine was part of the Arab caliphate, some 434 years.

Between 1071 and 1516, Palestine was ruled by a succession of conquerors: the Seljuks, the Crusaders, the Mongols, and the Mamelukes.

From 1517 until World War I, Palestine belonged to the Turks; the liquidation of the Ottoman Empire by that war paved the way for independence for both Arabs and Jews.

The Roman sack of Jerusalem destroyed the Jewish state, but not the Jewish community. Jews continued to live in Palestine and were a majority there until the fourth century of the Christian era. They were nearly wiped out by the Crusaders and Mongols in the eleventh century. Slowly recovering under the Ottomans, the Jews reached a peak in the sixteenth century, when more than 15,000 lived in Safad alone.

Modern settlement began 100 years ago—in 1870—when French Jews established an agricultural school in Palestine, Mikvah Israel. In 1881, the Jews numbered about 25,000, and by 1922, when the British assumed the Mandate, there were some 83,000.

Comment: In an article in *Foreign Affairs*, July 1965, Israel's Foreign Minister Abba Eban wrote:

"There is no greater fallacy than to regard Israel as a 'colonial' phenomenon. No state in the world expresses the concept of nationhood more intensely than Israel. It is the only state which bears the same name, speaks the same tongue, upholds the same faith, inhabits the same land as it did 3,000 years ago."

Question

To whom did the land belong?

Jews have lived in Palestine since the days of Abraham. They began to rule the country when Moses led them from Egypt about 1200 B.C. During the 4,000 years from the Bible until World War I, the Near East was in constant turmoil and flux. Peoples came and went. States rose and fell. Boundaries changed.

Myth: But Arabs claim that Palestine was an Arab country, part of a vast legacy which includes the entire area from Casablanca to Kuwait.

Fact: Although Arabic was adopted as the language of a majority of the population after the Arab invasions of the seventh century, Palestine was never an exclusively Arab country.

There never was an Arab state in Palestine, and there never was a Palestine Arab nation.

Throughout all of Palestine's history, the Palestinian Arabs never ruled the country, nor did they create their own self-contained unit or any form of separate political or social identity. They were not autonomous at any time.

For many centuries, Palestine was a sparsely populated, largely nomadic, poorly cultivated and neglected expanse of eroded hills, sandy deserts, malarial marshes. Its ancient irrigation systems had crumbled. The Turks cut down the forests. Historians described Palestine as a "ruined and disordered country . . . a bedraggled land of contemptible villages . . . where robbery and extortion were rife." As late as 1830, John Carne found the country desolate and half barbarous.

The regeneration of Palestine, and the growth of its population, came only after Jews returned to resettle and rehabilitate the land.

Comment: T. E. Lawrence, the champion of Arab nationalism, who travelled in Palestine in 1909, was depressed by the country's decay, but deeply impressed by the Jewish settlements: "The sooner the Jews farm it all the better; their colonies are bright spots in a desert."

Question

What is Zionism?

In the late nineteenth century, the rise of religious and racist anti-Semitism led to a recrudescence of pogroms in Russia and Eastern Europe which shattered early promises of equality and tolerance. This stimulated Jewish immigration into Palestine from Europe.

At the same time, unnoticed by the Euro-

pean historian, there took place a parallel wave of immigration from Yemen, Morocco, Iraq and Turkey. These were Jews who were unaware of Zionism or of the European pogroms. They were motivated by the centuries-old religious dream of the "Return to Zion," and upon hearing that the gates of Palestine were open, they braved the hardships of travel at the beginning of this century and went to the "Land of Israel."

In 1897, Jewish leaders organized the Zionist movement calling for the restoration of a Jewish national home, where Jews could have sanctuary, self-determination and the renascence of their civilization and culture.

The simplest definition of a Zionist is one who advocates that objective, no matter what his religion, and many Gentiles have called themselves Zionists. There is no basis for Arab smears that Zionism is racist and exclusivist. In truth, Zionism was a revolutionary movement against racist, exclusivist any reactionary policies and regimes.

Zionist leaders appealed to the Turkish government to facilitate Jewish settlement in Palestine. But in vain. During World War I, many Jews were forced to leave Palestine because of the harsh Turkish regime. In 1917, Britain issued the Balfour Declaration:

"His Majesty's Government view with favour the establishment in Palestine of a national home for the Jewish people, and will use their best endeavours to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine or the rights and political status enjoyed by Jews in any other country."

Myth: Arabs never accepted the Zionist program.

Fact: The Balfour Declaration had won the approval of the United States and other Western powers. At first, there was some hope that Arabs would also accept the declaration and cooperate.

Emir Faisal, son of the acknowledged leader of the Arabs, Sheriff Hussein, met with Dr. Chaim Weizmann and other Zionist leaders during the 1919 Paris Peace Conference. They signed an agreement which, "mindful of the racial kinship and racial bonds existing between the Arabs and the Jewish people" declared that "the surest means of working out the consummation of their national aspirations is through the closest possible collaboration in the development of the Arab state and Palestine."

The agreement looked to the fulfillment of the Balfour Declaration, and it also called for "all necessary measures . . . to encourage and stimulate immigration of Jews into Palestine on a large scale, and as quickly as possible to settle Jewish immigrants upon the land through closer settlement and intensive cultivation of the soil."

On Mar. 3, one day after Weizmann presented the Zionist case to the peace conference, Faisal wrote a letter to Felix Frankfurter, in which he declared:

"The Arabs, especially the educated among us, look with deepest sympathy on the Zionist movement . . . We will wish the Jews a hearty welcome home . . . We are working together for a reformed and revived Near East and our two movements complete one another. The Jewish movement is nationalist and not imperialist. Our movement is nationalist and not imperialist. And there is room in Syria for us both. [*Under Turkish rule, Syria included part of Palestine.*] Indeed, I think that neither can be a real success without the other."

Lawrence, who had arranged the meeting, prophesied in 1920 that the success of Zionist settlement "will involve inevitably the raising of the present Arab population to their own material level, only a little after themselves in point of time, and the consequences might be of the highest importance for the future of the Arab world."

Lawrence later wrote: "I must put on record my conviction that England is out of the Arab affair with clean hands."

QUESTION

Why did the Arabs renege?

Faisal had conditioned his acceptance on the fulfillment of wartime promises which the British had made to the Arabs. The Arabs had hoped for independence in a vast area in the Ottoman empire.

But these hopes were temporarily dashed when the French took over the mandate for Syria, ejecting Faisal, who had been proclaimed king of Syria. As consolation, the British named Faisal king of Iraq. And, in a further effort to please the Arabs, Colonial Secretary Winston Churchill cut away about four-fifths of Palestine, some 35,000 square miles, and created a brand new Arab state, Transjordan, installing Faisal's brother, Abdullah, as king. This—the first partition of Palestine—was a blow to the Zionists, but they reluctantly accepted it, as the British simultaneously took over the League of Nations Mandate for Palestine, in 1922.

However, it should be emphasized that Arab hopes for a vast empire have since been realized to an enormous extent. Today, according to a recent State Department bulletin, there are some 18 separate Arab states or sheikhdoms, covering an area of 4,626,000 square miles.

Myth: The Arabs contend that the British had promised that Palestine would be in the proposed Arab state.

Fact: The British have always denied that they made conflicting promises.

In a letter to the London *Times*, on July 3, 1937, Sir Henry MacMahon, the British High Commissioner in Cairo, who had been the chief British negotiator with the Arabs, wrote that no such commitment had ever been made to the Arabs.

"I feel it my duty to state, and I do so definitely and emphatically, that it was not intended by me in giving this pledge to King Hussein to include Palestine in the area in which Arab independence was promised. I also had every reason to believe at the time that the fact that Palestine was not included in my pledge was well understood by King Hussein."

Lord Balfour felt that the Arabs were indebted to the British and were lacking in appreciation.

In a 1920 address in London, he said:

"So far as the Arabs are concerned—a great, and interesting, and an attractive race . . . I hope they will remember that while we desire . . . to establish this home for the Jewish people, the Great Powers, and most especially Great Britain, have forced them, the Arab race, from the tyranny of their brutal conqueror, who has kept them under his heel for many centuries. I hope they will remember it is we who have established the independent Arab sovereignty of the Hedjaz . . . we who desire in Mesopotamia to prepare the way for the future of a self-governing, autonomous Arab State. And I hope that, remembering all that, they will not grudge that small niche, for it is not more geographically in the former Arab territories than a niche—being given to the people who for all these hundreds of years have been separated from it, but who surely have a title to develop on their own lines in the land of their forefathers."

[Hedjaz—now Saudi Arabia: Mesopotamia—now Iraq.]

Myth: The British favored establishment of a Jewish state in order to serve British imperialism, to the injury of the Arabs.

Fact: Despite their obligation under the mandate, the British adopted a pro-Arab policy which was designed to defeat the establishment of the Jewish state. Britain put her military bases in the Arab states—not in the Jewish homeland.

Arabs met Jewish immigration with terror and violence in 1920, and many Jews were killed and wounded in Jaffa, Jerusalem, and Jewish villages in the Galilee. There were waves of terrorism in 1921, again in 1929, and again in 1936.

Jews struck back, but the sporadic assaults by the Arabs against the new Jewish farmers accomplished their objective—to intimidate the British into restricting Jewish immigration and land purchases.

British administrative and military personnel in Palestine were largely unsympathetic with the objectives of the mandate. British missions, which investigated the riots, brought in reports which served Arab purposes. These were climaxed in 1939 by the infamous British White Paper, which proposed that future Jewish immigration be limited to 10,000 a year for five years and to an additional 25,000 refugees from Nazism—75,000 in all. Jews would be allowed to buy land in only five percent of the county. At the end of 10 years, there would be an independent state—an Arab state.

Thus, at a time when Jewish need was greatest, when Hitler was threatening the extermination of the Jews of Europe and doors were closing all over the world, the British government announced a policy which all but closed Palestine's doors and which would have ended any possibility of the establishment of a Jewish state.

Myth: Arabs protest that the West settled Jews in Palestine at the expense of the Arabs, in order to relieve its conscience over the failure of the democracies to stave off Hitler's bloody persecution of the Jews.

Fact: In the first place, the Balfour Declaration and other formal and informal expressions of Western support for the Jewish state long preceded Hitler.

Furthermore, it was the Arabs who terrorized Jewish settlers in Palestine in the first half of this century, and it was the Arabs who pressured the British to keep the Jews out of Palestine. And when Hitler did seize power, it was the Arab states—not the West—which supported him. The leader of the long anti-Jewish Arab campaign was the Mufti of Jerusalem, Haj el Amin Husseini, who openly collaborated with Hitler in Berlin during World War II, in the Fuehrer's "final solution."

"The Germans," Husseini had said admiringly at a November 1943 rally in Berlin, "know how to get rid of the Jews." Accordingly, the Mufti sent several letters to high Nazi officials, including one to Heinrich Himmler on July 27, 1944, urging Germany "to do all that is necessary to prohibit the emigration of Jews to Palestine."

The documents presented at the 1946 Nuremberg Trials testify to the Mufti's complicity.

Question

Who fought for freedom in World Wars I and II?

Contrary to the romantic fiction of the period, most of the Arabs did not fight with the Allies against the Turks in World War I.

David Lloyd George, the British Prime Minister, wrote that most Arabs fought for their Turkish rulers. Faisal's supporters in Arabia were the exception.

In World War II, the Arabs were very slow to enter the war against Hitler. Only Transjordan went along with the British in 1939. And Iraq was taken over by pro-Nazis in 1941 and joined the Axis powers. Most of the Arab states sat on the fence, waiting until 1945 to see who would win.

By then, Germany was doomed and, since it was necessary to join the war in order to qualify for membership in the nascent United Nations, the Arabs belatedly began to declare war against Germany in 1945: Egypt, on Feb. 25; Syria, on Feb. 27; Lebanon, on Feb. 28; and Saudi Arabia, on Mar. 2.

In sharp contrast—some 30,000 Palestinian Jews fought against Nazi Germany. As David Ben-Gurion put it, they fought the British

White Paper as if there were no war, but they fought the war as if there were no White Paper.

Testimony: *Some prominent Christian Arabs favored a Jewish state.*

UNSCOP took secret testimony from the Archbishop of Beirut, Ignatius Moubarak, in August 1947. The Maronite religious leader said:

"Major reasons of a social, humanitarian and religious nature require the creation of two homelands for minorities—a Christian home in the Lebanon as there has always been, and a Jewish home in Palestine.

"These two centers, connected with each other geographically, and supporting and assisting each other economically, will form the necessary bridge between the West and East from the viewpoint of culture and civilization.

"The neighborly relations between these two nations will contribute to the maintenance of peace in the Near East which is so divided by rivalries and will lessen the persecution of minorities, who will always find refuge in these two countries . . .

"The Lebanon demands freedom for the Jews in Palestine—as it desires its own freedom and independence."

The UN Partition Resolution

As World War II came to an end, revealing the extent of the catastrophe that had befallen the Jewish people, there were demands everywhere for swift action to rehabilitate and resettle those who had survived, and to establish the Jewish state.

The British tried but failed to work out an agreement acceptable to both Arabs and Jews. They turned the problem over to the UN early in 1947.

The UN sent an 11-nation Special Commission (UNSCOP) to Palestine to investigate. None of the Great Powers were on that body.

UNSCOP found two peoples, Arabs and Jews, both claiming all the country. The Jewish state was already in existence, in all but name. Eager for independence, the Jews of Palestine were ready to accept a compromise—partition. But the Arabs boycotted UNSCOP.

To satisfy the national aspirations of both peoples, UNSCOP unanimously proposed termination of the mandate and independence for Palestine.

Seven nations—Canada, Czechoslovakia, Guatemala, the Netherlands, Peru, Sweden and Uruguay—recommended partition, the creation of two separate states, Jewish and Arab, to be joined by economic union, with a Jerusalem enclave.

Three nations—India, Iran and Yugoslavia—recommended a unitary state with Arab and Jewish provinces. Australia abstained.

The majority and minority plans were sharply debated. Arab diplomats proclaimed three "nos": no partition, no further Jewish immigration, and no Jewish state.

The *ad hoc* committee of the UN General Assembly rejected the Arab demand for a unitary Arab state, 29 to 12, with 14 abstentions and two absentees. World opinion strongly favored the UN resolution and it was adopted by a vote of 33 to 13, with 10 abstentions.

II. THE 22 YEAR WAR

1. The aggression in 1948

The Arabs have always insisted that Israel was the aggressor.

But throughout the 1947 UN debate, the Palestine Arab Higher Committee threatened war, and so did the delegates of the Arab states, while spokesmen for the Jewish Agency appealed for peace.

Jamal Husseini, the Committee's spokesman, had told the UN:

"The partition line proposed shall be nothing but a line of fire and blood."

That was on Nov. 24, 1947. Five days later the UN voted. And the Arabs began their war to prevent implemetation of the UN resolution.

Roads were mined, settlements isolated, convoys ambushed; seven Jews were killed in the first few hours. By the end of the first week, 105 Jews had been killed.

Later, apartments in Jerusalem were blown up and more than 50 men, women and children were killed. Thirty-five Hebrew University students were massacred on the road near Jersusalem. The Jewish Agency was bombed, with heavy casualties. A convoy was set afire on the road to the Hadassah Hospital on Mount Scopus; 77 Jewish doctors, nurses and scientists died.

Arab attacks were resisted, and in some areas Jewish forces took the offensive against several Arab villages where guerrilla fighters were based. These included the Deir Yassin raid near Jerusalem. Arab propaganda aways focuses on Deir Yassin—never acknowledges that many Jewish villages and towns came under Arab attack during this period.

But the tragedy at Deir Yassin was an isolated incident carried out by an independent military force before the State of Israel came into existence and while the British were still ruling the counrty. It came at a time when Arabs were besieging Jerusalem. Then, as now, Arabs were carrying on a sustained campaign of terror against Jewish civlians, a campaign which has persisted for 50 years and which today takes the lives of innocent people even in other lands.

In January 1948, the first detachments of the "Arab Liberation Army" entered Palestine from Syria and Jordon to attack Jewish villages in the Jordon Valley.

From the Record

On Feb. 6, 1948, the Arab Higher Committee cabled the UN:

"The Arabs of Palestine made a solemn declaration before the UN, before God and history, that they will never submit or yield to any power going to Palestine to enforce partition."

The UN blamed the Arabs for the war. The UN Palestine Commission was blocked both by Arab opposition and British refusal to cooperate. It never went to Palestine to implement the resolution, but reported to the UN Security Council, on Feb. 16, 1948:

"Powerful Arab interests, both inside and outside Palestine, are defying the resolution of the General Assembly and are engaged in a deliberate effort to alter by force the settlement envisaged therein."

Trygve Lie, who was then UN Secretary General, wrote in his book, *In The Cause of Peace:*

"From the first week of December 1947, disorder in Palestine had begun to mount. The Arabs repeatedly had asserted that they would resist partition by force. They seemed to be determined to drive that point home by assaults upon the Jewish community in Palestine."

The Arabs themselves never disclaimed responsibility. They claimed credit.

Jamal Husseini told the UN Security Council, on Apr. 16, 1948:

"The representative of the Jewish Agency told us yesterday that they were not the attackers, that the Arabs had begun the fighting. We did not deny this. We told the whole world that we were going to fight."

The UN Security Council yielded to armed defiance and failed to carry out the partition resolution.

The United States came forward with a proposal for a temporary trusteeship over Palestine, pending further negotiations. The General Assembly held a special session. But the U.S. proposal for a trusteeship was not adopted. The UN decided to send a mediator.

THE INVASION OF ISRAEL

The partition resolution was never formally suspended or rescinded. It remained in effect and the State of Israel came into being on May 14, as the British finally left the country. Arab armies now invaded Israel, expecting to sweep the Israelis into the sea and liquidate the Jewish state.

On May 15, Azzam Pasha, Secretary General of the Arab League, said in Cairo:

"This will be a war of extermination and a momentous massacre which will be spoken of like the Mongolian massacres and the crusades."

The Egyptian Foreign Minister, Mohamoud Fawzi, notified the Security Council: "The Royal Egyptian Government declares, now that the British Mandate in Palestine has ended, that Egyptian armed forces have started to enter Palestine . . ."

Fighting ended after the Security Council threatened, on July 15, to cite the Arab governments for aggression under the Charter.

The Arab war to destroy Israel failed. Indeed, as a result of their aggression, the Arabs wound up with less territory than they would have had if they had accepted the partition resolution.

Myth: Arabs contend that the establishment of the Jewish state violated the right of the Palestine Arabs to self-determination.

Fact: The UN has offered self-determination to both Arabs and Jews in Palestine. Both had been offered their own separate states. But the partition boundaries were erased by the Arab invasion.

It was outside Arabs—not the Jews—who destroyed the proposed Arab Palestine.

Part of its territory was seized by Transjordan in the east (the West Bank and Old Jerusalem) and by Egypt on the southwest coast (Gaza). Israel forces captured western Galilee, which had been used as a base by Arab irregulars. The Israelis opened a new road from the Mediterranean coast to bring food and water to besieged Jerusalem.

Ironically, the only country in the Near East which actively *supported* the creation of a Palestine Arab state was *Israel*, by virtue of her support for the UN partition resolution.

"Palestine" always denoted what eventually became Israel, the West Bank and the East Bank. Palestinian Arabs could have created their own state in the portion allotted to them under partition at any time during the last 22 years.

The fact is that the Arab "struggle" was not intended to satisfy a quest for self-determination in Arab Palestine—and does not today. Rather, it is bent on depriving Israel of her right to self-determination by seeking to establish an Arab state on the ashes of Jewish Palestine.

It was clear beyond doubt to the world which witnessed the events of 1947–48 that the Arab invasion of Palestine was illegal and unjustifiable.

Both the Americans and the Russians indicted the Arabs. The United States urged a resolution charging the Arabs with a breach of the peace.

From the Record

The U.S. delegate, Sen. Warren Austin, declared on May 28, 1948 that the Arab armies had marched "to blot out an existing independent government," a matter of international concern, and "a violation of the Charter."

Soviet Delegate Tarasenko told the Security Council on May 20, 1948:

"We are concerned with the plain fact that a number of Palestine's neighbor States have sent their troops into Palestine. Our knowledge of that fact is not based on rumors, or on newspaper reports, but on official documents signed by the Governments of those States informing the Security Council that their troops have entered Palestine. I refer, in particular, to the documents signed and sent by the Governments of Egypt and Transjordan . . .

"I should like to point out in passing that none of the States whose troops have entered Palestine can claim that Palestine forms part of its territory. It is an altogether separate territory without any relationship to the territories of the States which have sent their troops into Palestine."

Delegate Gromyko, in the Security Council, May 29, 1948:

"This is not the first time that the Arab States, which organized the invasion of Palestine, have ignored a decision of the Security Council or of the General Assembly. The USSR delegation deems it essential that the Council should state its opinion more clearly and more firmly with regard to this attitude of the Arab States toward decisions of the Security Council."

Myth: Arab leaders now claim that they entered Palestine only after Israel was established, "as a fire brigade, to put out a fire."

Testimony: The Security Council debates contradicted this. And there is graphic testimony from the British Commander of the Arab Legion, Sir John Bagot Glubb. He wrote in his book, *A Soldier with the Arabs:*

"Ever since January 1948, the Arabs had been endeavoring to cut the main road from Tel Aviv to Jerusalem and thereby isolate the Jewish inhabitants of the Holy City.

"Early in January, the first detachments of the Arab Liberation Army began to infiltrate into Palestine from Syria. Some came through Jordan and even through Amman . . . They were in reality to strike the first blow in the ruin of the Arabs of Palestine . . . The Liberation Army attempted an attack on a Jewish colony in the Jordan valley (Feb. 15) . . . a frontal attack which ended in fiasco."

Later, this same army attempted an attack on Mishmar Haemek on Apr. 14. "Again the operation was a fiasco."

The attempt to starve Jewish Jerusalem was only one factor which led to conflict and ultimate Arab defeat. The other, according to Glubb, was that "the Arab League, under Egyptian leadership, decided to call upon its members to attack the Jews."

Glubb wrote that the pressure to go to war came from Egypt, seconded by Syria. Glubb himself knew that this was a blunder, that the Arab cause was hopeless because they would not face the facts. He commented:

"The Jordan government, aware of the true facts, urged a political solution. But the politicians, the demagogues, the press and the mob were in charge—not the soldiers. Warnings went unheeded. Doubters were denounced as traitors. . . .The Egyptians, led by Abdul Rahman Pasha Azzam, Secretary General of the Arab League, were the most insistent on war.

"The future of the Arabs of Palestine was sacrificed to Egyptian politics . . . I can recollect no precedent in history for such irresponsible action on the part of those in power.

"The Arab governments were largely responsible for the ruin of the Palestine Arabs. By raising the hopes of the latter, they made them intransigent."

No Self-Determination for Others

The Arabs, who have enjoyed self-determination in immense areas since World War I, are hostile to the rights and aspirations of millions of non-Arabs.

With territories a million square miles more than the size of the United States, with vast riches in oil and water, they still deny Jews self-determination in the tiny niche where Jews ruled themselves for more than twenty centuries. Arabs have no room for the Arab refugees, nor do they have space or tolerance for non-Arab minorities.

Question

But isn't it true that Arabs were the majority in Palestine and that they owned most of the land?

It is a fact that at the time of the partition resolution, the Arabs had a majority in Palestine as a whole. But the Jews were in a majority in the area allotted to them by the resolution and they were in a majority in Jerusalem throughout the last hundred years.

However, it should be stressed that a major reason for the Arab majority was that many thousands came from neighboring Arab countries to find work, opportunity and education in that country, which was undergoing a most rapid development because of Zionist settlement.

Prior to the mandate in 1922, people were leaving Palestine. After 1922, Arabs began to come from Syria, Iraq, Lebanon, Transjordan and Egypt. In addition, the population increase was partly attributable to better health conditions in Jewish Palestine.

The Moslem infant mortality rate fell from 19.6 percent in 1922 to 14 percent in 1939. During that period, the non-Jewish population in the country rose by 75.2 percent, as compared with a 25 percent increase in fecund Egypt. Between World War I and World War II, the Jewish population in Palestine rose by 375,000; the non-Jewish population rose by 380,000. Significantly, the Arab increase was largest in areas of intensive Jewish development. The Arab population increased by 216 percent in Haifa, 134 percent in Jaffa and about 90 percent in Jerusalem. In contrast, the Arab population had only small increases during that period where there was an absence of Jewish development: 42 percent in Nablus, 40 percent in Jenin, 32 percent in Bethlehem.

(The Arab immigration was undoubtedly larger than official statistics record because these do not reflect the influx of Arabs who crossed into Palestine without immigration formalities.)

The Arabs were free to come but Jewish immigration was restricted and later denied. Jews might have become a majority in all of Palestine if they had been permitted to enter the country as the League of Nations Mandate contemplated and had they not been barred by Arab and British obstruction.

Hundreds of thousands of Jews who might have found refuge in Palestine were murdered by the Nazis. Because of this catastrophe, what would have been the Jewish "majority" never arrived in Palestine; it went, instead, to the death camps.

Myth: Arabs often claim that 95 percent of the area of Israel was Arab owned.

Fact: At the end of World War I, some of Palestine's land was owned by absentee landlords who lived in Cairo, Damascus and Beirut. About 80 percent of the Palestine Arabs were debt-ridden peasants, semi-nomads and Bedouins. Much land was owned by the government.

When the British assumed the mandate, they allotted some of the governmental lands to Arabs, such as the 37,000 acres of well watered land in the Beisan Valley. None of that was allotted to Jews.

The Arabs were not able to cultivate the land because there was so much of it, and they sold the surplus to Jews at three times what they paid for it.

According to British government statistics prior to the establishment of the state, 8.6 percent of the land of the area now known as Israel was owned by Jews; 3.3 percent by Arabs who remained there; 16.5 percent by Arabs who left the country. More than 70 percent of the land was owned by the government. It passed to the ownership of Israel. The public lands included most of the Negev—half of Palestine's total area.

Myth: Arabs claim that they were displaced by Jewish settlement.

Fact: British inquiry showed that these complaints were groundless. After one such investigation, the British offered new lands to allegedly displaced Arabs. Only 43 peasants took advantage of the offer.

In fact, when the Jewish settlement began, there was a shortage of labor, and many thousands of Arabs from Transjordan, Syria and Iraq were able to get work in Palestine.

2. THE ARMISTICE AGREEMENTS

In the fall of 1948, the UN Security Council called on Israel and the Arab states to negotiate armistice agreements.

Egypt agreed, but only after the fighting had brought the Israelis to the Sinai peninsula. At that time, the British were ready to defend the Egyptians under an Anglo-Egyptian treaty, but, rather than accept the humiliation of British assistance, the Egyptians preferred to meet the Israelis at Rhodes.

UN Mediator Ralph Bunche brought them together at the conference table and later was honored with a Nobel prize. He warned that the delegation which walked out of the negotiations would be blamed for their breakdown. By the summer of 1949, armistice agreements had been negotiated between Israel and four of the Arab states—Egypt, Jordan, Lebanon and Syria.

Meanwhile, on Dec. 11, 1948, the General Assembly adopted a resolution calling on the parties to negotiate peace and creating a Palestine Conciliation Commission (PCC) which consisted of the United States, France and Turkey. All Arab delegations voted against it.

Question

Who blocked peace?

The Commission assumed its duties in Lausanne. Unfortunately, it failed to follow Bunche's procedures.

Bunche had insisted that the Arab states meet with Israel, one by one and face to face. But the PCC permitted the four Arab delegations to negotiate *en bloc*, and, in a face-saving procedure, the PCC met the two sides separately.

The Arabs then ostensibly revised their attitude toward the partition resolution. They had fought the resolution, believing that they could win all of Palestine. Having failed, they argued that the resolution should be a basis for the negotiations. The Isrel representative agreed, in what became known as the Lausanne Protocol. But the Arabs swiftly abandoned the starting point to demand large territorial changes which would have reduced Israel to a coastal strip.

After long stalemate, the unrealistic negotiations collapsed.

Myth: Arabs claim that Israel defied the UN partition resolution.

Fact: After 1949, the Arabs demanded that Israel accept the 1947 resolution before they would negotiate.

The purpose of this debating maneuver was to portray the Arabs as the defenders of the UN and its resolutions, and to cast Israel as its violator, although the opposite had been the case.

This flouted equity's requirement that petitioners must come with clean hands. The Arab states saw no incongruity in filing a claim for what they might have had if they had not elected war as their instrument of policy.

They offered a novel concept: the doctrine of the limited liability war. Under this theory, an aggressor may reject a compromise settlement and may gamble on war to win everything in the comfortable knowledge that even in defeat he will lose nothing. For, if his war fails, he may insist on reinstating the original compromise and claim rights under it. There is scant justice in this position, and less realism.

Comment: In franker moments, when they are talking to fellow Arabs back home and not to American audiences, Arab leaders have conceded that their exploitation of the Palestine resolution was propaganda shibboleth.

The former Egyptian Foreign Minister, Dr. Mohammed Salah ed-Din, declared in Cairo:

"It is neither right nor honorable for Arab statesmen to continue to hide behind those diplomatic answers that they cannot consider peace with Israel until it implements UN resolutions. The truth is that we will by no means be satisfied by the implementation of the UN resolutions. These resolutions may provide Arab statesmen with clever means of getting out of trouble at the UN or in press interviews, but the Arab peoples are not afraid to disclose that they will not be satisfied by anything less than the obliteration of Israel from the map of the Middle East." (*Al Misri*, Cairo, Apr. 11, 1954)

Maj. Salah Salem, former Minister for Sudan Affairs in the Egyptian Cabinet (quoted in the *Manchester Guardian*, Jan. 25, 1955):

"Egypt will strive to erase the shame of the Palestine war, even if Israel should fulfill the UN resolutions. It will not sign a peace with her even if Israel should consist only of Tel Aviv. We will never put up with it."

The Jordan newspaper, *Falastin*, on Feb. 19, 1956:

"Any Arab demanding the implementation of the 1947 UN partition decision is mistaken and every American who thinks modification of the border will satisfy the two conflicting sides is an idiot . . . In the eyes of every Arab patriot, whether Moslem or Christian, the problem is one of existence and not of borders. It is one of the existence of either the Jews or the Arabs."

On Aug. 24, 1964, the Egyptian weekly, *Rose El-Youssef*, interviewed Secretary General Hassouna of the Arab League about the summit conferences. He said:

"Arab states must demand implementation of UN decisions in the international arena and this reveals the degree to which the basis of the existence of Israel is spurious. Her entire basis is contrary to UN decisions. . . . The demand that she honor these decisions actually means the destruction of Israel's illegal existence."

Question

What did the armistice agreements mean?

After 1949, Arab-Israel relations were theoretically governed by the UN armistice agreements and machinery.

But attitudes toward the armistice agreements differed.

Israelis regarded them as a step toward peace.

Arabs regarded them as an intermission in hostilities; they insisted that they were in a state of war.

From the Record

The language of the agreements speaks for itself.

Article 1, paragraph 4 of the Egyptian-Israel armistice agreement said: "The establishment of an armistice between the armed forces of the two parties is accepted as an indispensable step toward the liquidation of armed conflict and the restoration of peace in Palestine."

Article 12, paragraph 2 provides that the agreement "shall remain in force until a peace settlement between the parties is achieved."

On Aug. 4, 1949, the U.S. delegate, Warren Austin, told the Security Council that "the armistice agreements which we have before us today cannot be changed without the mutual consent of the parties—they will be terminated by the establishment of a permanent peace. These armistice agreements contain provisions which make them, in fact, non-aggression pacts. These agreements have a real strength and impose firm and weighty obligations on the parties."

3. THE AGGRESSION IN 1956

The Arab thesis that Arab states have a right to remain in a state of belligerence with a neighbor is the prime cause of the continuing conflict.

Because she claimed to be in a state of belligerence with Israel, Egypt closed the Suez Canal to Israel shipping.

On Aug. 9, 1949, the U.N. Mixed Armistice Commission, shortly after it was established upheld Israel's complaint that Egypt was illegally blocking the Canal.

On June 12, 1951, Gen. William Riley, the UNTSO chief-of-staff, concurred.

On Sept. 1, 1951, the Security Council ruled that Egypt could not remain in a state of belligerence and ordered Egypt to open the Canal.

But Egypt refused to comply with the UN decision—one of the major factors which led to war in 1956, and again in 1967.

In addition to closing the Canal, Egypt installed artillery at Sharm el-Sheikh, and barred Israel shipping through the Straits of Tiran.

Egypt stimulated and directed fedayeen border raids deep into the heart of Israel territory, inflicting many civilian casualties.

That was also a glaring violation of the armistice agreement.

Article III, paragraph 2 of the armistice contained a provision that no "para-military forces of either Party, including non-regular forces, shall commit any warlike or hostile act against the military or para-military forces of the other Party, or against civilians in territory under the control of that Party."

And paragraph 3 of that article stated that "no warlike act or act of hostility shall be conducted from territory controlled by one of the Parties to this Agreement against the other Party."

In 1955, Egypt began to import arms from the Soviet bloc.

Nasser stepped up propaganda against the West in Asia and Africa. He tried to undermine U.S. relations with new, friendly governments. His special targets were Jordan and Iraq.

In 1956, he nationalized the Suez Canal.

The UN was unable to curb Egypt or to enforce its decisions. In October 1956, Nasser entered into an alliance with Jordan.

Israel then moved against Egypt, capturing Gaza and Sinai and reaching the Suez Canal. She had the support of Britain and France.

The April 1969 *Near East Report* supplement on the 1956 war, reprinted the many comments of authoritative observers about Egypt's responsibility for that war. Comparing Nasser with Hitler, some likened his seizure of the Canal with Hitler's occupation of the Rhineland.

But the United States joined with the Soviet Union in a campaign to force Israel to withdraw. There was widespread criticism of the United States because we did not, at the very least, require Egypt to renounce belligerence and to enter into peace negotiations.

And Egypt again violated its undertaking to keep the Canal open for all shipping.

Testimony: This is an excerpt from Ambassador Abba Eban's statement to the UN Security Council on Oct. 30, 1956:

"During the six years during which this belligerency has operated in violation of the Armistice Agreement there have occurred 1,843 cases of armed robbery and theft, 1,339 cases of armed clashes with Egyptian armed forces, 435 cases of incursions from Egyptian controlled territory, 172 cases of sabotage perpetrated by Egyptian military units and fedayeen in Israel. As a result of these actions of Egyptian hostility within Israel, 364 Israelis were wounded and 101 killed. In 1956 alone, as a result of this aspect of Egyptian aggression, 28 Israelis were killed and 127 wounded . . ."

Comment: And two days later, the *New York Times* declared in a biting editorial:

". . . It would be ridiculous to permit Colonel Nasser to pose before the United Nations or the world as the innocent victim of aggression, or to hold a protecting hand over him. On the contrary, insofar as there is any one man guilty of aggression it is the Egyption President, for he has waged war against Israel, Britain and France by propaganda, by gunrunning, by infiltration of murderous bands, by stirring up rebellion in French North Africa, by seizing the Suez Canal by force and scrapping a treaty in the same manner in which Hitler marched into the Rhineland, by blocking the canal for Israeli shipping in defiance of United Nations order—finally by his whole loudly proclaimed program of throwing Israel into the sea in alliance with other Arab states and creating an Arab empire under his hegemony which would expand his influence in concentric circles to all Africa and the whole Moslem world . . ."

One of the many critics, Walter Lippmann, wrote:

"To ignore the Egyptian raids and to treat Israel as if it were the aggressor and Egypt as if it were the innocent victim . . . was a grave mistake in policy, indefensible in principle and in fact entirely unrealistic and impracticable."

4. THE AGGRESSION IN 1967

Israel's preemptive strike on June 5 was an inevitable and imperative response to Egypt's threatened attack.

The Arab buildup which led to the six-day war had begun in February 1966, with two menacing developments.

President Nasser had abandoned his drive for Arab unity because he wanted to organize a new coalition of radical Arab states.

Frustrated in his Yemen war, and provoked by a worsening economic situation, Nasser made a bitter speech in February 1966, lashing out at the United States, at Saudi Arabia and at Israel. He charged that Western-oriented states were forging an Islamic grouping to oppose and overthrow him.

Coincidentally, the same week, a leftist military clique affiliated with the Baath Party seized power in Syria and opened a new campaign of terrorism against Israel.

Russians encouraged and exploited these developments.

They gave new military and economic aid to the Syrians, who were in a strategic position to damage Western oil interests in Iraq, to endanger the pro-Western King Hussein of Jordan and to harass the Israelis.

At the same time, they continued to bolster Nasser with military, diplomatic and economic aid, as he sought to consolidate *his* power and *their* influence in Yemen, in Aden and in South Arabia, and to subvert the pro-Western King Faisal in Saudi Arabia.

Russians sought a rapprochement between Baathists and Nasserites while Soviet warships sailed into the Mediterranean to shadow the U.S. Seventh Fleet.

Question

What impelled the Russians to assume this new aggressive posture in 1966?

Perhaps they believed that the United States—preoccupied in Viet Nam—would be unable to counter hostility elsewhere.

Perhaps they demonstrated against the West in the Far East because passivity in the Far East had made them vulnerable to Maoist rebuke.

The overthrow of Nkrumah, Sukarno and Ben Bella seemed to indicate that leftist leaders were on the way out. Perhaps they feared that Nasser was next—a death blow to their influence in the region.

The Near East looked like an area in which

the Russians, by exacerbating the Arab-Israel conflict, might recoup.

Terrorist attacks—always vicious—grew more frequent and virulent. In 1965, Israel counted 35 raids. In 1966, there were 41. In the first four months of 1967, there were 37. In addition, the Syrian army shelled Israel villages from the Golan Heights.

Israel complained to the Security Council, but the Russians protected the Syrians with their veto.

From that time on, there was no stopping the extremists. The Syrians were demanding instant, open and all-out war against Israel. They attempted to enlist Egypt and other Arab states in their campaign.

Early in April, the Syrians opened fire on Israel tractors on the shore of the Sea of Galilee, with machine guns, tanks and heavy mortars. Israel planes rose to down six Syrian MIGs. Syrians complained that the Egyptians had failed to come to their aid.

Myth: Moscow claimed that Israel was massing troops on the Syrian frontier.

Fact: In May, the Syrians sent Nasser an alarming report that Israel had concentrated 19 brigades on their frontier.

Later, in his post-war speeches, Nasser said that he had checked and had established that there were indeed 13 brigades. In truth, there were none. But Nasser insisted that he had moved his troops in order to discharge his duty to his Arab brothers.

Presumably, Nasser acted at the behest of the concerned Russians. In March, Gromyko had advised him to withdraw some troops from Yemen and deploy them in the Sinai peninsula in order to put military pressure on Israel's southern frontier.

In May, the Russians "informed" an Egyptian parliamentary delegation in Moscow that Israel was massing troops on the Syrian frontier.

The United States and the United Nations both assured Nasser that he was misinformed, that Israel was not mobilizing and that there was no need for Nasser to move. UN Secretary General U Thant so reported on May 19, 1967.

When Soviet Ambassador Dmitri Chuvakhin made a post-midnight call on Prime Minister Levi Eshkol to deliver Moscow's charge that Israel was concentrating troops near Syria, Eshkol offered to take him to the Galilee so that he could see for himself that the protest was groundless. But the Soviet diplomat replied that he was sure that Moscow knew what it was protesting about; he refused Eshkol's invitation.

Nasser himself knew that there was no legitimate excuse for the Egyptian troop buildup in the Sinai.

Testimony: In a post-war trial of 54 officers charged with conspiracy against Nasser, former War Minister Shamseddin Badran testified that Gen. Mohammed Fawzi, Egyptian chief-of-staff, had personnally investigated Russian and Syrian reports that Israel was massing forces to attack Syria, but had reported back that "the Russians must have been having hallucinations."

Nasser Moves into Sinai

On May 15, the anniversary of Israel's independence, Egyptian forces rolled into Sinai.

On May 17, Cairo Radio's *Voice of the Arabs* proclaimed:

"All Egypt is now prepared to plunge into total war which will put an end to Israel."

And Ousts UNEF

Nasser's troops occupied Sharm el-Sheikh. He insisted that U Thant withdraw UNEF, and the UN Secretary General yielded to Nasser's demand, opening the way for an Egyptian military take-over of the Tiran Straits.

On May 18, the *Voice of the Arabs* announced:

"As of today, there no longer exists an international emergency force to protect Israel. We shall exercise patience no more. We shall not complain any more to the UN about Israel. The sole method we shall apply against Israel is a total war which will result in the final extermination of Zionist existence."

There was an enthusiastic echo in Syria:

"Our forces are now entirely ready not only to repulse the aggression, but to initiate the act of liberation itself, and to explode the Zionist presence in the Arab homeland. The Syrian army, with its finger on the trigger, is united. . . . I, as a military man, believe that the time has come to enter into the battle of liberation." (Defense Minister Hafez Asad, May 20, 1967)

The Israelis protested. When they had withdrawn their troops from Sinai in 1957 it was on the assumption that UNEF would be stationed in Gaza and at Sharm el-Sheikh to prevent terrorism and to keep the Straits of Tiran open to Israel shipping.

At this critical moment, the suggestion was made that UNEF be moved over to the Israel side of the frontier. But a look at the map shows that this would have served no purpose, since UN troops would have been a long way from Sharm el-Sheikh.

And Closes the Straits

U Thant flew to Cairo to ask for a breathing spell, but Nasser anticipated him with his declaration closing the Straits to Israel shipping.

Nasser knew that these drastic and provocative acts would make war "almost certain." This is what he told Field Marshal Abdul Hakim Amer (who allegedly committed suicide in September 1967), according to testimony in the March 1968 trials in Cairo. And he proclaimed it to the world on May 22, when he told the Egyptian army in Sinai:

"The Israel flag shall not go through the Gulf of Aqaba. Our sovereignty over the entrance to the Gulf cannot be disputed. If Israel wishes to threaten war, we tell her 'You are welcome.' "

Washington and London were shocked; they knew that Israel could not tolerate a blockade of her southern port. Eshkol appealed for peace and Eban came to Washington to remind President Johnson of the 1957 commitment to uphold Israel's navigation rights in the Straits of Tiran.

And Breaks a Promise

The Israelis recalled that Egypt had recognized the international character of the Straits as far back as Jan. 28, 1950, when Egypt sent a note to the American Embassy in Cairo that she had no intention of interfering in any way with peaceful shipping in the Straits of Tiran:

"It goes without saying that this passage (through the Straits of Tiran) will remain free as in the past in conformity with international practice and with the recognized principle of international law."

In an attempt to reassure the Israelis and avert conflict, Johnson went on television to reaffirm the 1957 commitment—within a few hours after Nasser had acted.

But, unwilling to act alone, the United States sought the support of other maritime powers for a declaration that the Straits should be open.

From the Record

Back in 1957, 17 maritime powers had declared at the UN that Israel had a right to transit the Straits.

Moreover, the Convention on the Territorial Sea and Contiguous Zone adopted by the UN Conference on the Law of the Sea on Apr. 27, 1958, by a 62–1 vote (nine abstentions) and effective from Sept. 10, 1964, stipulated:

"There shall be no suspension of the innocent passage of foreign ships through straits which are used for international navigation between one part of the high seas and another part of the high seas or the territorial sea of a foreign state."

And as one delegate explained, "what was in everybody's mind, without being officially stated, was the Straits of Tiran."

Who was the aggressor?

Nasser answered that question with a series of declarations on the eve of the 1967 war:

May 27: "Our basic objective will be the destruction of Israel. The Arab people want to fight.

"The meaning of Sharm el-Sheikh is a confrontation with Israel. Adopting this measure obligates us to be ready to embark on a general war with Israel."

May 28: "We will not accept any . . . coexistence with Israel . . . Today the issue is not the establishment of peace between the Arab states and Israel. . . . The war with Israel is in effect since 1948."

May 30: "The armies of Egypt, Jordan, Syria and Lebanon are poised on the borders of Israel . . . to face the challenge, while standing behind us are the armies of Iraq, Algeria, Kuwait, Sudan and the whole Arab nation. This act will astound the world. Today they will know that the Arabs are arranged for battle, the critical hour has arrived. We have reached the stage of serious action and not of mere declarations."

HUSSEIN GOES ALONG

On May 30, Hussein went to Cairo, kissed Nasser and signed a five-year mutual defense pact with Egypt. This was a sharp blow for American policy—another major step toward East-West polarization. And it meant that Israel now had a hostile Arab alliance on three frontiers. This was a repeat of the encirclement threat of 1956.

Hussein and Nasser agreed that an attack on one was an attack on both and they committed themselves "to hasten to the assistance of the attacked state." They set up a defense council and a joint command.

"At the beginning of military operations, the chief-of-staff of the UAR armed forces will take over the command of such operations in both countries," the text read. The agreement is automatically renewable for subsequent periods of five years.

From the Record

Hussein explained it in a proclamation to his troops on May 31:

"I have been motivated to sign the defense agreement because I am certain that I am fulfilling my duty and respond to all your aspirations. My hope is that our nation will stand up to the challenge and the responsibility. With the help of God and thanks to the solidarity of the Arabs we will see the victory of truth over the lies of the enemy."

Comment: On May 31, the authoritative Cairo daily *Al Akhbar* put it more bluntly:

"Under terms of the military agreement signed with Jordan, Jordanian artillery, coordinated with the forces of Egypt and Syria, is in a position to cut Israel in two at Kalkilya, where Israeli territory between the Jordan armistice line and the Mediterranean Sea is only 12 kilometers wide. . . . The military encirclement of Israel by Arab forces—Jordan to the east, Syria to the northeast, Egypt to the southwest and Lebanon in the north—bears out Ben Gurion's fear that Israel could yet find herself in the vise of a nutcracker."

Later in an interview with *Al Hayat* on June 2, Hussein declared:

"Our increased cooperation with Egypt and other Arab states both in the east and in the west will enable us to march along the right road which will lead us to the erasure of the shame and the liberation of Palestine. This is a cornerstone of our policy."

All This and Iraq Too

In his book, *My "War" with Israel,* Hussein makes it clear that he knew that war became "inevitable" when Nasser forced the removal of UN troops and "inescapable" after Nasser closed Aqaba and massed troops

in Sinai. Even though Jordan "had no real hope of winning" a war, Hussein offered his forces to Egypt: ". . . Nasser never called on us. It was we who called on him."

Egyptian forces moved into Jordan. An Egyptian general, Abdul Moneim Riyad, took command. American Patton tanks were now on the West Bank, where Israelis and Americans had hoped they would never be stationed. And Hussein used them against Israel.

Nasser tightened the noose around Israel on June 4, when he persuaded Iraq to join the alliance.

On May 31, President Aref of Iraq declared:

"The existence of Israel is an error which must be rectified. This is our opportunity to wipe out the ignominy which has been with us since 1948. Our goal is clear—to wipe Israel off the map."

Question

Why did Israel have to strike?

The question seems rhetorical, for obviously she had no alternative.

Israel now faced a triple threat.

She was surrounded by armies which would be able to use Soviet weapons on all frontiers (and U.S. and British weapons on one of them).

Her window to the Orient, to the Indian Ocean and the east coast of Africa was now closed.

Her industrial and agricultural economy was threatened because she had to mobilize all her reservists to counter heavily armed Arab soldiers on all frontiers. Israel, a small country, cannot afford for any length of time to maintain universal mobilization and indefinite diversion from industrial and agricultural production.

The Israelis themselves were convinced that the Arabs would attack. Each day's delay, they feared, would increase Arab striking power and the number of casualties which Israel would suffer.

(Hussein's book confirms that both Egypt and Jordan were prepared to take the offensive as soon as troop and aerial support arrived from Iraq, Saudi Arabia and Syria.)

Israel moved against Egypt on June 5.

In the light of the record, the question of who fired the first shot that morning is irrelevant. Arabs had fired many first shots on many mornings for some 19 years. For all these years, the Arab states had maintained a state of belligerency against Israel. And for all that time, Israel had asked for negotiations and peace. Nasser fired the first shot by closing the Straits on May 23.

From the Record

In the minds of most Americans, there is no doubt as to who was responsible for the outbreak of war. President Johnson, on June 19, declared:

"If a single act of folly was more responsible for this explosion than any other, it was the arbitrary and dangerous announced decision that the Straits of Tiran would be closed. The right of innocent maritime passage must be preserved for all nations."

Question

Why did Nasser risk war?

The Egyptian leader was a victim of poor intelligence and rich imagination.

It is equally obvious that Soviet policymakers miscalculated. The Russians overestimated Arab military prowess and underestimated the strength and determination of the Israel army.

Perhaps they were hoping for a diplomatic showdown which would force Israel to accept Nasser's terms as a price for "peace." Or, perhaps, they were gambling on a "little war," in which Israel would suffer some bombing raids on her congested cities and a swift defeat which force her to sue for a Nasser-dictated peace.

Question

Why did Hussein get in?

Israel did not move against Jordan. Hussein could have remained out of the war. Israel sent this message to Hussein on June 5, after Hussein had started his assault on Jewish Jerusalem.

"We shall not initiate any action whatsoever against Jordan. However, should Jordan open hostilities, we shall react with all our might and he will have to bear the full responsibility for all the consequences."

But Jordan responded with bullets and shells.

On June 5, at 9:15 a.m., Radio Amman told its people:

"The hoped-for moment has arrived. The hour which you longed for is here. Forward to arms, to battle, to new pages of glory. To regain our rights, to smash the aggressor, to revenge."

Within two days, the war was over for Jordan. But, on June 6 at 6:00 p.m., Radio Amman was still lying to the Jordanian people:

"Today, the soldiers of Hussein have brought doom to the Jewish strongholds in Jerusalem. They have destroyed the Knesset and have liberated the holy soil from the Zionists. The heroic soldiers of Hussein are marching forward toward Tel Aviv."

For their irresponsibility, Arab leaders paid a huge price in life and land.

By the time the war ended, Israel forces had crushed four Arab armies and had occupied Gaza, the Sinai peninsula and Sharm el-Sheikh, the Old City of Jerusalem and the West Bank of the Jordan, and the Golan Heights in Syria.

THE SURPLUS THAT NEVER WAS

Mr. FANNIN. Mr. President, I invite the attention of Senators to an editorial entitled "The Surplus That Never Was," published in the Washington Evening Star of July 28, 1970.

The editorial notes how easily expenditures are approved, and the harder task of providing tax revenue to equal those increased expenditures.

This is the point that emphasizes the need for a constitutional amendment to control deficit spending by requiring a balanced budget except during national emergencies. We need to establish national priorities.

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

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

THE SURPLUS THAT NEVER WAS

One feature of President Nixon's economic "game plan" was doomed from the outset. This was the provision for a largely symbolic $1.3 billion federal surplus in the fiscal year that began in 1971. The President went to some pains, in the interest of fighting inflationary psychology and convincing the Federal Reserve Board, to make the surplus "credible." Some programs were chopped repeatedly in the budget-making process, and an effort was made to minimize dependence on Congress' approval of revenue proposals.

The budget had one wide credibility gap that, even if everything else went according to plan, put the slender surplus into the realm of make-believe. This was the expectation that federal pay increases originally scheduled for July 1 of this year could be put off until January 1, 1971.

The anti-inflationary gesture quickly proved to be empty. A wildcat postal workers' strike brought the government to its knees, and the result was a 6 percent retroactive pay increase for all federal employees, with the postal employes due for another 8 percent. Fiscal 1970 and 1971 suddenly were turned into deficit years for all the administration's rhetoric about fiscal restraint.

Now the administration's estimate of a $1.3 billion deficit in the new fiscal year is proving to be as illusory as the earlier plan for a surplus. Congress' Joint Committee on Reduction of Federal Expenditures recently came up with an estimate that the deficit might grow to $7 billion or more. Other, less official estimates of the threatened deficit go as high as $15 billion.

The reason for this is familiar. Congressmen find irresistible the need to increase spending on various domestic programs. But the legislators do not feel as strong a compulsion to raise revenues commensurately. Thus health spending is increased over a presidential veto, and the postal pay increase nears enactment, while administration revenue requests languish.

The pattern for fiscal 1971 may be too firmly set to expect much change, especially with the congressional elections looming in November. But it is certain that difficult fiscal decisions lie ahead, and they will play a large part in the success or failure of the long-term effort to reconcile the desires for price stability and high employment in a sensibly growing economy.

The pent-up demands for improvement of American society mean that billions more will be spent on such monumental tasks as salvaging the cities, preserving the environment and raising the least favored of our citizens from poverty. Even taking the most optimistic view of world affairs, little of this money will be provided by cuts in defense spending, whether or not the withdrawal from Southeast Asia is realized either completely or soon.

So the administration is certain to make substantial new tax requests for fiscal 1972 and beyond. Congress, having basked for a year in the glow of the tax cuts voted last December, will have to come up with some real money.

PROGRESS TOWARD PEACEFUL MIDDLE EAST SETTLEMENT

Mr. TOWER. Mr. President, for the first time since the June 1967, Arab-Israeli confrontation there are hopeful signs that some progress is being made towards a peaceful Middle East settlement. While the American peace plan is being studied by the various conflicting parties, the overall relationship between the Middle East situation and the international political climate should be kept in mind. A recent article by John J. O'Malley, reprinted from the San Diego Union, has, in my opinion, correctly analyzed this relationship. 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:

UNITED STATES VERSUS SOVIET UNION IS MIDEAST ISSUE

In the autumn of 1961 Fidel Castro spent two weeks in Moscow. The visit concluded with announcements of strengthened Soviet economic and military support of the Castro revolutionary government. Large groups of Soviet technicians and military advisors soon began to appear in Cuba.

The rest is history.

The Soviet missiles came and went. A Russian gamble failed, because the United States

had blue chips to play and the courage to play them.

The same drama is now being re-enacted in the Middle East—a drama every bit as sinister.

Gamal Abdel Nasser has just concluded 19 days in Moscow, going through the same cycle as his Cuban predecessor nine years before.

But there are many differences. The Soviet aspirations today are broader; her leverage is greater. The issues are vastly more complex.

To begin with, the Middle East war is not primarily an Arab-Israeli problem. If it were, a negotiated settlement, of sorts could probably be contrived.

The question of resettling the Palestine refugees is soluble.

The free navigation of the Gulf of Aqaba and the Suez Canal and the right of the Israelis to a permanent place of equality in the Middle East sun are all matters which could be managed in a step-by-step settlement.

Relinquishment of some of the territories seized in the 1967 war is a negotiable point. First Minister Golda Meir made this clear last month in a discussion before the World Council of Synagogues.

But these points are not being negotiated, and there seems little likelihood that they will be.

The reason is simple. The Soviet Union does not want to see them solved.

That is not to say the Soviets are anxious to see the Israelis defeated. To the contrary, they parade Israel and world Zionism before the Arab nations to frighten them into accepting Soviet influence. A peaceful solution would remove one of the U.S.S.R.'s greatest levers in conflict that is broader than the whole Middle East.

The issue is actually the Soviet Union versus the United States of America in Western Europe and the Mediterranean.

The Soviets want us out of Western Europe. They want us out of the Mediterranean. They want the riches of the Levant and they want to control Suez, the gateway to the Indian Ocean.

Unhappily, these broad Soviet aspirations are moving steadily toward fulfillment.

From its earlier status as a NATO lake, the Mediterranean is now being surrendered to the Soviets almost without a fight. The British have left Egypt and are abandoning Libya. France is gone from North Africa. The United States has departed Libya and Morocco.

Filling the voids we see the Soviet Union, with naval bases already operating in Egypt and Syria, looking hungrily toward that day when 80 percent of Europe's oil supply will be controlled by Soviet dominance of the eastern Mediterranean.

Certainly, the crisis that faces us in the Middle East does not hinge on whether the United States should sell more Phantom jets to Israel. It is likely that the Soviets prefer that we sell aircraft to the Israelis, just so the vision of an overbearing, hostile America can be played to the hilt in the Arab capitals.

In the end, the solution to the crisis in the Holy Land will not be found in a simple decision on aircraft sales. It will be found in the adoption of an American position on the Middle East conflict which is linked to its position on the preservation of freedom in Western Europe and in the Mediterranean. If this linkage is not firm, understood and complete, freedom may very well lose in all three places.

Looked at in purely laboratory terms, there are certain factors which must be carefully calculated in developing a U.S. position.

The first is the current conviction on the part of most Arabs that the United States of America is irrevocably hostile. The portrait of personalities of stature and influence in our government, who have strong pro-Israeli convictions, give the Arab states a feeling of hopelessness with respect to the offices of the United States in obtaining a negotiated peace with which they can live. Indeed, our credibility with the Arab states is probably just about gone. If we are to exercise any meaningful influence toward a negotiated settlement we simply must re-establish some of that credibility.

A second factor, related to the first is that there is no prospect of a decent Middle East settlement resulting from large-scale armed conflict. The Israelis won a brilliant six-day battle in 1967, against a well-equipped but poorly trained Egyptian army. But even then, they did not win the war.

Now they are confronted with a far better equipped, better trained Soviet puppet force. There is no chance of the Israelis winning a war of attrition. Nor can Israel benefit from direct physical intervention by forces from the United States—or elsewhere. It is a tiny land, certainly no place for massive military operations of protracted scope.

What this all means is that power diplomacy is the only formula for effective action. That diplomacy must involve the Soviets directly. It must be sufficiently persuative to force them to reappraise the prudence of their adventure in the Middle East just as they had to reappraise their actions in Cuba.

When the Soviet leadership was convinced that persistence in their Cuban nuclear adventure would result in an armed invasion of that island by the United States—and the consequent loss of Russia's foothold in the Caribbean—they quickly reconsidered.

When the Soviet leadership was convinced that their nuclear invasion of the Western hemisphere threatened to bring on similar U.S. nuclear pressure on their southern flank in Turkey, they quickly reconsidered.

Unless we are prepared to confront the Soviets with realities of equivalent gravity today, there is little likelihood that they will heed our pleas for defusing the Middle East crisis.

Fortunately, there are still a few things that we can do.

We can strengthen our military positions in Turkey, in Greece, in Spain. All of these nations retain some respect for our power and our reliability.

We can make a new and powerful run at enhancing our economic ties in Pakistan, Iran and Saudi Arabia, to open a window to the Moslem world, and we can make the dollar investment necessary to give such a program meaning.

We can establish a position of economic strength in Singapore to confront the Soviets directly in their determination to replace British influence there.

We can create a United States Indian Ocean fleet to fill a gaping void.

We can expand the size of our fleet in the Mediterranean to make clear to the Soviets that we have no intention of defaulting in that area.

All of these are actions which demand both risk and resolve. All of them cost money. But they are the kind—the only kind—of behavior the U.S.S.R. will understand.

THE PLIGHT OF MIGRANT WORKERS: "OUR OPEN SCANDAL"—EDITORIAL CALL BY HOUSTON POST FOR IMPROVING THEIR LOT

Mr. YARBOROUGH. Mr. President, last week the Subcommittee on Migratory Labor of the Committee on Labor and Public Welfare, under the able leadership of the junior Senator from Minnesota (Mr. MONDALE), held extensive hearings on the problems which face America's migrant workers.

One of the most moving reports given to the subcommittee during those hearings was that of Dr. Henry Lipscomb of Baylor College of Medicine, Houston, Tex. Dr. Lipscomb headed a six-man medical team which studied in depth the health problems of migrant workers in Florida and Texas. The study revealed that these unfortunate people are plagued by a multitude of diseases and dental problems which go unattended because of the lack of adequate health and hospital facilities.

Providing health services for migrant workers and their families is of great concern to me. In the first session of this Congress, I introduced S. 2660, to expand the authorization for funds for migrant health services. The legislation was signed into law on March 12, 1970, and is Public Law 91-209.

Under this law, funds authorized for health care among migrant workers and their families will rise from the present level of $15 million to $20 million in the current fiscal year; in fiscal 1972 $25 million and $30 million in fiscal year 1973. But these are tokens; not nearly enough.

In hearings on my bill in Texas and Washington before the Health Subcommittee and the Migratory Labor Subcommittee of the Committee on Labor and Public Welfare, numerous experts testified as to the paucity of health services for the migrant and his family.

In the fall of last year, Senator MONDALE and I traveled to the lower Rio Grande Valley and personally inspected clinics, labor camps, and the living conditions of the migrant families. The conditions we observed were shocking. This experience increased our resolve to confront the conscience of America with these conditions and obtain prompt action to correct them.

Mr. President, the problems of the migrant workers of America cry out for immediate solutions. We in Congress must act soon to enact comprehensive legislation in this area. I recommend to all Senators who did not have the opportunity to hear Dr. Lipscomb's testimony before the subcommittee that they read an editorial entitled "Our Open Scandal," published in the Houston Post of July 26, 1970. This penetrating editorial summarizes Dr. Lipscomb's findings and accurately points out that:

> This is a cause demanding the ideals the angry energy, the calm, intelligent planning of a total citizenry.

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

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

OUR OPEN SCANDAL

The lot of the migrant worker has been an open scandal in the United States for decades—known, accepted, ignored.

But a sudden spate of reports on life in migrant worker camps has forced an apathetic public to take a new look at this enormity in our democratic, American society.

Wherever migrants work—from Florida to the West Coast—living conditions are subhuman. All Americans must take a part of the blame for a willingness to use slave labor to get fruit, vegetables and orange juice at comfortable prices.

But for Texans, the reports have more personal and more immediate meaning: The scandal of the migrants is within our own borders, particularly in the South Texas area. Most migrant workers there are native Americans, most are Texas-born. And in this case it is Texas governmental agencies, Texas medical forces, Texas humanity that are open to charges of negligence, apathy or—at best—inefficiency.

Dr. Henry Lipscomb of Baylor College of Medicine headed a six-man team financed by the Field Foundation to study health problems of the migrants. Dr. Raymond W. Wheeler of Charleston, NC, president of the Southern Regional Council, spoke for 25 medical people who studied migrant health in Texas and Florida.

Though details differed, both studies carried the same message.

Migrant workers are plagued with dietary and infectious diseases which can be prevented easily by public health services common everywhere in the United States.

Working amid fruit and vegetables, they have vitamin deficiencies and such deficiency diseases as rickets, pellagra and scurvy.

Children are stunted in growth for lack of protein. Many are deaf because of untreated ear infections. Many die for lack of medical or hospital care.

Every person examined had dental problems. Almost every person examined had intestinal parasities, including hook worms and round worms.

The migrant worker is caught in a vicious cycle. He needs more money to get better food, housing and medical care. He needs more energy to work harder to earn more money. He needs better food and medical care to have more energy to earn more money.

Instead, the average migrant earns $891 a year or $2.45 a day. Neither Hidalgo County nor Starr County has a county hospital. Starr, Cameron and Willacy Counties do not have outpatient clinics.

Because of residency requirements, many migrants are ineligible for local charities and city hospitals, cannot vote, are often excluded from unemployment compensation, and under the old Wagner Act, cannot organize into a union.

They are American citizens with few of the rights of citizenship.

Then there are final, inhumanities: On an average wage of $2.45 a day, the migrant may be charged 10 cents for each drink of water he gets on the job. He may be charged 15 cents for the ride in the open truck out to the orchard or field.

For lack of clothing, because they move often, and because their parents need extra hands for picking if the family is to survive migrant children move early from school to the orchards and fields—abandoning any hope of a different and better life.

No one person, no one organization or institution should or can take the whole blame for this situation.

The economic problem is vicious: Forced to raise the migrant's pay to the $1.30 federal minimum, many corporations would switch to machines. The migrants would lose what jobs they now have.

The health problem is vicious: Though under prodding by Sen. Ralph Yarborough the Department of Health, Education and Welfare provided funds for an outpatient clinic in Hidalgo County, no doctor has been found to staff it. Federal requirements that a hospital must have a registered nurse on duty at all hours may force some hospitals to close.

The housing conditions are out of the Dark Ages: The county-owned migrant camp at Weslaco has one outdoor toilet for 60 persons, one outdoor faucet for seven families. The houses stand in mud and are insect- and snake-infested. Most migrants huddle in shanties without floors or in lean-tos.

Interlocked problems of this size cannot be solved piecemeal. They demand a massive, emergency program of the kind this country can handle so well. Given Pearl Harbor, given a Hurricane Carla, Americans can and do organize magnificently and efficiently.

The migrant situation demands such action. We must think in terms of outpatient clinics with mobile trucks staffed by medical teams. General hospitals geared to the needs of the migrant as field hospitals are geared to the wounded. Adult retraining programs to teach adults new skills. Remedial education programs to salvage children who have lost opportunities to learn and who may have mental deficiencies from poor diet. Clean, secure housing—in sturdy, well maintained tents if needs be—until permanent housing can be built.

This is a cause demanding the ideals, the angry energy, the calm, intelligent planning of a total citizenry.

DEATH OF JUDGE JOSEPH ALLEN, OF BALTIMORE

Mr. MATHIAS. Mr. President, the Baltimore community has suffered a deep loss with the death of Judge Joseph Allen. On numerous occasions, Judge Allen interrupted his private life to answer the call to public service from both Republican and Democratic officeholders. I am sure all in the Baltimore community join me in mourning the loss of this dedicated public servant who unselfishly gave his services to the city and State for over 40 years. I ask unanimous consent that an article in the Baltimore Sun reporting Judge Allen's passing be printed in the RECORD.

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

ALLEN DIES; WAS JUDGE AND ADVISER—FORMER CITY SOLICITOR COUNSELED MAYORS, LED AIRPORT UNIT

Joseph Allen, lawyer, judge, city solicitor, Airport Board chairman and trusted adviser to both Republican and Democratic mayors of Baltimore, died yesterday at Sinai Hospital. He was 75.

Mr. Allen was named to the Supreme Bench of Baltimore in 1956 by Theodore R. McKeldin, who then was Governor. He remained on the bench until 1963 when Mr McKeldin, who had become Mayor of Baltimore once again asked the judge to become a bulwark of his second city administration.

Mr. Allen served as city solicitor, and thus on the Board of Estimates as well, from 1963 through 1967.

ADVISED D'ALESANDRO

Although he was a Republican, Mr. Allen's high-level advice was requested and given also in the current Democratic administration of Mayor D'Alesandro.

On May 7, 1969, Mayor D'Alesandro asked the former judge to place his private law practice in the background once more and take over the chairmanship of the Airport Board at a time of difficult decisions about the future of Friendship Airport.

Mr. Allen answered the call, and his public service this time culminated in the advice rendered last December not to sell Friendship to the state.

Typically, in the recommendation regarding the airport, Mr. Allen did not mince words. He criticized the $27.5 million previously negotiated as the sale price of the airport as "ridiculously low," putting the "fair value" of Friendship nearer to $173 million. Mr. Allen called the airport "vital to the economic growth" of Baltimore city and its metropolitan area.

TAUGHT HEBREW

A native of New York city, Mr. Allen came to Baltimore as a young lawyer in 1923, having been employed as a teacher of Hebrew from 1911 to 1915.

He was born March 5, 1895, the son of Harris Allen, principal of a Hebrew School, and Clara Allen. He graduated in 1914 with a bachelor of laws degree from the Law School of New York University.

His public career in his adopted city began in 1931 when he became an assistant city solicitor. Subsequently, he served as industry member on the Regional War Labor Board from 1942 to 1945; as people's counsel before the Public Service Commission from 1951 until 1955; member of the Commission to Revise the Public Service Commission laws during those same years; chairman of the State Tax Commission in 1955 and 1956, and emergency utility administrator for the Baltimore Transit Company in 1956.

He was active in Jewish affairs, having served as president and chairman of the board of Beth Tfiloh Congregation; as president of both the Baltimore Zionist District and the Baltimore Zionist Council; president of the Maryland State Federation of Zionists, and president of the Jewish National Fund of Baltimore.

He had been vice president of the Board of Jewish Education of Baltimore and a member of the board of directors of the Jewish Welfare Fund.

The former judge had been a patient at Sinai for more than a week.

He had been married twice. Both of his wives predeceased him.

He is survived by a son, Shrago Allen, of Washington, and two daughters, Mrs. Carmel Isaacs, of Miami, and Mrs. Paula Rome, of Baltimore; a brother, Isaac Allen, of Hartford, Conn., and of New York city; two sisters, Mrs. Sarah Waxman, of New York city, and Mrs. Celia Naum, of Albany, and seven grandchildren.

Funeral services will be at 3 P.M tomorrow at Beth El Congregation, 8101 Park Heights avenue.

YOUTH AND HUMAN RIGHTS: OUR NEED TO ACT

Mr. PROXMIRE. Mr. President, I need not tell the Senate the degree to which the young people of the Nation are alienated, disillusioned, and distraught over their seeming inability to make the system work. We all have sensed this frustration, not only as it pertains to national issues of public policy, but also in our own families.

Everywhere we turn, our young people are saying, "Prove to us that you are sincere in your efforts for justice and human rights." This aspect of the youth political movement is refreshing, Mr. President. There is a depth of sincerity in their pleas and a constructive effort to effect change through political channels.

This generation, more than any other, has seen fit to come to grips with the senselessness and tragedy of hypocrisy at times of great moral crisis. They, more than any other previous generation, have reminded us of the need to heed Robert Kennedy's favorite quotation by Dante:

The hottest places in hell are reserved for those, who, in a period of moral crisis maintained their neutrality.

Unfortunately, along with this genuine idealism has grown an intolerance among many who see progress as merely incremental pasification and appease-

ment. In so many respects, a few of our young political activists have been too rash, too absolute, indeed too puritanical in their blind castigations and glittering generalities. This is not an indictment; rather it is an attempt to place the various motives of our young activists in a balanced perspective at a time when all the wrath and intolerance seem to fall upon the entire youth culture.

We have, through apathy, misconceptions and inaction, contributed to the tragic rift that divides and polarizes many of us from our own young. The difference between the rhetoric and the action of the Senate is legend. We must now work to recapture the vibrant idealism of the young for social change. We can do this, Mr. President. We can, I sincerely believe, bring the organs of government and our estranged youth together if only we can show them, and ourselves, that the gap between our words and acts is getting smaller and smaller.

One of the easiest means to this end is for the Senate to ratify the U.N. Convention on Genocide; thereby proving to the young of this land that we are, as a nation, willing to put ourselves behind those international treaties that will further insure the continuation of a meaningful life on earth for all mankind. We are, so far, 75 nations behind on this issue. We are behind every major nation in the world except Red China in our failure to ratify.

Mr. President, is it not about time we acted on the Genocide Convention?

RESPONSE TO STUDENT'S STATEMENT

Mr. DOLE. Mr. President, one of the most valuable functions the President's Commission on Campus Unrest can perform is the initiation of a public dialog and, hopefully, an understanding of the viewpoints held by individuals on all sides of the debate about the role of higher education in America. By providing a forum for students to articulate their grievances, the Commission can serve as an important outlet for the frustrations felt by many on our campuses. It can also become a vehicle for broadcasting worthwhile proposals for reform and improvement. Another exceptionally important service the Commission can provide through thc publicity given its witnesses is to expose, when present, any weak reasoning, demagoguery, or failure to take a positive, constructive, and clear-sighted approach to the difficulties at hand.

The testimony of a student before the Commission recently evoked a reply in response to the failure of that student to speak to the crucial central issues of campus reform. In a thoughtful letter to the Washington Star, Prof. Cyril A. Zebot, of Georgetown University, discussed the fundamental part higher education has to play in the preparation and training of young minds for worthwhile participation in society.

While students should and must be heard, their statements ought to be exposed to the same hard standards of criticism to which the thoughts of other leaders and spokesmen are held. Only through answering for their beliefs can they and the public be assured that the best and most worthwhile ideas will be presented and survive.

Mr. President, I ask unanimous consent that Professor Zebot's letter, published in the Washington Evening Star of July 30 be printed in the RECORD.

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

COMMISSION ON CAMPUS UNREST

SIR: Current hearings before the President's Commission on Campus Unrest have yet to focus on the central point of the problem. Members of the commission have openly voiced their dissatisfaction concerning the absence of pertinent recommendations.

Typical of the wide swing around the heart of the problem was the testimony of Charles F. Palmer, president of the National Student Association: "As long as the war in Indochina continues . . . as long as there is poverty in this country . . . (etc) . . . until these things are changed, we will continue to make life uncomfortable, and at times, unlivable for the men in positions of power and influence." This piece of threatening rethoric should not go unchallenged.

I am not here concerned with the political question as to how "positions of power" are attained, exercised, influenced and changed in our system and practice of government. But someone on the commission could have reminded Mr. Palmer that difficult international and domestic problems will still be with us long after Mr. Palmer's generation will have collected all the grades and degrees of their student careers (if our colleges and universities will remain "livable" long enough).

Even more important, however, is the realization of the equally obvious truth that it will not be the announced indefinite protraction and escalation of campus unrest that will solve our existing and succeeding great problems. Solutions can only come through intelligent ordering of priorities, careful planning of sequences and constructive cooperation of the majority of the American people within our evolving democratic structures and processes.

TO REQUIRE GREATER CONTRIBUTIONS

Even such a non-utopian progress will require ever greater contributions from our colleges and universities, but not of the kind Mr. Palmer had in mind. If we are to solve our problems more thoroughly and faster than in the past, our colleges and universities will have to equip our succeeding generations of students with increasing mental abilities for an even more dependable analysis and provide them with improved methods and tools of research, both pure and applied. More than before will they have to inculcate into our new generations the hard discipline of scholarly detachment and persevering reflection.

Instead of replacing the spirit of inquiry, the patience of scholarship and the acquisition of knowledge, as Mr. Palmer's threat implies, students' sentiments, feelings and emotions will have to be harnessed as new motivating forces for sustained mental and ethical preparation for real life and its progressing reorientation toward the hard objectives of equality of opportunity, and ever better environment, social cohesion and secure world peace.

The real crisis on our campuses consists in that they have been subjected to escalating attempts at subverting their only intrinsic function of education and scholarship into ever noisier and increasingly intimidating staging areas for "direct action" in the alleged service of an extraneous end for which they are neither needed nor equipped.

MUST BE FREED OF INTERRUPTIONS

If our existing colleges and universities are to be preserved for continued pursuit of their primary objective, they must first be freed from recurring interruptions, shouting demonstrations, rump meetings and other forms of physical and psychological intimidation. The most urgent need on our campuses today is for a sensible code of minimal and largely self-enforceable rules which will effectively separate, in time and place, all forms of "direct action" from schedules and areas where teaching, studying and research are being conducted, or should again be conducted, on our campuses. Our universities are in dire need of administrators that will not keep caving in until it is too late to salvage their battered institutions.

Just as colleges and universities should not interfere with student or faculty political beliefs and commitments, so students and faculty members (not to mention outsiders) have no right whatsoever to use universities as staging areas for political action—no matter how strongly felt—to the detriment of the only lasting function our universities have and for which there is no substitute.

CYRIL A. ZEBOT,
Professor of Economics, Georgetown University.

FRANCE HONORS ASTRONAUT JAMES A. LOVELL, JR.

Mr. MATHIAS. Mr. President, the brave men who have pioneered the exploration of space for this country are truly citizens of the world. All mankind has thrilled with their achievements and experienced the tension of the many critical moments in their flights.

A number of our astronauts have received welcome and praise from millions of citizens of other countries in their recent good-will tours. But this week, singular honor was paid by America's oldest ally, France, to the commander of this year's Apollo XIII mission, James A. Lovell, Jr.

On Wednesday, the Ambassador of France, Charles Lucet, presented the Chevalier of the Legion of Honor to Commander Lovell, thereby introducing him to France's highest national order.

In making the presentation, Ambassador Lucet paid warm tribute not only to Commander Lovell and his colleagues but to all of the loyal men and women who have made America's space program successful. The Ambassador's eloquent words express not only to Captain Lovell, but to all his fellow astronauts, the universal appeal of their mission.

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

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

ADDRESS DELIVERED BY HIS EXCELLENCY CHARLES LUCET

It is a great and single honor for me to have received instructions from the President of the French Republic to present to you today the insignia of the Chevalier of the Legion of Honor and thereby to introduce you to our highest national order.

You are aware, Commander, of the admiration, anxiety and fervent attention with which people in France, all French people, followed your exploits as they did those of the earlier astronauts.

As pilot of Gemini VII, you and Colonel Borman succeeded in making the first space rendezvous in December 1965. You were to do still better in November 1966 on board Gemini XII when you successfully took the first photos of a solar eclipse seen from space.

Then came the time of the Apollo missions. Allow me to tell you humbly that I was at Cape Kennedy on December 21, 1968 for the firing of Apollo VIII. The first manned space vehicle launched by the Saturn V rocket. I shall always remember the unforgettable sight of this majestic take-off into space. A frequent visitor to Cape Kennedy, I was there again in July 1969 for the countdown of Apollo XI, a historic date for mankind—man's first steps on the moon. Armstrong, Aldrin and Collins are also Chevaliers of the Legion of Honor.

I also want to say, Commander Lovell, and the French people agree with me, that we all thought the flight you commanded, that of Apollo XIII, was just as remarkable and just as admirable.

You and those who accompanied you, Haise and Swigert both had to face the greatest crisis that men have ever known, the explosion of the two oxygen tanks that happened midway between the earth and the moon.

We have always admired in all circumstances American efficiency and the unbelievable precision of American technology. But, in that case, it was something else. It was no longer a question of machine but of man's courage, sang-froid and presence of mind.

With the help of mission control at Houston and all the services of NASA, and I would like to pay tribute to the head administrator, Dr. Thomas Paine, you were able, in the face of unbelievable danger, to bring back the capsule and its occupants to the appointed area at the appointed time. We were extremely concerned but your calm and achievement were beyond compare. Sometimes half failures are greater than victories. You have given us an unforgettable lesson. Even, when in space exploration all machines, product of our industry showed themselves as fallible as we are ourselves, you have proved that whatever the circumstances, man, man's boldness and sang-froid can have the last word.

From your example, like that of the astronauts who went before you and those who will come after you, we know that space can be conquered and explored and, in a way, the moon, dreamstar of poets, the first stop in this exploration, is now the suburbia of the earth and very soon will be the starting point of new ventures.

You have opened unparalleled perspectives to fire the imagination of men who will always want a new frontier to conquer. This frontier, thanks to you, is now named the starry sky.

Of course, the prodigious conquest has not changed from one day to the next, man's state of mind and his smallness. There are still conflicts among us, wars and violence. But we know, and it is literally true, that it is sufficient to look up to the sky to see where our destiny lies, to know where the reconciliation of mankind may be made. Space with all its dangers seems to us all now an unlimited field for true international cooperation.

You have shown us the way. You have shown greatness in adversity. Please accept the heartfelt thanks of us all.

This is why, in the name of the French people and the French Government, whose admiration for you and your colleagues is boundless, I shall now say the traditional words.

THE REVEREND J. EMMANUEL HOOVER

Mr. TYDINGS. Mr. President, at times we must all be reminded of certain fundamental values which become clouded with the complexity of the times.

The Reverend Emmanuel Hoover, pastor of the Zion Lutheran Church in Middletown, Md., has written a stirring entreaty to all Americans to search their consciences—to see if they are actually the true patriots they claim to be.

He attributes the Nation's divisions in part to the basic human failing of selfishness—selfishness of those who consider only their immediate group, be it sectional, ethnic, or racial, and not the Nation as a whole.

The Reverend Mr. Hoover's words move each of us to abandon special interests and to strive toward greater unity.

I ask unanimous consent that the sermon delivered by the Reverend Mr. Hoover in the Zion Lutheran Church in Middletown, Md., be printed in the RECORD.

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

WITH LIBERTY AND JUSTICE FOR ALL

(An Independence Day Sunday sermon delivered in Zion Luthern Church, Middletown, Md., by the pastor, Rev. Emmanuel J. Hoover, S.T.D., July 5, 1970)

Text: "Proclaim liberty throughout all the land unto all the inhabitants thereof!" (Leviticus 25:10.)

This weekend we celebrate the 194th anniversary of the founding of our nation with the signing of the Declaration of Independence and the formal beginning of the War for Independence.

One hundred and ninety four long years have gone by and America has developed into the world's greatest nation, having come to be known throughout the world as "the land of the free!"

There have been many American flags displayed this weekend in apparent commemoration of that event of one hundred and ninety four years ago. We have been encouraged to display the flag at our homes and on the rear and side windows of our automobiles in an effort to revive the sagging of patriotism evident in our land. All of this is fine, if, when we display we really believe what it represents and symbolizes; otherwise, it is gross hypocrisy and a cover-up!

When we salute the flag we say: "I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all!" If we really believe those words, then we have a right to fly the flag, and to fly it as briskly and as often as we may desire. But if we do not really believe those words, then we have no right to fly the flag, for then to fly the flag becomes sheer hypocrisy; saying by the outward display of the flag that we are believers in what it symbolizes when in our hearts and minds we do not so believe. And this is what the younger generation says concerning many of us of the older generation—that we are guilty of hypocrisy! By which they mean that we say many things we do not do, that we say many things we do not believe, so that they see us as guilty of gross hypocrisy.

Our nation was founded by religious men. If you will study the Declaration of Independence, the U.S. Constitution, and all the early documents leading up to them, you will find in each an overt recognition of the part God plays in the life and destinies of men and nations. God played a most important role in the events which led to the founding of America.

This Leviticus text, perhaps 2800 years old, is the Biblical text inscribed on the Liberty Bell. Our founding fathers took a text from the Bible and had it inscribed on the Liberty Bell when they had it made: "Proclaim liberty throughout all the land unto all the inhabitants thereof!" This was not a new idea; it was an old idea, as old as the world because it existed in the mind of God. All men, by God's Will, are to be free, and nations are to administer justice impartially for the benefit of each individual man. Liberty and justice are not just for a few, a privileged few; they are for all people, for all the citizens of the land, and for aliens too! God revealed those truths 2800 years ago, but it has taken hundreds and hundreds of years for them to become evident reality for many peoples. America was probably the first nation, and possibly the only one, to inscribe these words of the text on a bell which was to ring out liberty and justice for all its people!

It required 2800 years for God to develop a nation which came to be known as "the land of the free!" Other nations contributed to this historic development: there were the Greeks with their City States and ideas of freedom, and there were the British with their Magna Carta. But liberty is a precarious business. Nations which have had liberty and freedom can easily erode and vanish. It takes eternal vigilance and the kind of ingredients which go into the making of true and lasting liberty!

America didn't just happen to happen! America became what she is because of the character of the people who founded America and who have kept America and the American dream alive through one hundred and ninety-four years of history. They were people who believed that in America liberty should be proclaimed throughout all the land to all the inhabitants thereof. If everybody in America today believed this, we would not be the divided nation we are. We are a divided nation because there are groups of citizens who do not believe that liberty should be proclaimed throughout all the land to all the inhabitants thereof. If the Liberty Bell were to be struck today, many would insist that the Leviticus inscription be eliminated!

Some folks want liberty and justice for themselves but are not in the least concerned about the same for others. There are groups that want liberty and justice to maintain their selfish interests, but who couldn't care less about liberty and justice for the other groups in our society. Selfish interest groups who look out for their own welfare primarily and who do not consider the welfare of the nation as a whole constitute one of the major weaknesses in our American society today. Lobbies and lobbyists can very easily be dedicated not to what is good for America but solely what is good for the special interest they represent. Lobbying can easily become the most selfish expression of political exploitation. The result of much such selfish expression and self-seeking can be the erosion in liberty and freedom!

The Liberty Bell didn't ring very long until it suffered a crack, and someone has suggested that we have a crack in the Liberty Bell today! It is quite true; America's Liberty Bell is cracked for liberty and justice for all! No longer do we seem willing as a united people to proclaim liberty throughout all the land to all the inhabitants thereof!

America was known for many years as "the melting pot of the world." People came here from all lands and continents. They spoke diverse languages and represented differing cultures. Here in the land of freedom and opportunity, after a generation or two, they were assimilated into our citizenry and many of them came to be recognized for unique contributions they gave to the life of the nation. Among these immigrants were many of our immediate ancestors.

But we seem to have ceased being the world's melting pot; instead of being assimilated into a living union and commonwealth, we now seem to stand in opposition

to one another and to withhold goodwill and opportunity to one another, especially so if the color of our skin is different. There are groups and individuals in America today who, looking back to the past, think of the wonderful life in America of fifty or seventy-five years ago, an America which was much differentiated more desirable for living than the America of today, an America in which people did tolerate one another and respected differing opinions; and they wish to go back to that America, to the manifest patriotism which reigned in those former years. Well, we can go back to that America if we will but fulfill the same conditions which created that America of fifty or seventy-five years ago, if we are willing to work together, to understand one another, to love one another, and if we really will believe with our heart and soul in the freedom and justice for all for which the American flag stands!

There is a consistency between what we say when we repeat this ancient text from Leviticus and when we pledge allegiance to the American flag, and what we confess in both instances is among the noblest acts and sentiments of man. It represents God as having a position of recognition and honor in the history and life of our nation: "One nation—under God!" Some citizens will hang out the flag on national holidays, affirming that they believe this nation's life is built on a recognition of God, but they themselves are never found at worship in any House of God helping sustain the godly foundations of the nation—all of which has something of the air of hypocrisy about it! For to say that this is a nation under God and then refuse to do your little bit of this action is indeed hypercritical, is to forfeit one's right to display the flag, because then one doesn't really believe in this truth an ideal which the flag symbolizes.

To display the flag is to believe in the unity of America: "One nation . . . indivisible!" This is to mean that priority is given to the nation above all other national goals or local loyalties. The flag says that America is for "all the inhabitants of the land!" Americans are united regardless of the color of skin, of financial position, of educational attainment, or of political opinion. All groupings and allegiances are subservient to the unity of the nation. In the true America no distinctions are made where unity, love and loyalty to nation is involved. And this is one of the great things we say when we salute the flag. Groups may separate us, but the nation should unite us. If we are a divided nation, you see, it is because some of us have fallen prey to the temptation to put local, sectional or group interests ahead of national interests, and to the degree we have done this we have violated the pledge of allegiance to the flag and nullified the will of God as set forth in the ancient Leviticus commandment to "proclaim liberty to all the people!"

There is something genuinely un-American about permitting local, sectional or personal interests to divide us as a people. In America there should be no North or South, no capital or labor, no rich or poor, no black or white to disrupt our unity or to delay the achievement of our national goals and ideals. And we will believe this if we are honest when we salute our flag and seriously consider God's Will for all men.

To genuinely salute the American flag means to accept the ancient Leviticus text as God's command to us as a nation: that here liberty and justice shall be proclaimed and administered evenhandedly to all. The flag of our nation was bought with a great price; it is not something cheap, to be spit upon and torn into rags. Men by the thousands have died for the nation, believing in what the flag symbolizes: their blood is represented by the red stripes. The white strips are emblematic of the pure and lofty ideals for which our nation stands. And the blue should represent the loyalty of the living to those ideals for which our dead heroes shed their life blood. A great deal of dedicated living and heroic dying is represented in the American flag; purchased at such a price, we dare not treat it lightly or desecrate it lightheartedly! Our loyalty does not mean perfect acceptance of the nation as it may be, but rather to the nation's high and lofty ideals towards we should always be striving. It is not a blind loyalty, such as is evident in such catchwords as: "America: Love it or Leave It!" but a loyalty which ever works to make America's performance more faithfully duplicate and attain its ideals. We dare never forget that America stands under the vast judgment of God just as do individual men, but we seem to have lost this sense of the judgment of God in the affairs of nations. One of the truly great traits of Abraham Lincoln was that he believed devoutly that God sits in judgment upon nations, as well as He sits in judgment upon individual men and women.

We are called upon always to try to make America live up to the high and lofty ideals represented by our flag and historic documents—the ideals that liberty, freedom and justice shall be proclaimed from one end of the nation to the other end, to every single citizen and inhabitant thereof.

There are many American citizens who consume civil, economic and political liberty for themselves, but who are not willing to grant similar liberties to the poor and underprivileged among our citizenry. At times when our government has tried to elevate the living standards and educational opportunities for the thirty million Americans living in Appalachia and in our ghettos, we have found some of our most highly privileged citizens among the most vocal opponents. We are not all equal when it comes to economic and social opportunity; anyone who has been closely and sympathetically identified with the poor of our land, the depressed of Appalachia, the ill-treated American Indian, or the down-graded Mexican-Americans, knows full well that these inhabitants of our land do not have the opportunity, they do not have the freedom, to develop themselves into the most constructive citizens possible in a worthwhile society. That's the heart of liberty—not license, not freedom to do as we please, or to be what we want to be—but freedom to become what we ought to be, freedom to become the best we can possibly be, to be elevated in mind, ennobled in spirit, upgraded in character, and motivated to be of positive usefulness in the society of man.

Yes, true Americanism consists in more than the periodic display of the flag. Not everyone who displays the flag is a good American, but only they who work daily in life to make America a better and a more democratic society, who strive to assist their fellowmen in realizing the ideals and hopes expressed in the flag. These ideals, rooted in Jewish and Christian history and teaching, can be summed up in Jesus' great commandment: "Love God fully and love your neighbor as you love yourself!" Christ's love consists of goodwill, tolerance and an understanding helpfulness towards our neighbor—it means liberty, justice, goodwill, and a helping hand for every soul striving to climb upward!

So, to truly obey this Leviticus command and to genuinely display the flag, one must not be viciously opposed to, must not hurt or harm a fellow citizen in any manner, but, as Luther said, must seek to assist him, to understand him, to wish only the best for him, and to put the most charitable construction on what he does and says!

This means that in America we will not call each other derogatory names and separate ourselves into opposing groups; but white and black, rich and poor, citizens and aliens, educated and illiterate, will live and work together, side by side, in understanding helpfulness, living and letting live, striving to achieve together what we cannot achieve alone—the American dream and the dream of God for all mankind!

"I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all!"

"Proclaim liberty throughout all the land, unto all the inhabitants thereof!"

So, if you believe in these American ideals, go home and display your flag as a testimony to your faith in these ideals. But if you do not genuinely believe in these ideals, then go home and take down the flag you may be displaying, wrap it up in moth balls and store it in your attic until the time comes when you may be able to truthfully display it. But don't be guilty of hypocrisy!

YOUTH—WHO NEEDS THEM? WE DO

Mr. TOWER. Mr. President, on July 29 I placed in the RECORD the texts of some speeches made at the time of the Future Farmers of America breakfast here in Washington last week.

I have now received the text of remarks made by Mr. Steve Zumbach, who is vice president of the North Central States region of FFA. A number of congressional visitors at the breakfast on July 23 remarked to me that they thought his comments were outstanding, and I am pleased that I have been able to obtain a copy for inclusion in the RECORD today.

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

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

YOUTH—WHO NEEDS THEM? WE DO

(Statement by Steve Zumbach, vice president, North Central States region, Future Farmers of America, at annual FFA congressional breakfast, July 23, 1970)

I was rather reluctant to speak before such a distinguished group of gentlemen, for you are so much more knowledgeable than I on any subject I might wish to discuss. My remarks, will therefore, come from the point of view of a young man who has traveled across the country and some of his observations.

In viewing the situation, it appears the American people are perfectionists—which is a commendable quality. At times, it seems we have become so preoccupied with what America should be, however, we have ultimately lost sight of our basic goals. To illustrate such consequences, I will relate the following analogy. One evening a girl of 21, who had been in an automobile accident, was put under the care of two doctors in a hospital. Immediately the younger doctor began to take great pains in stitching up a cut on the side of her face. With great care, the young doctor worked for nearly an hour. As the older doctor looked on, he noticed her pulse was slowing and her face was turning blue. He mentioned to the young doctor who had been preoccupied with the cut on her face that the girl was dying. Within a few moments she died of a ruptured spleen.

How many times today do we become so preoccupied with perfection that we lose sight of our basic goals and hopes? What are those ultimate hopes and goals of society? One of those hopes is sitting in the room this morning. That hope, is those individuals wearing the blue and gold jackets and their fellow peers in what we refer to as

the nations youth. Who needs them? America does! They're a resource that far surpass in value any mineral wealth. A nation which has no youth or fails to equip them with tools for life has no future as history will bear out.

It therefore saddens me to have experienced the hatred and disrespect this land holds for its young people. It saddened me last week to visit a school in New York that served 5,000 students but ideally would have difficulty serving 2,500 students. It saddened me to learn a boy scout group disbanded in my local community for lack of adult guidance. It saddens me that a great canyon filled with intolerance, hate, and impatience has separated our generations which ultimately resulted in the tragic death of four students at Kent State and the violent aftermath which followed.

With a society whose technology has taken parents out of the home and thereby impaired their ability to pass on value systems, that society must make avenues open to young people for value and character development. FFA (Future Farmers of America) and other youth groups are examples of those avenues open to young people.

At a time when strengths in youth activities are so sadly lacking—it is imperative that those avenues remain open for the nation's youth. As representatives of the nation's young people we look to you gentlemen this morning, not only for support in our endeavors to become constructively involved in "Building Our American Communities." We ask you for your support in developing America's Young people.

Rather than the intolerance and hatred that has characterized the encounters of our generations in the last decade—may we replace them with understanding and objective concern—a spirit that is related in a recent hit called "Try A Little Kindness."

"Just try a little kindness
Yes try a little kindness and let your light shine through.
And overlook the blindness of the narrow-minded people
On the narrow-minded way."

VICTOR RIESEL ON PRISONERS OF WAR

Mr. DOLE. Mr. President, in his syndicated column entitled "Inside Labor," Victor Riesel recently raised an unfortunate illustration of the one-sided thinking and hypocrisy with which many in this country and elsewhere approach the issue of prisoners of war. Specifically, Mr. Riesel calls attention to the great outcry which has arisen over the Con Son Island prison in South Vietnam and the appalling lack of any similar evidence of concern for the approximately 1,500 American servicemen who are being held prisoners of war or are missing in action in Southeast Asia.

Inhumanity by any nation or group is reprehensible and deplorable, but it is impossible for me to understand how those who raise such anguished cries over the treatment of North Vietnamese and Vietcong prisoners can fail to respond with equal emotions to the treatment of our own citizens.

The column is blunt and hard hitting. It raises many questions which deserve answers.

I ask unanimous consent that Mr. Riesel's column of July 24 be printed in the RECORD.

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

DOES ANYONE CARE? AMERICAN WAR PRISONERS IN HANOI'S BAMBOO CAGES FORGOTTEN AMID UPROAR OVER SOUTH VIETNAM TIGER PENS

(By Victor Riesel)

NEW YORK.—Right. Those tiger cages in the Paulo Condor (Con Son) prison are rotten. Their guards are sadistic. The torture is white heat hell and monkey-sized cells are not for humans. Right.

But where amid the outcry is there a strong voice sobbing for the American prisoners of war held by the government in North Vietnam, caged by the underground Communist cadres in Laos and imprisoned by the Viet Cong in South Vietnam?

There is a voice, scarcely heard amid the din of those who always are horrified by Saigon's depredations and never once take Hanoi as a personal insult.

The voice is that of Ross Perot, the Dallas computer genius whom the public recalls mostly as the man with the magic electronic touch who lost over $100 million daily for over a week last May.

I talked with Mr. Perot the other day shortly after he had used the transcontinental telephone to urge his South Vietnamese friends to clean up Con Son.

"Over 1,500 American prisoners of war are rotting in North Vietnam, Laos and South Vietnam," said Perot who has flown the world, knocked on all doors, beseeched all diplomats including the utterly scrutable Oriental envoys from Hanoi now in Paris, Stockholm and once in Cambodia.

"These men are kept in bamboo cages, caves, holes, chained to trees and held in solitary confinement. Some of these men have been prisoners longer than any other prisoner of war in our nation's history."

There are scores of diplomats who know these grimnesses. There are Americans who have been to Hanoi (they shuttle in regularly) and who know or should have known of the caged Americans.

Like the 21 protesting senators, they bleed over the tiger cages—though some Arkansas prisons are well up in that dark league. Yet they will not antagonize Hanoi with a single harsh word, or even appeal for the Americans freedom, or even a quiet demand for the list of prisoners' names so young women will know if they are wives or widows and kids will know if they have a dad.

"The North Vietnamese have very little interest in the prisoners of war," Perot continued. "They will agree that upon completion of interrogation, a prisoner of war loses all military significance and becomes a burden to his captor, using food, facilities and guards.

"As for food, the American prisoners live on a diet of fish heads, pumpkin stew and pig fat. I had this diet prepared for a number of newsmen. No one sampled it. You would have to be starving to eat it."

Yet some of the American soldiers, Marines and airmen have been in the bamboo cages for more than six years. Is a bamboo cage more safe a haven, more comfortable a prison than a concrete tiger's den?

Yet nowhere but in the U.S. is a voice or two raised in their behalf. One of those voices is that of the longshoremen's leader, Johnny Bowers, tough but soft-toned, icy but run through with the compassion of a man who can't stand being shackled himself.

Since April 13, "Johnny," executive vice president of the 110,000-member International Longshoremen's Assn. (AFL–CIO) has asked the Soviet government at least to get the list of prisoners' names from its ally, North Vietnam. Never has Mr. Bowers raised a "hard hat" issue in his attempted dialogue. On that day he wrote to Soviet Ambassador Anatoly Dobrynin, offering to end the unions boycott of Soviet ships in Atlantic and Gulf Coast and Great Lakes ports if the USSR would help.

Johnny Bowers is a bargainer. His men, he said, would unload one Soviet freighter or luxury liner for every five American prisoners of war which the Russians could convince Hanoi to release. But all "Johnny" got was a loud silence.

However, not so silent has the Soviet press and radio been on the "tiger cages." And Hanoi's daily Nhan Dan has excoriated the Con Son prisoners. And they say that American congressmen haven't seen anything yet in South Vietnam. Now would be the time for these congressmen to petition Hanoi—on strictly a humanitarian, not political basis—for the chance to see Hanoi's prisons, pens and cells used for Americans and their own political prisoners.

In effect, this is what Ross Perot has been urging during his chartered flights across the world.

"The North Vietnamese consider the 1,500 prisoners of war unimportant," Perot related to me. "In one conversation they said, 'Why all this fuss over just 1,500 men? These prisoners are unimportant.' I tried to explain to them that in our country every life is precious, and that 200 million Americans can become deeply aroused over 1,500 helpless men being starved, tortured and beaten."

The North Vietnamese replied that they did not believe Mr. Perot.

"Your nation has lost over 40,000 men in this war," they told Perot. "Yet, after years of war, most of the American people have not become aroused in any way, either for or against the war. Why should we believe that your people care about just 1,500 prisoners?"

In this the enemy will be proven right if the horror billowing up over the tiger cages is not matched by an outcry for the well-being of Americans in bamboo cages.

THE RENEGOTIATION BOARD

Mr. MATHIAS. Mr. President, in our current financial state we are all well aware of President Nixon's endeavors to remedy the needs of the national economy. I think that it is especially encouraging though, to note areas in which the administration's programs have shown tangible results in the saving of the taxpayer's money. Such results can be seen in the work of the Renegotiation Board under the chairmanship of Mr. Lawrence E. Hartwig. It is the duty of the Board to determine excessive profits, where they exist, in Government contracts.

During the fiscal year ending June 30, 1970, the Board, through the outstanding efforts of its members, D. Eldred Rinehart, William Henry Harrison, William S. Whitehead, Rex M. Mattingly, and Mr. Hartwig, found more than $33 million in excessive profits on defense and space contracts.

In a summary prepared by the Board of its activities, it stated that this figure represents more than a 50-percent increase over the excessive profits determined by the Board in the previous fiscal year, and was the largest determined in any year since 1960.

Since its creation by Congress in 1951, the Board has made determinations of excessive profits aggregating more than $1 billion. Board determinations are before Federal tax credits.

Mr. President, I ask unanimous consent that the summary in the form of a news release of July 11 from the Renegotiation Board be printed in the RECORD.

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

NEWS RELEASE OF THE RENEGOTIATION BOARD

More than $33,000,000 in excessive profits on defense and space contracts were found

by the Renegotiation Board during the fiscal year ended June 30, 1970, Lawrence E. Hartwig, Board Chairman, announced yesterday. The Renegotiation Board is an independent agency of the Federal government.

The 1970 figure represents an increase of more than 50% over the excessive profits determined by the Board in the previous fiscal year, and was the largest determined in any year since 1960.

Additionally, as of June 30, the Board had made determinations in excess of $3,700,000 which had not yet been incorporated in formal agreements or orders.

Since its creation by Congress in 1951, the Board has made determinations of excessive profits aggregating more than $1 billion. Board determinations are before Federal tax credits.

Moreover, voluntary refunds and price reductions of more than $18,000,000 were reported by contractors in fiscal 1970 in connection with renegotiation proceedings, bringing the total of such voluntary refunds and price reductions during the last 19 years to more than $1.35 billion.

The increase in the Board's determinations in fiscal 1970 reflects the impact of the procurement build-up for Vietnam, Mr. Hartwig said. He noted that the Board made 123 determinations of excessive profits in 1970 compared with 82 in fiscal 1969.

Excessive profits were found in industries manufacturing a variety of products, including ordnance, aircraft, missiles, uniforms, electronics, metals and machinery.

COMMISSION ON LABOR LAW REFORM

Mr. TOWER. Mr. President, on July 15 I introduced Senate Joint Resolution 220. The joint resolution seeks to establish a nine-member Commission on Labor Law Reform. I have received a good deal of favorable response to this proposal since the time of its introduction. I again urge Congress to take the necessary steps to update our current labor laws.

In a recent editorial, the Dallas Times Herald supported my contention that there is a growing need for a thorough study of the existing labor law statutes. I ask unanimous consent that the text of the editorial be printed into the RECORD.

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

LABOR LAW STUDY NEEDED

The reluctance of congressional committees in both houses to take up the problem of strikes in industries vital to the public has caused Texas Sen. John Tower to propose the creation of a national commission to recommended needed changes in federal law.

In introducing a resolution to establish the commission, Sen. Tower said it should give particular attention to emergencies in transportation industries.

The commission would be composed of two representatives from management, two from labor, two from the public, one from the federal government, one from arbitration and mediation associations, and one labor law professor.

These nine members of a commission could hold hearings and help draw public attention to the need for action on current legislation dealing with labor disputes. The Nixon administration has proposed emergency public interest protection legislation but neither the Senate nor the House has held hearings on the proposal since it was introduced last February.

The threat of a nationwide rail strike is the latest development which underlines the need for some kind of protective legislation. Sen. Tower noted that stop-gap measures taken by the President to delay the strike indicate the 45-year-old Railway Labor Act is ineffective.

A commission on labor law could render an important service, perhaps including the revision of the National Labor Relations Act and new guidelines for the operations of the National Labor Relations Board.

Congressional committees could be just as effective as the proposed commission but in the absence of any action by these bodies, Sen. Tower's proposal is particularly pertinent. We can hardly afford to stagger along from crisis to crisis without some improvement in the machinery for settling wide-ranging labor disputes which have drastic effects on the general public.

JACKSONVILLE, TEX., DAILY PROGRESS, EDITOR BARNES BROILES, SUPPORTS BIG THICKET NATIONAL PARK

Mr. YARBOROUGH. Mr. President, the scientific and recreational values of the Big Thicket of southeast Texas are so outstanding in quality and importance, and their threatened loss to the Nation so grave, that their preservation by the Federal Government for the enjoyment, education, and inspiration of all people is imperative.

For many years I have called for the preservation of the Big Thicket through the establishment of a national park in parts of Hardin, Polk, Tyler, Liberty, and San Jacinto Counties, near Beaumont, Tex.

The need to save this beautiful and unique biological crossroads of America has been emphasized by me on many occasions on the floor of the Senate and in addresses to groups in Texas and throughout the Nation. It is my intention to continue to bring this matter to the attention of the Senate and to the people of the Nation until this portion of our natural heritage is saved.

An editorial in the June 29, 1970, issue of the Jacksonville, Tex., Daily Progress pointed out with approval my efforts to save some of the most beautiful parts of Texas such as Padre Island, the Guadalupe Mountains, and the Big Thicket. The establishment of the Padre Island National Seashore and the Guadalupe Mountains National Park are two satisfying legislative accomplishments, and this recognition of these achievements on behalf of the citizens of Texas and the Nation is deeply appreciated.

But we look to the future, for Big Thicket, and this editorial is very supportive of my long fight to preserve the Big Thicket by the establishment of a Big Thicket National Park of not less than 100,000 acres.

This recognition and expression of appreciation by the Jacksonville, Tex., Daily Progress is particularly significant and meaningful to me. This outstanding and forward-looking newspaper has a great history of taking courageous editorial stands in the interest of the people. For many years this fine newspaper has spoken out strongly on behalf of conservation and many other causes which benefit the people. This newspaper under the enlightened editorialship of Barnes Broiles, is remarkable in its steadfast devotion to noble and worthy causes. This paper is unique among Texas daily newspapers for its vision, leadership, and its concern for truth and for the advancement of man.

This enlightened and perceptive newspaper is one of the great daily newspapers in the State of Texas, and their remarks concerning my long battles for the people of Texas are sincerely appreciated.

Greatness among newspapers is determined, in my opinion, not by how big its circulation is, but by how big its vision is. By that standard, the Jacksonville Daily Progress is a great newspaper.

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

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

BIG THICKET EFFORT TO CONTINUE

There were grave fears that the Big Thicket project would be forgotten, with the defeat of Senator Ralph W. Yarborough, the determined advocate. It is gratifying, then, that the Democratic nominee, Lloyd Bentsen, has come out in favor of the 100,000-acre Big Thicket, the Yarborough bill.

Senator Yarborough, who perhaps did more for Texas than any senator in several generations, will have the Padre Island and Guadalupe park preserves to his credit, for he never gave up in the fight to preserve these spots for public interest, even against formidable foes.

The Big Thicket can be an area long preserved for the public to see forests and swamps in the natural state. A little bit of the frontier can be preserved if enough support is given the efforts to stop the sawmills from destruction of this southeast Texas scenic spot.

The Big Thicket is to be maintained in as near natural state as possible, with only paths, roads and camp sites now and then so the people can see and enjoy a look at what once was so widespread in East Texas.

Because of his great efforts, there should be a monument or a historic marker in the Big Thicket, a tribute to Ralph Yarborough, the man who brought this natural heritage to the attention of the nation.

UNIT PRICING: A PROGRESS REPORT

Mr. PEARSON. Mr. President, inflation continues to shrink the value of every family's income. Prices continue to rise. The shoppers of our Nation continue to seek ways to save money.

We in Government feel very keenly the desires of our people to ease their worsening economic burden. We talk of "guidelines," of "inflation alerts," and other ideas intended to better conditions of economic life in everyday America. But there is a way in which we could really help the buying public in a direct manner—by adopting unit pricing of food commodities.

Mr. President, a Midwestern food chain recently introduced unit pricing across the entire range of its inventory. Although many individual stores have experimented with unit pricing in varying degrees, this chain was the first to fully implement this helpful service. A recent news article reports on the experience this company has had after 6 weeks, shedding considerable light on the benefits of unit pricing as well as describing

the reactions of several housewives to the new idea.

Mr. President, I ask unanimous consent that the New York Times article be printed in the RECORD. I invite the attention of the Senate to this important subject.

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

UNIT PRICING TEST: BUYERS APPRECIATE CHANCE TO CUT FOOD COSTS

(By Seth S. King)

BURLINGTON, IOWA, July 26.—"You know, I found out some of the canned goods really are different in price, when you see the price broken down this way," said Mrs. Robert Hale. "I'd always bought Armour's Golden canned hams, for example. But then I saw the unit price and now I've switched to Dubuque, because I know they're cheaper."

"I've also found some of the larger sizes really aren't cheaper and I could do better buying two of the smaller ones," she went on. "I couldn't say that I've cut my food costs much that way, but even if it's only a little, I appreciate the chance these days."

Mrs. Hale, wife of the general manager of the J. I. Case Company (farm implements), was discussing unit pricing, currently the most talked about aid to the food consumer. Unit pricing tells the shopper how much an item costs per ounce or pound or gallon or yard.

TYPICAL REACTION

Talks with Burlington housewives who shop at the Benner Tea Company's two supermarkets in this old Mississippi River town indicate that Mrs. Hale's reaction is typical.

After six weeks of shopping with unit pricing, the housewives are still not sure about how much money they've saved, but they feel much better about what they've spent.

Other chains, under mounting pressure from consumer interests, have been experimenting with unit pricing to learn how much it costs and whether there is a real demand for it. But Benner, with 21 stores in Iowa, Illinois and Missouri, is believed to be the first chain to establish it on a permanent basis.

Though housewives seem to like the system, some retailers argue that it is costly and would eventally increase food prices. This is one of the arguments used by the New York State Food Merchants, which has obtained a court injunction that is blocking a New York City regulation requiring unit pricing.

Benner, however, says the costs are small. The chain also reports an increase in business, but a smaller increase than it had expected.

Housewives have always bought meat and fresh fruits and vegetables by the pound for ounce, and those prices are usually stamped on those items now. What Benner has done is extend this to every other item in the store.

Now, on the edge of the shelf beneath each item, there is a small tag showing its total price and the price per unit of measure.

With no more than a quick glance, a housewife can tell whether she can save a few cents by buying a bigger jar of peanut butter, whose per pound cost may be 40 cents compared wtih 44 cents per pound for a smaller jar.

Or she can tell, perhaps to her surprise, that a smaller jar of applesauce costs 20 cents a pound, compared with a larger jar at 21 cents. Or that two packages of paper towels, which appear to be the same size and which sell for the same total price, are actually different. The unit price of one is 3 cents a square yard, the other 4 cents. The first has 165 square feet in its roll, the second only 125.

Or she learns that the extra giant 10 pound 11 ounce box of Tide she had been proudly lugging home costs 26 cents a pound, exactly the same as the 5 pound 3 ounce box beside it.

THEY DO THE FIGURING

"I noticed the ads about unit pricing, but at first I didn't pay too much attention," said Mrs. Josephine Fageol, wife of a lathe operator at J. I. Case. "But I've got five children and I have to count every penny."

"I suddenly realized," she said, "that by looking closer at those tags, I was sure of what I was buying. When I think of it, it was kind of frightening to go into a store and try to figure out which to buy. Now they do the figuring for me."

In talking with 12 other shoppers in the two Benner stores here, it was clear that interest in, or ever knowledge about, the unit pricing plan was directly proportionate to how many people a customer had to feed.

Mrs. Judy Peterson, a bride of 10 months, said she paid little attention to it, and just came in "to buy what I have to buy quick."

Mrs. Hale, however, who feeds about seven people a day, counting grandchildren, said:

"I began to find out there was a big difference in some prices. For instance, I didn't realize I'd been paying more per ounce for a canned ham that I usually buy. Now I bring my daughters-in-law in here when they are visiting, and they have great fun checking out the prices. They're surprised, too, on a lot items."

Mrs. Norman Johns, a frail woman trying to push a jammed grocery cart while four of her six children clung to parts of it, said she was particularly pleased with unit pricing. Her husband, an Air Force armorer, had just been sent to Vietnam and for the first time in several years she did not have the advantage of shopping in an Air Force commissary.

"I'm not very good at figuring," she said. "So this helps me a lot. Like I'm thinking to change soap powders now. It might save a little, and that's really good for me now."

In embracing unit pricing, the Benner chain, headed by Charles C. Fitzmorris, Jr., a former New York and Chicago advertising man, had one eye on aiding the price-conscious housewife and the other on a chance for more profit through the publicity that unit pricing might generate.

"The Government is already beginning to push it," said Philip Neally, executive vice president in charge of sales. "So we figured, let's be first and get the advantage of doing something the housewives might like."

Benner executives think the cost argument is ridiculous. They say that with the aid of a computer, which the chain leases anyway, they were able to figure the unit price for each of about 6,000 items, print small shelf labels for each item and pay for the labor of posting each label for a total cost to the chain of $12,700.

The company, which sets the prices for all the corporate stores in its chain, makes about 200 price changes a week. These can also be posted through the computer, the company says, for about $5 per store per week.

Mr. Neally said the company was a little disappointed that total sales in the last six weeks had increased only 4 per cent; the executives had been expecting a 10 per cent jump.

"But we show a 10 per cent increase in the number of customers going through our checkout counters," he said. "A good portion of that increase is probably just the curious, but we may keep a few of them."

"TRU-PRICING"

Mr. Neally said the company had no thought of passing on to its customers what he considered the modest cost of unit pricing, which Benner calls "tru-pricing."

"In the past we've spent as much as $30,000 just advertising a free dish offer," he said. "On tru-pricing we're in first, and that's enough of a promotional advantage for us to pay for ourselves."

Aside from its effect on buying, unit pricing is already having some effects on merchandising, Mr. Neally said. He explained:

"For the first time more housewives are noticing the odd sizes of some packages and bottles. As prices have gone up, a lot of food companies have been reducing the size of their containers, just a mite, and keeping the same price.

"Now housewives are asking our managers questions, like why something comes in a 13.3-ounce jar instead of a pint. I'd expect that this is going to force companies to go back to more recognizable packages, like a full pound or a full quart."

Mr. Neally said the Benner retailers also believed that in some of the largest of the economy packages, like Tide's biggest, would be discontinued after housewives found they really weren't saving anything by carrying out that much weight.

The Benner Company's competitors at the Eagle and Hi-V chain stores in Burlington concede that there was some talk about unit pricing among their customers at first.

"But we've shown no drop in trade because of it," said Marion Stewart, manager of one Hi-V store. "Yes, the chain members have discussed the possibility of unit pricing. And the chain has use of a computer. But we don't think it's that important yet."

Mrs. Bill Carder, a mother of four, who said she had been shopping at one of the Benner stores for over three years, did not agree.

"I wouldn't say I'd change my buying patterns because of this thing," she said. "But I sure feel better now because I go out of here thinking I've done the cheapest shopping I possibly could."

FAMILY ASSISTANCE PLAN

Mr. SCOTT. Mr. President, the Committee on Finance is at present holding hearings on the administration's family assistance plan. I ask unanimous consent that an editorial published in Life magazine be printed in the RECORD.

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

THE WELFARE MESS NEEDS TOTAL REFORM

Welfare now is "a colossal failure," as President Nixon says, "a wheezing, overloaded machine." The welfare machine is headed toward complete breakdown because it hasn't the capacity to help the poor humanely—and the public hasn't the capacity or the willingness to finance it in its present form much longer.

"Welfare"—that tangle of programs for the poor who because of age, sickness, handicaps or lack of ability and training can't get jobs—is a system full of inequities. The vast differences among State levels of welfare assistance contribute to the migration of millions from states like Mississippi (which pays $46 per month to a welfare family of four) to states like New Jersey ($265 per month), where the jobless congregate in overcrowded and crime-ridden slums and load an increasingly intolerable burden on state and local treasuries.

The "permanent welfare population" of the cities—which in New York City alone now numbers one million, or one person in eight—reflects the most distressing failure of all. Despite a decade of national prosperity, the total number of Americans on welfare rolls today has increased from 5.8 to more than

10 million. The present welfare setup often amounts to an incentive to *remain* on relief. Those on welfare who have the gumption to find at least marginally paying work usually lose more in benefits than they gain in earned income. And another 13 million-plus Americans get no federal cash assistance whatsoever. These are the family members of the "working poor," whose breadwinners earn wages below the federally set poverty line ($3,743 for a nonfarm family of four).

The poor amount to 12% of us—which at least is a considerable improvement over the days when Franklin D. Roosevelt talked of one third of a nation. Of the 10 million receiving welfare assistance, dependent children comprise the vast majority; 90,000 are men who are physically employable and mentally competent; another 1.5 million are working-age mothers.

In the past decade, U.S. welfare expenditures have almost doubled to more than $6.5 billion. If only the money were being used effectively, this level of spending might be financially defensible, considering that we pour nearly three fifths as much into farm subsidies.

For almost a year, the Nixon administration has been trying to get Congress to approve a sweeping overhaul of U.S. family welfare laws. White House Urban Affairs Counsellor Pat Moynihan calls it "the most important piece of social legislation in 35 years." The new Family Assistance Plan got through the House of Representatives last April, but for three months has been held up in the Senate Finance Committee, whose chairman, Russell Long of Louisiana, has finally agreed to start hearings.

Family Assistance is a modest first step toward a radically ambitious national goal: ensuring a tolerable standard of living for all Americans—with maximum opportunity and incentive to work and minimum indignity for those legitimately unable to do so.

Its fundamental principles are two:

That welfare is a national problem. Therefore Washington accepts an obligation to encourage a nationally equitable—and eventually uniform—level of welfare assistance. As the first step, it will in effect guarantee throughout the U.S. an annual income of $2,460 ($1,600 cash, the rest in food stamp benefits) for a family of four, a standard now met in only 23 states.

That welfare should try to restore the poor to gainful employment. Family Assistance requires welfare recipients physically qualified to take jobs or vocational training to do so, and provide stepped-up federal programs for child day care centers, job-training and job-location assistance. Most important, it offers the poor a sliding scale of continued income support after they find work.

All this will add somewhat more than $4 billion annually to federal welfare costs. But it can be argued that the present system, increasing in cost an average 10% a year, is likely to be more expensive in the long run. As it is now, more of the poor who get on welfare rolls are likely to stay on them indefinitely, psssing on to the next generation the costly social disease of welfare living, whose symptoms often include nutritional starvation, educational deprivation, high rates of drug use and urban crime—to say nothing of their wasted lives.

Family Assistance strikes us as a sound idea. But it runs into a lot of entrenched prejudices. The vast welfare bureaucracy—more than 170,000 employees—has a built-in resistance to change. There are many Americans who think stigma and humiliation should be the proper lot of those "on welfare," a notion which dates from the colonial era, when the Commonwealth of Pennsylvania required paupers receiving public alms to wear the letter "P" sewn onto their clothing, just as Hawthorne's adulteress Hester Prynne was forced by Massachusetts Puritans to wear the scarlet letter "A" attesting to her sin. Americans who still think of welfare families as vaguely immoral recipients of "something for nothing" find the rhetoric of the new welfare "rights" organizations especially hard to take. The welfare militants seem convinced that a comfortable income for which they don't have to work is a moral "right." And they argue that work requirements constitute a stigma and humiliation, because most work available consists of "dead-end" jobs and is not "meaningful" to them. But passive use of an income provided at taxpayers' expense is not a "meaningful" life for anyone, and what could be more of a "dead end"?

Beset by welfare "rightists" on one side and restless taxpayers on the other, Family Assistance has only a "fair" chance of getting passed. President Nixon said last week. So far he himself has made scant effort to persuade the seven Republican senators on the committee to support the bill. In fact, the President—who has inflation and the cost of the war so much on his mind—often gives the impression that the best place to save money is where social good is at issue—on hospitals, education and similar matters. The exception to this impression is Family Assistance, which is the most imaginative and sensible program to emerge from his administration in this area. We hope he and Congress will see it through.

HEALTH MANPOWER CRISIS

Mr. YARBOROUGH. Mr. President, as each of us knows too well, this country faces a grave health care crisis. Health services are fragmented and too frequently are of less than adequate quality. Health care costs continue to escalate at a rate which is double that of the economy generally. Much of the physical plant of our Nation's hospitals need refurbishing or replacement. Our medical and dental schools are in serious financial difficulty—several are on the brink of closing. And there is a desperate need for more trained health professionals—doctors, dentists, and allied health professionals alike.

Regarding innovative uses of health manpower, Mr. President, I wish to invite the attention of Senators to a recent article which describes the MEDEX program begun at the University of Washington School of Medicine under the direction of Dr. Richard A. Smith. This program, which is now being replicated at a variety of medical and health institutions around the country, is designed to capitalize upon the 30,000 or so trained military medical corpsmen, so that they can bring their skills to bear in the civilian sector after they are discharged. Programs such as MEDEX can greatly assist our overworked doctors by relieving them of that portion of their work which they are forced to do in the absence of a physician assistant.

Mr. President, earlier this month the Health Subcommittee of the Committee on Labor and Public Welfare held hearings on my bill, S. 3418, a bill to enhance the family practice of medicine. During those hearings, we received considerable testimony which documents show a physician in family practice, augmented by a physician assistant, can significantly alleviate this country's health manpower shortage. That bill will shortly be brought to the Senate for its consideration.

I ask unanimous consent that the article entitled "Can Doctors' Aides Solve the Manpower Crisis," published in the Medical World News of January 23, 1970, be printed in the RECORD.

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

CAN DOCTORS' AIDES SOLVE THE MANPOWER CRISIS?

Thanks to the nation's acute and worsening shortage of health manpower, the ex-medical corpsman is now ending a 30-year sentence as physician's assistant in the federal prison system and is emerging as a new force to help doctors cope with their burgeoning load of patients.

The "sentence" wasn't a literal one, of course, but it has taken several decades for the country's medical schools and organizations to imitate U.S. penal authorities and appreciate the large pool of trained personnel available through service discharges of the men popularly known as medics. Though nobody underestimates the problems that will be encountered in licensing and supervising physicians' assistants, more than a dozen medical institutions now have training programs in operation or are about to inaugurate them.

The young man on the left in this week's cover photograph is Paul Snyder, an Air Force surgical technician from 1957 to 1969, who moonlighted at civilian hospitals near his bases. Given additional training after his discharge, he has adapted his military medical knowledge and skills to civilian health care. Now, as a Medex, he serves to extend the capabilities of general practitioner Kenneth Pershall in Othello, Washington.

Conceived and directed by Dr. Richard A. Smith, associate professor of preventive medicine at the University of Washington's medical school in Seattle, the Medex program is one of the solutions being developed across the country to help alleviate the health manpower shortage. Like several others, it is designed to make use of the pool of trained corpsmen who leave the Armed Forces each year, up to 30,000 by National Research Council estimate. Unlike the others it has a unique name for both the program and its trainees. Medex is both singular and plural, a title and a form of address. Dr. Smith coined it to express the physician's extension concept. It has the advantage of sounding familiar to the ex-medics.

The first class of 15 carefully selected Medex trainees completed the initial three-month period of university training in mid-September. Now they are in their preceptorship phase, each with a rural GP who is committed to hiring the Medex on successful completion of his training.

Dr. Richard Bunch, who shares Dr. Pershall's practice and also employs a Medex tells MWN: "While still in their preceptorships these fellows are treating, under our general supervision, children's upper respiratory infections, lacerations and moderate traumas, and replacing one of us in surgery where normally two doctors are needed. When they've finished their break-in period with us, I estimate we'll each be able to take care of 20 additional patients per day." Medex Snyder and his cohort John Betz earn $5,400 plus $500 per year for each dependent child to a maximum of three. Drs. Bunch and Pershall plan to pay salaries substantially higher than that when training is complete.

"My concerns in starting this program were twofold," says Dr. Smith. "First, we are in a crisis in health manpower already—it's not coming, it's here, and it's going to get worse. Second, I was concerned that this huge pool of medically trained men was not being used. These guys have had perhaps $25,000 invested in their training, and it's usually lost. Some excorpsmen have, among other things, as many as 70 hours of preventive medicine, anywhere from 70 to 130 hours of anatomy

and physiology, 70 to 180 hours of medicine and surgery, 92 to 190 hours of pharmacology, advanced on-the-job training in outpatient clinics, on-the-job training in general medicine, anywhere from 120 to 200 hours of trauma, minor surgery and field surgery, perhaps 40 hours of emergency-room on-the-job training, another 80 hours of on-the-job training in general surgery, 40 hours in orthopedics, 98 hours in surgical procedures, 30 to 55 hours in microbiology and laboratory medicine."

Last July, HEW Secretary Finch and his newly appointed assistant secretary for health and scientific affairs, Dr. Roger Egeberg, warned of an "impending breakdown in the delivery of health care." Among the steps they took to help alleviate the manpower shortage was the establishment of an Office of New Careers with the top priority of developing programs for returning Vietnam medical corpsmen. Recently, Dr. Egeberg noted in a HEW memorandum that some 60% of medics leaving the Armed Forces are interested in getting additional education to qualify for civilian jobs in health care, and that about 15% are already qualified to move right into civilian jobs in medicine.

Organized medicine, too, is stepping into the health manpower breach. On December 20, the Committee on Emerging Health Manpower of the AMA's Council on Health Manpower held a meeting of a dozen directors of training programs for various kinds of physicians' assistants, to discuss their programs in the light of a set of guidelines for development of new health occupations adopted on December 2 in Denver by the House of Delegates. The unusually smooth course of the meeting showed the participants want to press ahead with a cooperative program to clarify and classify the roles of the new kinds of physicians' assistants, the educational levels desired, and the need for certification, licensure, or changes in medical practice acts.

"In the morning session I thought that the whole thing could blow up in our faces," says the AMA committee's chairman, Dr. Thomas C. Points of the University of Oklahoma Medical Center, Oklahoma City. "But I felt that everyone agreed the guidelines were essential and they were all willing to work with them so that we can really get some coordinated programs going."

Dr. Paul J. Samazaro, director of HEW's National Center for Health Services Research and Development, agrees. "Everyone seemed to agree essentially on what needs to be done, and on the importance of getting it done, and there was no defensiveness. The meeting reflected a spirit of initiative in the AMA, and responsiveness to many developments in the country initiated under different auspices and different assumptions. Incorporating the new professional assistants may turn out much smoother than we might have expected. The AMA staff is able and committed and has full support internally and externally."

When the program directors return their course descriptions to the AMA committee in mid-February, the concept approved by the committee will be passed on to the full Health Manpower Council. If approved there, it goes to the Council on Medical Education, which will lay down the essentials for an accreditation program. After that, it will go to the House of Delegates for acceptance—the staff hopes by next fall's clinical convention.

The new types of health professionals are being trained in some 20 programs at as many institutions. No one is certain just how many there are, because some are being carried on informally with only one or two trainees. Besides Medex and the Duke University physician's assistant program (MWN, Feb. 23, '68), which now has 29 graduates helping to relieve overburdened doctors, the major programs are:

Cleveland Clinic Hospital is training "clinical corpsmen" in a one-year program, accepting applicants with two years' military or civilian experience.

Alderson-Broaddus College, Philippi, W.Va., trains physicians' assistants in a four-year baccalaureate program offered to qualified high school graduates.

University of Colorado Medical Center is training "child health associates." The three-year program includes two years of academic training and a year's internship; applicants must have two years of college.

The university also trains pediatric nurse-practitioners in an intensive four-month program of theory and practice of pediatrics, offered to graduate nurses.

Bowman Gray School of Medicine also trains "child health assistants" in a two-year program. Applicants with two years of college, or ex-corpsmen with adequate training, are accepted.

Pacific Medical Center operates a two-year program training orthopedic assistants, involving City College of San Francisco and eight hospitals.

Grady Memorial Hospital in Atlanta trains "medical specialty assistants" to work in medical and coronary intensive care units. The two-year program accepts former corpsmen with two years' experience.

Baylor College of Medicine trains ophthalmic assistants in an eight-week course for trainees with two years of college preferred.

Emory University School of Medicine gives anesthesia assistants a 21-months master's degree program.

University of Pittsburgh trains emergency medical technicians in a one-year program.

Ohio State University educates emergency medical technicians.

Four more programs are in preparation:

University of Kentucky School of Allied Health Professions plans to train clinical associates.

Brooklyn-Cumberland Medical Center will train physicians' assistants.

Oklahoma State University is preparing to train medical care technicians.

University of Colorado plans to train physician associates in anesthesia.

Not all physicians are convinced that such training programs are the answer. One is Tulane University professor of medicine George Burch. He tells MWN: "If I get sick, I don't want any physician's assistant taking care of me. I want a fully trained doctor. The errors made by the legions of aides from RNs to electronics specialists are legion. Certainly we need these people, but we need doctors much more. The training programs now being put forward are simply no substitute for the additional medical schools we sorely need."

The nursing profession also shows less than eager enthusiasm for the new doctors' aide training courses. Says Eileen Jacobi, RN, Ed.D, associate executive director of the American Nurses' Association: "Baccalaureate and graduate education in nursing prepares nurses at a highly professional level, but one of the complaints the ANA often hears from its membership is that highly qualified nurses are often not allowed to function at the level for which they have been prepared. Why can't we utilize the existing nurse talent to meet patient health needs that are now unmet? Because the physician, although often in need of such assistance, is unwilling to allow the nurse to assume other than her traditional role."

The variety of titles for the new professionals sometimes accurately reflects the skill that is being taught, notably in the special assistants. The others reflect mostly the private preferences of program directors. Nearly all those involved agree that deciding on uniform titles for people with equivalent training is essential to getting the new health professions recognized and understood by the medical profession and the public. "I keep harping on Medical Care Technician," says committee chairman Tom Points. But others think that "technician" suggests a lower level of training than the type of professional they are developing, who is seen by a number of proponents as being on a level between a doctor and a nurse. One suggestion that appears to be gaining favor is the use of "clinical assistant" for those with training at the two-year, or junior college, level and "clinical associate for those with baccalaureate degrees.

"I think this is one of our problems," says Dr. Points, "someone with two years of training being put in at a level between graduates of four-year and seven-year medical courses. What do you call them?"

The optimum levels of education for the physicians' assistants is one of the questions most in need of clarification. All those involved in the training programs agree that as much flexibility as possible should be built into them, to provide both vertical and horizontal mobility. Dr. T. F. "Bud" Zimmerman, director of the AMA's department of health manpower, feels that the new physician-support personel should cover a spectrum from generalist to specialist, and from the on-the-job training level of education to the post-baccalaureate level.

Dr. D. Robert Howard, director of the Duke University program, sees a three-level range: on-the-job training, junior college, and senior college. "Above that," he points out, "your upward mobility would be into medical school." But he cautions that students with the capability to qualify for medical school might be poor choices for physician's assistant training. "They're not not going to get enough job satisfaction or ego satisfaction in doing the type of work that a physician will delegate."

Delegation by a physician is the key to all the new concepts of physicians' assistants. Even though an excorpsman may have been what the military services call an independent duty operator who functioned as the only "doctor" for many miles, as do Special Forces medics or the Air Force's remote-station medical technicians, almost no one contemplates their serving independently in civilian health care. Nevertheless, the assistant can work apart from the physician so long as they are in contact by telephone or two-way radio.

The Medex program, for instance, provides two-way radio equipment for each physician-Medex team. The Medex, like the physician he works with, is on call 24 hours a day. This can be especially useful if two emergencies should happen simultaneously or nearly so. "I thought this was a rare thing in general practice," says Dr. Smith. "But I discussed it at the state medical association. I said, 'What happens in that rare instance when you have an acute traumatic injury in your office and another patient has a massive coronary on the other side of town and can't be moved? Your Medex can go over there and talk to you from the bedside.' One doctor raised his hand: 'That's not a rare occurrence,' he said. 'It happened to me three times last week.' "

But even under the supervision of a physician, this kind of service presents delicate legal problems, and most authorities believe that state medical practice acts will have to be modified to allow for the use of physicians' assistants. There are a few states like Oklahoma which happen to have a direct statement in their medical practice law referring to physicians' assistants. Dr. Points explains, "That presents the least difficulty. But to the extent that they aren't explicit, the feeling is that medical practice laws will need to be modified in time. It's difficult to talk about a model law now, because we don't yet have enough experience on a large scale."

"Four states have already enacted legislative changes, and most of the others are in the process of making changes," says Duke's Bob Howard. "We have a committee working on changes we feel would be desirable

here in North Carolina. Our draft reads pretty much the same as the others; it makes an exception to the medical practice law for any act or acts performed at the direction and under the supervision of a licensed physician by a person currently approved by the Board of Medical Examiners as one qualified to function as a physician's assistant." However, he points out, "you can also change medical law by custom and usage. In this state we're almost to the point now where formal legislative changes aren't really necessary, because we can say that having physicians' assistants is already custom and usage here."

Whether former military corpsmen will continue to be the main pool from which physicians' assistants will be drawn is an open question. The AMA's Dr. Points doubts that 30,000 medics are, in fact, being discharged yearly. "When we analyzed this at Oklahoma State, we found that there are several levels of training in the military. That 30,000 figure includes the lowest level of aidman. The man we're talking about using is the independent duty operator, and I doubt there are more than 10,000 of them."

"I think they will constitute the main source of manpower," says Dr. Howard. "There's not much of a pool of males outside this one, which we're emphasizing, although we are not limiting our program to men. But it's hard to get women who are willing to work the hours these people work. If they're going to be effective as physicians' assistants, they've got to work the same hours the physician is working. The women we have in the program—and this is an advantage of taking only experienced people in this kind of project—have already demonstrated that they're willing to make that kind of career commitment."

"My impression is that a male labor force is more stable," says the AMA's Bud Zimmerman. "One of the problems in the allied health professions up to now is that they are quite female-oriented, and because women get married and have children, they tend to be sort of in and out of the work picture. So greater male involvement in these professions will eventually mean a labor force that's more stable."

But Dr. Points has reservations. "I think we've overworked the idea of the discharged medical corpsman as the answer to everything," he says. "The idea is to get the educational system to do the same thing the military has done. I can see these programs training corpsmen outside the military. In fact, I can see the military recruiting them into the service after they have a baccalaureate degree, when they wouldn't need much more training."

Recruiting former medics has been approached in a number of ways. The methods used by the Duke and Medex programs have probably been most successful. "The secret is using the servicemen's newspapers," says Dr. Howard. "We just send the Army, Navy, and Air Force *Times* an announcement when we have openings. They run the information in their educational supplement, and the inquiries come pouring in." For this year's class of 40 trainees, Duke received 3,500 inquiries, 500 applications.

Dr. Smith used a more personal approach. "We went to a number of military installations where there were corpsmen and got in touch with a few key people. We spelled out the requirements for selection. Basically, they were that a man be getting out of the service by last June, and that he and his family be willing to live and work in a rural area. We soon had an informal communications network stretching from Vietnam to West Germany, and applications poured in."

Altoona (Pa.) Hospital officials began at a nearby military hospital Project Transition office, the Defense Department's program to help place men leaving the service in civilian jobs. The hospital's representative obtained information on medical personnel about to leave the service. He visited two Army hospitals and one Navy installation, wrote to a number of others, and had posters distributed at a number of bases. The hospital received 60 inquiries in as many days from corpsmen who hoped to stay in medicine.

Joseph Donovan, executive director of the Santa Clara County (Calif.) Medical Society, has had most success by using press, radio, and TV advertising to inform corspmen and their families of opportunities for training.

Placing the graduates is easier than recruiting them. Dr. Smith chose employers for his Medex trainees before he selected candidates. After both groups were selected and had met each other, physicians and Medex were carefully matched—even the compatibilities of their wives were considered. Each physician preceptor is training his Medex for his own practice. Salaries are to range between $8,000 and $12,000 a year depending on the practice.

The Duke graduates, too, are spoken for. "They all have jobs long before they get out," says Dr. Howard. "People start clamoring for them too early, as far as I'm concerned." Of the 29 graduates, 14 are working at the medical center (largely so that their training can be evaluated), and 15 are with physicians in private practice.

Results, so far, are encouraging. "At this point they've exceeded our expectations," says Seattle's Dr. Smith. "Some patients come in and ask to see the Medex, or call to make an appointment to see him. When they have a minor complaint, they don't want to bother the busy doctor. One thing that really got to me was a little notice put into a local paper in eastern Washington by a woman who had just gotten out of the hospital. She wanted to thank the staff of the hospital and most especially Dr. X and Medex Y. To those of us on the staff that was very significant. It meant the Medex is recognized as an integral part of that medical team."

JEAN-JACQUES SERVAN-SCHREIBER IN AMERICA

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Massachusetts (Mr. KENNEDY), I ask unanimous consent that a statement prepared by him relative to the visit of Jean-Jacques Servan-Schreiber to Washington be printed in the RECORD.

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

JEAN-JACQUES SERVAN-SCHREIBER IN AMERICA

Mr. KENNEDY. Mr. President, Jean-Jacques Servan-Schreiber, one of the most articulate and dynamic members of the new generation of Europeans, is now visiting the United States, and I am pleased to have this opportunity to pay tribute to him.

Yesterday morning, Mr. Servan-Schreiber testified perceptively before the Subcommittee on Foreign Economic Policy of the Joint Economic Committee, under the chairmanship of the distinguished Congressman from Louisiana, Mr. Boggs. In his testimony, Mr. Servan-Schreiber dealt extensively with the common philosophy of Europe and America, and the tremendous concern in Europe over America's predicament in Vietnam. He also spoke at length of both the benefits and miseries of private business competition in national and international economic policy, especially with respect to the role of multinational enterprises.

In concluding his testimony, Mr. Servan-Schreiber spoke eloquently of youth and industry as the two great sources of energy in our world society. If, he said, we allow these forces to remain as they are today, on a collision course, the future will be dark. But, he emphasized, if we forge their alliance by reform, then we will have met the challenge of our generation.

Mr. Servan-Schreiber's background is extraordinary, and full of great significance for the future of the United States and Europe.

He was born in 1924. In 1943, at the age of 19, he escaped from France and came to the United States. After being trained as pilot in this country, he joined the Free French Air Force.

After World War II, he wrote on foreign policy and served as diplomatic editor for Le Monde until 1951, then established his own weekly opinion magazine, L'Express, which he later turned into a news weekly.

Mr. Servan-Schrieber's editorials on the Algerian War mobilized opinion against the French Government on the war. In retaliation, he was conscripted by the French Government and sent to serve in Algeria. His book "Lieutenant in Algeria" became a celebrated critique of the war, and led to his indictment by the Government for undermining the morale of the Army. He was acquitted, but at the time, he lived through several years of assassination threats.

For twenty years, Mr. Servan-Schreiber has been active in liberal politics. He worked closely with Pierre Mendes-France in the '50's, and with Gaston Defferre and Maurice Faure in the '60's.

In early 1970, he revived the Radical Party in France with a 250-page manifesto and a call for a party congress. The Radical Party is the present-day version of the Radical Socialist Party of the Third Republic, which, as many said at the time, was neither radical nor socialist, but instead represented some of the most stable—and petrified—aspects of French life.

In reviving the Radical Party, Mr. Servan-Schreiber has given the party a clear call to shift well to the left of the present Socialists. His goal is to attract French youth to an old party, but with new ideas and young leadership. The party platform ranges from the glorification of modern free enterprise to a call for a guaranteed income and a redistribution of power from employers to workers. Indeed, the manifesto has so many aspects that Le Monde calls it "a plan to reconstruct the universe."

Last April, Mr. Servan-Schreiber made a dramatic flight to Paris from Athens with Greece's most famous composer and resistance leader, Mikis Theodarakis, whom Mr. Servan-Schreiber had persuaded the Greek Government to release from captivity.

More recently, on June 28, Mr. Servan-Schreiber won a run-off in a by-election to become the deputy to the French legislature from Nancy in the province of Lorraine in Eastern France. The circumstances of the election are fascinating. The incumbent Gaullist deputy had resigned in protest over the Government's decision to build the Paris-Strasbourg super-highway through Metz, rather than Nancy. The Gaullist announced he would run again as an independent, and fully expected to be re-elected.

Mr. Servan-Schreiber announced his candidacy and quickly won the support of the Mayor of Nancy. He won the election by campaigning as an acceptable non-communist alternative to the Gaullists. During the campaign, he succeeded in shifting the orientation of the election from the purely local road issue to a national vote of non-confidence in the Gaullists, their first real challenge since the large election majority the Gaullists won after the 1968 riots.

In his campaign, Mr. Servan-Schreiber also emphasized the "frontier" status of Lorraine, as a province on the German border. He campaigned for a European approach to the industrial problems of the province, not a solely French or nationalist approach. As part of the campaign, he formed a committee of 21 businessmen and bankers (including some of the most prominent busi-

ness leaders of Sweden, Germany, and Italy) to coordinate efforts "in the service of Lorraine."

The people of Nancy gave him their overwhelming support in the election, and especially appreciated their new position as a center of attention in France rivaling Paris. Already, Mr. Servan-Schreiber is well on his way to fulfilling his campaign slogan, *"Il fera plus pour Lorraine."*

In the United States, Mr. Servan-Schreiber is best known for his extraordinary book, *The American Challenge.*

It is the fastest selling book in France since World War II, 250,000 copies are in print in the United States.

Arthur Schlesinger, in a preface to the American paperback edition of the book, predicts that it may do for European unity what Thomas Paine's *Common Sense* did for American independence.

There are several basic themes of *The American Challenge.* Mr. Servan-Schreiber believes that the European Economic Community must be more than a Common Market, or it will revert to a splintered nationalism. Since the EEC has not yet begun to move towards political integration, he feels it may be beginning to disintegrate.

So far, he says, only the United States understands the potential of Europe. At the present rate, the third industrial power in the world—after the U.S. and Russia—will be the United States in Europe, not Europe itself. Unless Europe awakens to the challenge, he believes, it will be relegated to the status of an American subsidiary.

Mr. Servan-Schreiber rejects Charles DeGaulle's program of isolating Europe from the U.S. Instead, he says, Europe must Americanize itself without the Americans, by borrowing the managerial, institutional, and cultural skills and efficiency of the United States. The real challenge of America to Europe, he says, is the challenge of ideas and expertise, not the challenge of dollars.

In introducing his book, Mr. Servan-Schreiber quotes from the ancient Kuan-tzu of China, that—

"If you give a man a fish, he will have a single meal. If you teach him how to fish, he will eat all his life."

To me perhaps more than any other man today, Mr. Servan-Schreiber is teaching Europe how to fish, how to achieve the enormous potential of which it is capable.

I believe that his testimony yesterday will be of interest to all of us in Congress. I ask unanimous consent that it be printed in the Record.

THE MULTINATIONAL CHALLENGE OF THE SEVENTIES: REFORM WITHOUT REVOLUTION

(By Jean-Jacques Servan-Schreiber, Deputy from Lorraine, French National Assembly, hearings before the Joint Economic Committee, Subcommittee on Foreign Economic Policy, Congress of the United States, Washington, D.C.)

I appear before you as a fellow parliamentarian, recently elected by the legendary region of Lorraine, the land of the Cross of Lorraine—for me a joyous cross to bear. I also appear as one dedicated to the ideal of an integrated and unified Europe.

In 1967, while I was still a journalist and publisher, I wrote a book: "The American Challenge". The Communists criticized it as a hymn to American capitalism. Others saw it as an anti-American call to arms. In truth, I tried to express both admiration for your economic dynamisms and anxiety lest its vitality and our passivity engulf the European way of life. Today I would like to comment on how we are all affected by this challenge, which has become multinational, and by various other challenges that we are facing in common.

1. THE COMMON CONCERNS

Economics and politics have become so intertwined that one cannot be considered without the other. Thirteen years ago I wrote a book that received less attention here: "Lieutenant in Algeria". It recounted a tragic drama in whose grip my country experienced a foretaste of human degradation, economic bankruptcy, and the ominous stirrings of military power.

With due respect, but also with friendly concern, we cannot be indifferent to your predicament in Vietnam. If this great Republic were to be overwhelmed by the kind of national crisis that overcame France in May of 1958, the consequences for Europe and for the world would be incalculable. They would spell disaster for our own economies, and for our security.

The end of the war in Indochina and then, at tremendous national cost, the end of the war in Algeria, reopened our road to salvation. We have learned the futility of attempt, by a country like mine or yours, to impose our own ideals on other continents.

For those of us who love America, who remember how generously you participated in our rescue and reconstruction, it is painful to see this country tear at the fabric of its social life. No matter how sternly we criticize your actions and illusions in Indochina, we instinctively know that the United States has, within the moral fiber of its people and its youth, the means to cure this cancer.

Vietnam is an aberration. What must mobilize our energy and ingenuity is the need to preserve and reform the industrial society in which we live. Only if we dare to make this reform sufficiently profound and rapid will we save our peoples from all-consuming anarchy. The growing rebellion against certain features of the new industrial state is deeply rooted and potentially violent. Those who dismiss it as an ill-humored tantrum of youth are being naive. From the radicalism of the young stems a deeply-felt conviction that a system which allows the excesses of economic competition to ride herd over social life is basically immoral. Herein lie the roots of rebellion, roots which cannot be eradicated by the elders in a fit of blind rage. Those who run the great multinational corporations know the sincerity of their children's concern. They get it at the breakfast table every morning.

Yet it is clear that the modern market economy, with its freedom of private initiative and the bracing energy of competition, is a powerful tool for material progress. This tool must be at the service of society. Man cannot, after centuries of poverty and servitude, be allowed to sink back to the status of a mere object, a cog in an aimless machine of production.

This quest for human dignity in our contemporary economy is not a Utopia. It is the essential role of politics. Reform without revolution is possible; and it is the duty of our generation, in Europe and in America, to bring it about.

2. ECONOMIES AND POLITICS

Like church and state, economic and political power must be separated as much as possible if each is to fulfill its mission. This was the essence of Luther's reform philosophy. It holds a vital message for us today. The best judges in matters of investment and profitability are generally the entrepreneurs, not the state. Public ownership of means of production has been irrevocably discredited by the experience of the Communist East. Private industry must be allowed to perform to the full its function as a factor of material progress. Politics has another and more crucial role: to consecrate itself to the service of man—the worker—rather than to the efficiency of production—the corporation.

The ferociousness of competition among business enterprises is a locomotive of innovation, development and enrichment. It must be given full play. But the main goal of politics is to prevent this ferociousness from hurting man himself. If those who lord over industry are also to be those who by their influence dictate the direction of political life, then we will inescapably fall into the most bitter and dangerous social upheavals. The separation of economic and political power is, therefore, a primary task for the future.

The great British economist, John Maynard Keynes, wrote in the '30's that "the essence of capitalism is the preponderance of the role of money in society, and the love of money by the individual." It is this that we must extirpate from our social system with human generosity and solidarity. This reformist objective is a worthy and urgent mission for the '70's.

3. THE MULTINATIONALIZATION OF BUSINESS

The intensified conduct of business across national borders has augmented the benefits and the miseries of the capitalist system. The development of corporate activity on a global scale by firms such as IBM, Ford, Siemens, Fiat, Phillips and Lofoarge make for more efficient productivity and a wholesome cross-fertilization of intelligence, talent and of creativity. Consequently, it is a force for social wellbeing. But, because of the worldwide empires which they are carving out for themselves, the multinational corporations are also able to create a new jungle. Widely spread out in their component parts and commanded from geographically remote bases, they account to no single national authority. And since international law is feeble, or non-existent, they are free of international authority as well. Fraudulent or undisciplined organizations, often operating with funds invested by unsuspecting people of modest means, enjoy far-ranging immunity from any meaningful form of regulation or supervision, unless you consider Panama or Liechtenstein acceptable legal systems.

Profit-making activities which draw undue advantage from tax havens, holding company privileges, the weaknesses and contradictions of international tax enforcement and other loopholes without any redeeming economic function, rob society of much of the material abundance created by the market economy and the dynamism of legitimate multinational business. That portion of the available wealth which should go into collective investment for the benefit of all (health, education, housing, transportation, etc.) is too often diverted into hands where it is not needed and where it does not belong.

Some of us see models in the institutions which you have developed during the momentous days of the "New Deal": the Securities and Exchange Commission, for example. But we are also afraid of the awesome size and vigor of your business institutions, and we must take steps in our own defense.

4. THE SCOPE OF THE AMERICAN CHALLENGE

Consider the fact that the real value of American investments in the European Common Market currently stands at close to 40 billion dollars. American subsidiaries control 95 percent of the total production of integrated circuits, 80 percent of electronic calculators and 30 percent of automobiles. Because the process of integration on the Continent is so slow, and so heavily obstructed by nationalistic considerations (my own country being a principal offender), it is difficult to develop a coordinated policy vis-a-vis the multinational corporation. The European countries vie with each other for a larger share of these investments, occasionally offering generous subsidies and tax concessions. When General Motors was denied the privilege to build a plant in Alsace, it was immediately welcomed across the border, to use German workers and supply the French market under the preferred tariff structure of the European Economic Community.

Our capital markets are also dominated by American-controlled institutions. Indeed, the banking centers of London, Frankfurt and Zurich seem to be at the mercy of the

mighty, and occasionally not so mighty, Eurodollar. And it is an extraordinary paradox that the savings of Europeans are used to finance the acquisition of local industries by U.S. companies. In 1959, for example, American borrowings in Europe stood around 500 million dollars; in 1967 it reached 2.6 billion dollars. During the same period the proportion of U.S.-generated funds to finance investments in Europe fell from 25 percent to 16 percent.

I mean to be neither nationalistic nor Chauvinistic in pointing out the drama of this situation and the patterns which it announces for the future. American investments are welcomed in Europe. They stimulate the efficiency and energy of our own economies. But we cannot help being disturbed by the form of the invasion in certain sectors. Our industries are still too unsophisticated to stand up against the multinational American giants in face-to-face competition. This is demonstrated by the fact that European companies which venture into the U.S. market with operating subsidiaries are hardly able to hold their heads above water.

Penetration into a foreign country, which is a natural by-product of the multinational phenomenon, cannot go without a commensurate sense of social responsibility. The multinational corporations must show greater sensitivity than they have to conditions prevailing in the host country. What is good for General Motors may be good for America, but not necessarily for Belgium or Holland. They must respond to our need for industrial decentralization; they must realize that we too have differences of a type which exists between West Virginia and Massachusetts. And I, for one, intend to do more for Lorraine on the sensitive banks of the Rhine. Unashamedly, I propose to campaign for a greater share of American and European investments in a region which boasts all of the resources and the scientific and technical skills that any multinational corporation may require. So, as you see, I am not against multinational corporations. On the contrary, I regard them as new tools of progress. In fact, a very fine one, McGraw-Hill, has been for more than three years a partner in my enterprises in France.

5. TRADE VERSUS IDEOLOGY

Happily, the world is no longer as polarized as it used to be. Strong centrifugal forces are at work both in the East and in the West. Russia, no less than America, is learning the limitations of military might and developing dangerous internal cracks. The empire over which it presides is discovering the inevitable link between economic progress and human freedom. This is the tender sword which will open the East.

In the last few years the Eastern countries have given evidence of their desire to become integrated into the world economy. They deserve to be met halfway. Today, the national leaders of Communist countries scarcely disguise their admiration, even envy, of Western production and marketing efficiency. For Europe, this affords opportunities which are at once economically attractive and helpful in strengthening the fragile fabric of peace.

Communist planners are groping for new techniques to improve the competitive position of their economies and the standard of living of their people. The dynamic character of production in Western Europe, Japan and the United States has become the main object of their envy. Under these new conditions, international co-operation becomes imperative. If the Eastern countries wish to participate in the feast of industrial development, they can no longer afford the luxury of splendid isolation and the suppression of creative freedom. This process must be helped along, for it can help to reopen the East.

The economic experience of the last two decades has proven the indivisibility of technical progress. Men living apart on their own side of the ideological fence cannot generate as ample and varied a range of goods and ideas as can be produced by the entire world pursuing innovation and freely exchanging its benefits. If the gap in industrial development is to be narrowed, East-West intercourse must extend beyond the mere exchange of commodities. The domain of technology and management must be given primary attention, along with broadly based business co-operation across the borders of geography and politics.

As Europeans, we view the East in light of the economic and cultural indivisibility of the Continent, rather than its ideological cleavage. While the longing for civil and intellectual liberties in the Communist societies still remains unfulfilled, a manifestation of national identity and a rejection of the dogmas of the past is clearly in evidence. Indeed, the Gaullist notion of "Europe des Patries" has touched a more responsive nerve in the Eastern than in the Western part of the Continent.

6. COMMON TASKS FOR THE '70'S

It is becoming increasingly clear that in the '70's Europe will have a much more important economic and moral role to play than in the two previous decades; a very special role, since our old Continent, at least that part of it which lies to the West, no longer aspires to the dream of world empire. It has learned from bitter experience that military conquest brings no rewards. Within this experience lies a lesson which can help *you*.

A major task at the other end of the Atlantic is the construction of a federalized Europe, one which is larger, more self-sufficient, socially more just and democratically more compatible. In this you can help *us*.

Priority must be given to East-West reconciliation, the road toward which objective passes through active co-existence, economic and industrial co-operation and broader exchange of products, ideas and men. This is an enterprise which we shall tackle *together*.

By far the greatest challenge is the passion of youth, admirable in its motivation, dangerous in its frustration. The quest of the young for dignity, sincerity and truth in our generation is one of the two great sources of human energy. The other source is industry. Both are highly progressive and liberating forces. If we allow them to remain as they are today, on a collision course, the future will be dark. If we forge their alliance by reform, then we will have met the challenge of our generation.

POSSIBLE USES OF THE OCEANS

Mr. HATFIELD. Mr. President, there is a growing need in this and all other countries to become more aware of the possible uses of the oceans. There have been steps in this direction recently, and the hope has been expressed that the oceans may be used to help feed the increasing world population. However, if we are ever to use the seas as a means of providing more food in the future, we must now deal with the problems of overexploitation and oceanic pollution. It would be tragic if man were to destroy this potential food source even before he has explored it.

Dr. Paul Ehrlich and Anne H. Ehrlich have written an excellent article dealing with this important subject. So that all Senators will have the opportunity to become more familiar with these problems, I ask unanimous consent that the article, published in the Saturday Review, be printed in the RECORD.

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

THE FOOD-FROM-THE-SEA MYTH

WHY THE WORLD'S POPULATION CRISIS WILL NOT BE SOLVED BY SUPPOSEDLY INEXHAUSTIBLE SUPPLIES OF FOOD FROM THE OCEAN

(By Paul R. Ehrlich, and Anne H. Ehrlich)

Perhaps the most pervasive myth of the population-food crisis is that mankind will be saved by harvesting the "immeasurable riches" of the sea. Unfortunately, the notion that we can extract vastly greater amounts of food from the sea in the near future is just an illusion promoted by the uninformed. Biologists have carefully measured the riches of the sea, have considered the means of harvesting them, and have found them wanting as a solution to the world's food problem.

The basis of the food-from-the-sea myth seems to be theoretical estimates that productivity of fisheries might be increased to many times current yields. However, the most recent analysis by J. H. Ryther of the Woods Hole Oceanographic Institution in Massachusetts puts the maximum substainable fish yield in the vicinity of 100 million metric tons, somewhat less than twice the 1967 harvest of some sixty million metric tons. Other marine biologists think a yield of 150 million metric tons is conceivable. To surpass 100–150 million metric tons would require moving down the food chain from the big fish ordinarily found in fish markets to the harvesting of plankton. All signs at the moment indicate that this will not be feasible or profitable in the foreseeable future, if ever. More calories of fuel and human energy would be spent on harvesting the plankton than could be gained, the expenditure of money would be colossal in relation to the yield, and the product would require considerable processing to be made palatable as human food. In addition, harvesting plankton would result in the depletion of desirable stocks of larger fish living further up the food chain. The most careful analysis indicates that the world harvest might be increased to seventy million tons or so by 1980. On a per capita basis, however, an increase of this amount would actually constitute a small *decline*—unless the human population growth rate were to decrease in the next decade.

But two problems stand between man and the future achievement of that seventy million or more tons of yield. The first is overexploitation, the second is oceanic pollution. The story of the whale fisheries serves as a model of overexploitation. Although whales are mammals and not fishes, the hunting of them is arbitrarily called a fishery. In 1933, 28,907 whales were caught, and they produced 2,606,201 barrels of whale oil. In 1966, 57,891 whales were killed, or almost exactly twice as many as in 1933. But twice as many whales yielded only 1,546,904 barrels of oil, or just about 60 percent of the 1933 yield. The reason is that as the larger kinds of whales were driven toward extinction, the industry shifted to harvesting not only the young individuals of large species, but, with time, smaller and smaller species.

After the Second World War, the seventeen countries interested in whaling established the International Whaling Commission (IWC). This commission was charged with regulating the annual harvest, setting limits to the catch, and protecting whale species from extinction. In theory, commissioners from the various nations were to be responsible for ensuring the compliance of each nation's whalers with IWC decisions, but in fact their powers of inspection and enforcement were nonexistent. Instead of setting quotas on individual whale species, the IWC unfortunately established quotas on the basis of "blue whale units." A blue whale unit (bwu) is one

blue whale or the equivalent in terms of other species, e.g., two fin whales, two and a half humpback whales, or six sei whales. The nations engaged in whaling in the antarctic fishery were allowed a combined quota of 16,000 blue whale units. Since the blue whales were the largest, they were the most sought after. Up until about 1950, although blues continued to be taken, their numbers declined sharply, which meant that the next largest, the fin whales, were hunted more vigorously.

In 1960, the commission appointed a committee of biologists to investigate the stocks of antarctic whales. Catches of blues and fins continued to decrease in the interval between establishment of the committee in 1960 and its report in 1963. The report detailed the overexploitation of the fisheries, and warned that blues and humpbacks were in serious danger of extinction. It recommended that blues and humpbacks be totally protected, and that the take of fins be strictly limited. It also urged abandonment of the system of blue whale units in favor of limits on individual species.

The committee then made some predictions. Their report stated that, if unrestricted whaling continued in 1963–1964, no more than 8,500 blue whale units would be taken, and that 14,000 fins would be killed. Predictably, the warnings were ignored, and the limits were set at 10,000 bwu. The whalers killed 8,429 bwu that season, and 13,870 fins were taken. The biologists' predictions proved uncannily accurate. An ominous note in these figures is that the catch of fin whales was about 35 per cent of the estimated total fin population—probably three times the estimated *sustainable* yield.

When the results for 1963–1964 were in, the biologists recommended a bwu total of 4,000 for 1964–1965, 3,000 bwu in 1965–1966, and 2,000 bwu in 1966–1967, in order to allow for recovery of the whale stocks. Again their advice was ignored. All four countries then engaged in antarctic whaling—Japan, the Netherlands, Norway, and Russia—voted against accepting the recommendation, and instead agreed only to limit the 1964–1965 season's catch to 8,000 bwu, double the recommended number of units.

What happened in 1964–1965? Only 7,052 blue whale units were taken, well short of the 8,000 quota. Furthermore, only 7,308 fins were taken, and the majority of the remaining bwu consisted of almost 20,000 seis, well over a third of the total estimated population of that species. In both 1963–1964 and 1964–1965, the total antarctic catch of whales was less than that from other areas of the world—an unprecedented situation. Meanwhile, the Netherlands had given up whaling and sold its fleet to Japan.

In an emergency session in May of 1965, the IWC decided to limit the 1965–1966 catch to 4,500 bwu, which again exceeded the biologists' recommendation. The IWC also tried unsuccessfully to give the now heavily fished sperm whales some protection. The whaling industry did not catch the 4,500-bwu limit in 1965–1966; the total was only 4,089 units, and sei whales made up the majority. Meanwhile, whaling stations in Peru and Chile (not members of the IWC) killed 449 more blue whales, which were already dangerously near extinction.

In 1967, a grand total of 52,046 whales were slaughtered, 25,911 of them sperm whales. In addition, Japan, desperate for protein, killed 20,000 porpoises. The following year Norway was forced out of the whaling industry, leaving the field to Japan and Russia.

Setting aside any consideration of the esthetics of such unrestricted slaughtering of these magnificent and intelligent animals, what can be said about the whaling industry's performance? For one thing, of course, its drive toward self-destruction tends to contradict the commonly held notion that people would change their behavior if they realized that it was against their own self-interest. The whaling industry has operated against its own long-term self-interest continually since 1963, in full knowledge of what it was doing. Short-term self-interest, the lure of the "quick-buck," clearly is too strong to allow the long-range best interest of everyone to prevail. This is just one example of a cost-benefit analysis done over too short a term.

Cetologist Roger Payne of Rockefeller University has pointed out the ultimate absurdity of the whaling industry's behavior. It is now in such difficulties that the Soviet Union has moved into the business of harvest krill, the abundant antarctic shrimp that is the primary source of food for baleen whales. All of the species mentioned earlier, except the sperm whale belong to a group called baleen whales—those that sieve their food out of vast amounts of sea water by means of a hairlike mesh of whalebone in their mouths (they do not have functional teeth). The best krill-catch rates achieved thus far by large ships in the densest clouds of krill have been about twelve tons per day. Even if this rate could be maintained for twenty-four hours a day, and if oil and protein could be extracted at 80 per cent efficiency (an extremely high percentage), the catch would still be less than the krill equivalent of the whale catch (krill is 6 per cent oil and 20 per cent protein). As Dr. Payne has said, killing whales and harvesting krill "is like wiping out beef cattle in order to have the pleasure of eating grass-protein-concentrate." What the whalers do not seem to recognize is that the most efficient way to utilize the krill is not by harvesting it, but by leaving it unexploited so that the catch of whales could be sustained.

Other examples of overexploited stocks are East Asian and California sardines; Northwest Pacific salmon; cod in many areas; menhaden; tunas in the Atlantic, Pacific, and Indian oceans; flatfish in the Bering Sea; plaice in the North Sea; hake in the North Atlantic; and bottom fish in the West Pacific and East Atlantic oceans. Some fish stocks, such as Pacific hake, South Atlantic herring, Yellow Sea bottom fish, anchovy off California, and clupeids in the Atlantic and Indian oceans, are at present underexploited. It seems unlikely they will remain so for long, at least wherever their numbers are not too dispersed for efficient fishing.

Unfortunately, as biologist Garrett Hardin of the University of California at Santa Barbara has pointed out, the sea is a "commons," analogous to a communal pasture open to all. From the point of view of an individual herder exploiting such a pasture commons, there seems to be every reason to keep adding to his herd. Although the grass is limited, he will get a larger share if he has a larger herd. If his animals do not eat the grass, someone else's will. Such reasoning is, of course, followed by each user of the commons. Individuals struggle to increase their herds until, at some point, the carrying capacity of the pasture is exceeded and it is destroyed by overgrazing. Similarly, in the sea each individual, company, or country exploiting a fish stock (equivalent to the grass of the pasture) strives to get a maximum share of the catch, because each increment represents further immediate profit. Unless some strict agreement is reached about the degree of utilization of the fishery commons, maximum utilization seems the best short-range strategy from the point of view of each user. After all, the Japanese reason, if we don't get the fish, the Russians will. The Russians take a similar view, as do the Peruvians and all the others. Unhappily, the end result of these individual optimum strategies for dealing with the commons is disaster for all.

The race to loot the sea of its protein is now in full swing. Fish catches more than doubled between 1953 and 1967. Peru, Japan, and Russia took the lion's share in 1966, jointly landing almost 40 per cent of the catch (the catch of mainland China, not included in U.N. statistics since 1961, is not included here; it may amount to some six to eight metric tons). The United States and Norway, which came next, landed not quite 10 per cent between them. The pressures of competition are beginning to show. Russian fishing ships make headlines by penetrating waters off both coasts of the United States. Between 1961 and 1969, the Peruvian government seized twenty-four United States fishing boats, and other Latin American countries have taken fifty additional U.S. fishing boats in disputes over the limits of territorial waters. The activities of far-ranging Japanese fishing fleets have aroused the antagonism of the Mexicans. The list of conflicts grows, and it will undoubtedly continue to do so unless competition is regulated.

Yet, as only a small percentage of the world's calories comes from the sea, one might easily draw the conclusion that the impending reduction of per capita yield is not particularly important. Unhappily, it will be extremely serious. Although food from the sea provides comparatively few calories, it supplies almost one-fifth of the world's animal protein, and two-fifths of it exclusive of milk and eggs. For some countries the loss of this protein would be catastrophic. Japan's fisheries, for instance, supply it with more than one-and-a-half times as much protein as is provided by its agriculture.

What about "farming" the sea? Unfortunately, the impression that sea-farming is here today, or just around the corner, is illusory. For the most part we still hunt the sea today, or in a relatively few cases herd it (for example, oysters). It is certainly true that we can increase our yields from sea-herding. In 1965, some 66,000 metric tons of yellowtail were produced in the Sea of Japan, more than 80 per cent from fishes raised in net cages; yields since then show an upward trend. The potential of both fresh- and salt-water herding (fish culture or aquaculture) is considerable, although it must be emphasized that the potential is small compared to the scale of the world food problem, and increasing pollution now threatens hopes of even realizing this potential.

Farming the sea presents an array of formidable problems, especially of fertilizing and harvesting. About the only planting and harvesting of marine plant crops done today is some seaweed culture off Japan, and this is really best viewed as an extension of land agriculture into shallow water. Perhaps, if the sea is finally emptied of its fishes and shellfishes, some kind of phytoplankton farming could be attempted—if the sea is not by then too badly poisoned by pollution. The crop would be extremely costly at best, and it would not be very tasty, but in desperation we might give it a try. For the immediate future, however, sea-farming offers no hope at all.

Most of the plans for increasing the yield of fishes from the sea disregard the effects of pollution; they are based on the premise that the fish stocks will be harvested rationally. The history of fisheries so far holds little promise that rationality will prevail. One can, for instance, except continuation of attempts to harvest simultaneously young and old of the same species, and both the big fishes and the little fishes that big fishes must eat to live. And one can expect pollution to help reduce the size of many or all fish populations.

Thus, far from being a food panacea, the sea may not even be able to continue to support the limited yield we now extract from it. There is a real possibility that the total yield will decline rather than grow, and we will be extremely fortunate if by 1980 the yield per capita is as high as today's. Judging from the fishing industry's behavior toward the sea, one might conclude that if it were to go into the chicken-farm-

ing business it would plan to eat up all the feed, all the eggs, all the chicks, and all the chickens simultaneously, while burning down the henhouses to keep itself warm.

Meanwhile, the pollution of the seas continues. Nowhere is man's ecological naïveté more evident than in his assumptions about the capacity of the atmosphere, soils, rivers, and oceans to absorb pollutants. These assumptions all too often take the following form: If one gallon of poison is added to one billion billion gallons of water, then the highest concentration of poison to which anything will be exposed is about one part per billion billion. This line of reasoning might be accurate if complete mixing by diffusion took place rapidly, which it often does not, and if only physical systems were involved.

But because biological systems are involved, the situation is radically different. For example, filter-feeding animals may concentrate poisons to levels far higher than those found in the surrounding medium. Oysters constantly filter the water they inhabit, and they live in shallow water near the shore, where pollution is heaviest. Consequently, their bodies often contain much higher concentrations of radioactive substances or lethal chemicals than the water in which they live. For example, they have been found to accumulate up to 70,000 ppm of chlorinated hydrocarbon insecticides, many thousands of times the concentration found in their environment.

Food chains lead to the concentration of toxic substances; as biologist Barry Commoner of Washington University once put it, they act as a kind of "biological amplifier." The Long Island estuary food web is a good example of how the concentration of residues of DDT and its derivatives tend to increase in food chains from one trophic level to another. This tendency is especially marked for the chlorinated hydrocarbons because of their high solubility in fatty substances and their low water solubility. Although the clam and the mud snail are at the same trophic level, the filter-feeding clam accumulates more than half again as much DDT as the mud snail because of their difference in their food-capturing habits.

We have long known that ours is a technological society, a society in which the knowledge generated by science is a chief source of wealth and power. But what the environmental crisis tells us is that the future of our society now depends on new, profoundly fundamental judgments of how this knowledge, and the power that it endows, is to be used. If power is to be derived from the will of the people, as it should be in our democracy, then the people need to have the new knowledge—about strontium 90, DDT, herbicides, smog, and all the other elements of the environmental crisis—that must be the source of the grave new judgments and sweeping programs this nation must undertake. Here, then, is an urgent task that must follow the teachings. Let us take our knowledge about the environmental plight to the people; let us help them learn what they need to know to decide the future course of our society.

The obligation that our technological society forces upon all of us is to discover how humanity can survive the new power engendered by science. Every major advance in man's technological competence has enforced new obligations on human society. The present age is no exception to this rule of history. We already know the enormous benefits technology can bestow, and we have begun to perceive its frightful threats.

The environmental peril now upon us is a grim challenge. It also represents a great opportunity. From it we may yet learn that the proper use of science is not to conquer nature but to live in it. We may yet learn that to save ourselves we must save the world, which is our habitat. We may yet discover how to devote the wisdom of science and the power of technology to the welfare and survival of man.

Perhaps the most frightening ecological news of 1968 was contained in a short paper entitled "DDT Reduces Photosynthesis by Marine Phytoplankton," which was published in the journal *Science*. The author, ecological chemist Charles F. Wurster, Jr., of the State University of New York, reported that DDT reduced photosynthesis in both experimental cultures and natural accumulations of marine phytoplankton (algae, diatoms, etc.), the tiny green plants that float free in the waters of the oceans. Effects were noted at DDT concentrations of only a few parts per billion (ppb), well below quantities that are commonly found in waters near land sites treated with DDT. Water at a distance from treatment sites ordinarily has DDT concentrations averaging les than 1 ppb, but biological systems clearly have the power and propensity to amplify these amounts.

The effects of DDT on phytoplankton in nature are difficult to evaluate. Phytoplanktons are the primary producers responsible for most of the food we take from the sea. If photosynthesis is significantly reduced in marine phytoplankton, the amount of life in the seas will be reduced; if marine photosynthesis ceased, all sea life would die. But significant qualitative changes in the phytoplankton community seem more probable than large quantitative changes. Phytoplankton populations are differentially susceptible to DDT; even extremely low DDT concentrations might result in shifts of dominance, leading to huge blooms of one or a few species. These shifts would, in turn, produce serious consequences throughout the oceanic food web. One possibility is that phytoplankton less acceptable to large herbivores would take over, so that many larger animals would be eliminated. This shortening of food chains might leave man only microscopic plants and animals as a source of food from the sea. Another possibility is that phytoplankton communities near the shore could become dominated by smaller species, lengthening food chains and dramatically reducing the size of populations of fishes at the upper tropic levels.

No one knows how long we can continue to pollute the seas with chlorinated hydrocarbon insecticides, polychlorinated biphenyls, and hundreds of thousands of other pollutants without bringing on a world-wide ecological disaster. Subtle changes may already have started a chain reaction in that direction. The true costs of our environmental destruction have never been subjected to proper accounting. The credits are localized and easily demonstrated by the beneficiaries, but the debits are widely dispersed and are borne by the entire population through the disintegration of physical and mental health, and, even more importantly, by the potentially lethal destruction of ecological systems. Despite social, economic, and political barriers to proper ecological accounting, it is urgent and imperative for human society to get the books in order.

Open Seas Versus Coastal Zones

Laymen who consider the oceans of the world a virtually limitless source of food would do well to heed the words of marine biologist J. H. Ryther: "The open sea—90 per cent of the ocean and nearly three-fourths of the earth's surface—is essentially a biological desert. It produces a negligible fraction of the world's fish catch at present and has little or no potential for yielding more in the future." The upper layer of open sea, where there is enough light for photosynthesis, lacks the nutrients necessary for high productivity. The photosynthetic producer-organisms (phytoplankton) that live in this layer are extremely small in size. As a result, very small herbivores and lower order carnivores are able to function in food chains, and roughly five steps in the chains are interposed between the producers and man. Thus, not only are the basic mineral resources for the producers in short supply, but the energy losses in repeated transfers up the long food chains result in further reductions in the potential harvest.

Close to shore, in certain offshore areas, and in a few coastal areas where powerful upwelling currents bring nutrients to the surface, productivity is two to six times higher; phytoplanktons are larger, and food chains thus tend to be shorter. It is these areas that supply man with virtually all of his fish. These are also the areas where pollution is the most serious. Indeed, in many areas one-quarter to one-half of fishing production is dependent on estuaries, directly or indirectly, and man is destroying many of the world's estuaries.

Area	Percent of ocean	Area (square kilometers)	Average productivity (grams of carbon per square meter per year)	Average number of trophic levels (approximate)	Annual fish production (metric tons)
Open ocean	90.0	326,000,000	50	5.0	160,000
Coastal zone [1]	9.9	36,000,000	100	3.0	120,000,000
Coastal upwelling areas	.1	360,000	300	1.5	120,000,000
Total annual fish production					240,160,000
Amount available for sustained harvesting [2]					100,000,000

[1] Including certain offshore areas where hydrographic features bring nutrients to the surface.
[2] Not all the fishes can be taken; many must be left to reproduce or the fishery will be overexploited. Other predators, such as sea birds, also compete with us for the yield.

Source: After Ryther, Science, 1969.

WIRETAPPING AND FEDERAL AID TO LAW ENFORCEMENT

Mr. McCLELLAN. Mr. President, yesterday the Subcommittee on Criminal Laws and Procedures concluded its fourth and last day of public hearings on the general subject of Federal aid to law enforcement. While the record will remain open for 7 days for the submission of statements or additional comments, the subcommittee intends to move with due deliberation to the consideration of the 18 different bills, including H.R. 17825 now pending before it. Crime control, especially the maintenance of safety in the streets, must, of course, remain a local concern, if we are to preserve our Federal system, but there is much the Federal Government can do, and must do, to provide assistance to our local police, courts, and correctional institutions. Since the enactment of the Crime Control Act of 1968, the level of this Federal assistance has grown, from $63 million in 1969, to $268 million last year, and, under at least the House-passed measure, this Federal assistance can be expected to grow, and I hope it will grow to $1.5 billion by 1973. We must

do everything in our power to turn back the tide of lawlessness in our Nation.

Nevertheless, it will not be enough for Congress and the State legislatures merely to appropriate money. Other programs and policies must be instituted. Our forces of law enforcement must not only be adequate in number, well trained, and well paid. They must also have the legal tools they need to get the job done. Yesterday in our hearings this question arose in the context of a discussion of wiretapping, which, as the Members of this body will recall, was authorized on the Federal level in title III of the 1968 act, and which has now been authorized here in the District under the District of Columbia crime bill. At that time, I placed in our hearing record the text of a letter I received from the Department of Justice commenting on their initial experience with the use of title III. It shows that the Senate's judgment in 1968 to retain the provisions of title III, by the vote of 68 to 12, is now being vindicated in practice. The opposition then contended that this title would legalize promiscuous snooping and the invasion of privacy of American citizens without any corresponding gain to law enforcement. These fears and predictions have in no way materialized. The former Attorney General, as you know, spurned this title of the act and refused to use it. Fortunately, the present administration is making forceful and effective use of it. During the 18 months of this administration, 136 court orders have been procured for wiretapping or electronic surveillance. One hundred thirty-three of these were executed. Of that 133, 121 were successful and productive, resulting in 419 arrests and 325 persons being indicted to date. Results achieved from just a few of those court-approved wiretaps are:

First, 124 pounds of heroin worth $8 million were seized.

Second, two separate numbers racket rings operating in 60 different locations in Midwestern States were broken up with the seizure of gambling records and paraphernalia and $50,000 in cash.

Third, a half million dollars worth of stolen bonds was recovered.

Fourth, plans for murder and a bank robbery were overheard which alerted officials and enabled them to prevent the murder and to apprehend the robbers and recover the stolen money immediately following the robbery.

Fifth, in the Nation's Capital, the police made a successful raid recovering large quantities of drugs and arrested 44 individuals, including a lawyer, a policeman, a real estate agent, a dentist, a wholesale distributor of drugs, and two members of the Mafia who imported the drugs.

Incidentally, members of the Cosa Nostra or other organized crime groups were involved in all of these operations.

Thus, the effectiveness of this statute in the war on organized crime is now firmly established. Title III demonstrates, I suggest, the correctness of the judgment that more than spending money is necessary to fight crime. And, to date, contrary to predictions, there has not been reported a single instance of abuse or misuse of the authority and the power that the act confers.

Because of the general interest in this matter, I ask unanimous consent that the Department of Justice letter be printed in the RECORD.

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

JULY 13, 1970.

Honorable JOHN L. MCCLELLAN,
United States Senate,
Washington, D.C.

DEAR SENATOR: This is in response to your letter of June 23, 1970, requesting certain information supplementing my testimony at the Appropriations Committee hearings on June 9, 1970, relating to court ordered electronic surveillance authorized under Title III of the "Omnibus Crime Control and Safe Streets Act of 1968".

I. ADMINISTRATIVE PROCEDURES

The administrative procedures followed by this Department in approving Title III applications are as follows:

Requests for authorization to apply for an interception order must be made in writing to the Assistant Attorney General of the Criminal Division from the highest ranking office of the investigative agency having jurisdiction over the offense in connection with which the interception is to be made. All requests are initially reviewed by attorneys of the Department of Justice, usually Area Coordinator or Strike Force attorneys of the Organized Crime and Racketeering Section of the Criminal Division, or by a United States Attorney or an Assistant United States Attorney, who assist the investigative agencies in the preparation of the affidavit and prepare the proposed application and court order.

All requests, including copies of the proposed application, supporting affidavit, and court order, are next submitted by the attorney who is the applicant to the Organized Crime and Racketeering Section of this Department, which has established a unit of attorneys whose primary function is to review the entire matter for both form and substance, with particular emphasis on assuring strict adherence to the required statutory standards.

When approved by this unit, requests are next submitted for review to a Deputy Chief and then to the Chief of the Organized Crime and Racketeering Section. If approved by the Chief of this Section, requests are next submitted for review and approval by the Assistant Attorney General, Criminal Division, and finally to the Attorney General, who personally approves each application authorized to be filed by him. When so approved in writing by the Attorney General, a letter over the signature of an Assistant Attorney General specially designated by the Attorney General pursuant to the statute is prepared authorizing the attorney named in the request for authorization to apply to the court for an interception order.

The purpose of these procedures is to insure strict, centralized control of the administration of Title III electronic surveillance authority.

II. NUMBER AND CATEGORY OF APPLICATIONS TO DATE

During the calendar year 1969, and from the period January 1, 1970, to date, a total of one hundred and thirty-seven (137) applications have been made to the courts for Title III interception orders. This figure includes sixteen (16) applications for extensions. Court orders were obtained in one hundred and thirty-six (136) of these applications and denied in one. The court orders were executed in one hundred and thirty-three (133) of these applications, while three (3) were not executed due to the fact that the illegal activity had ceased at the locations involved before the orders could be executed.

The categories of offenses in which the one hundred and thirty-three court orders have been obtained and executed are as follows:

Gambling	82
Narcotics	28
Extortionate credit transactions	13
Interstate transportation of stolen property	5
Counterfeiting	3
Kidnapping	1
Obstruction of Justice	1
Total	133

III. PLACES INSTALLED AND LENGTH OF TIME OPERATED

Due to the fact that most of the installations made involve situations which are currently under active investigation, I am sure you will understand our reluctance to furnish any data identifying their specific locations. Generally, it may be said, however, that the largest number of devices have been installed in private residences, followed by a slightly lesser number in business establishments and apartments, in that order. In a few cases, devices have been installed on pay telephones in public or semi-public places. In all such cases, strict controls have been imposed allowing interception only when the investigative agents have been able to establish by physical surveillance, or by a combination of physical surveillance and voice identification, that the subject of the interception order was using the pay telephone involved.

With respect to the length of time operated, it may also be generally stated that the vast majority of court orders have authorized interception for a period not to exceed fifteen (15) days. In a relatively small number of cases, however, periods of up to seven (7), ten (10), and twenty (20) days have been authorized. With a relatively small number of exceptions, moreover, it may be stated that the interceptions involved offenses of a continuing nature and, therefore, the maximum period of days authorized was utilized.

IV. EFFECTIVENESS OF THE INSTALLATIONS

Of the one hundred and thirty-three executed interception orders, all but twelve, or one hundred and twenty-one (121) have been productive. As a result of these interceptions, a total of four hundred and nineteen (419) arrests have been made, three hundred and twenty-five (325) persons indicted, and convictions obtained against five (5) persons. The small number of convictions to date is due to the fact that none of these cases has yet come to trial, the five convictions having been obtained as a result of guilty pleas. Both the number of persons indicted and convicted are expected to increase substantially during the next six months as a number of current investigations mature and pending indictments come to trial.

Examples of successful intercepts involved in the use of this technique where normal investigative procedures could not be utilized are as follows:

In a recent narcotics investigation in a Midwestern State, wiretaps resulted not only in the obtaining of evidence of a substantial narcotics distribution scheme, but also in the obtaining of evidence of other illegal activities, including the planning of a bank robbery and of a murder. As a result of this information, Federal Agents were able to apprehend the bank robbery suspects. The combined efforts of Federal Agents and local police also resulted in the prevention of the murder attempt and the arrests of the suspects by local authorities. Federal narcotics and robbery indictments have been returned in this case.

Another wiretap conducted in connection with an investigation of the theft of stolen bonds resulted in the arrests of several La Cosa Nostra connected individuals in an Eastern State on interstate theft charges and the

recovery of bonds having a value of almost one-half million dollars.

As a result of wiretaps, Federal Agents in another Midwestern State recently conducted massive raids on approximately sixty locations involved in a large-scale interstate numbers operation. These raids resulted in the seizure of gambling records and paraphernalia as well as over $50,000 in cash. Indictments have been returned against more than sixty individuals involved in this La Cosa Nostra controlled numbers operation on Federal gambling charges.

I trust that this additional information will be of assistance to you, and I will be happy to provide you with any further data available consistent with maintaining the security of ongoing investigations involving use of this extremely valuable investigative technique.

Sincerely,

HENRY E. PETERSEN,
Deputy Assistant Attorney General.

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 assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, seeing no Senator present who might wish to conduct additional morning business, I suggest that morning business be closed.

The PRESIDING OFFICER (Mr. TALMADGE). Is there further morning business? If not, morning business is concluded.

AUTHORIZATION OF APPROPRIATIONS FOR MILITARY PROCUREMENT AND OTHER PURPOSES

The PRESIDING OFFICER. Pursuant to the order previously entered, the Chair now lays before the Senate the unfinished business which the clerk will state.

The ASSISTANT LEGISLATIVE CLERK. 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.

The PRESIDING OFFICER. What is the pleasure of the Senate?

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

ELECTRONIC BATTLEFIELD

Mr. PROXMIRE. Mr. President, I rise today to raise several fundamental questions regarding the so-called electronic battlefield. It has also been called a sensor surveillance system, a surveillance target acquisition night observation system, a mobile Army sensor systems test evaluation review, it has also been called, of course, the automatic battlefield, and many other things.

It adds up to an effort to locate the movement of any troops or of enemy equipment under jungle or night conditions. It contains a great deal of ingenuity.

Mr. President, before I came to the floor, I notified the distinguished chairman of the Armed Services Committee that I was going to make this speech. He, unfortunately, had to leave temporarily, but he will be back, because I have some questions I should like to ask him.

I also notified the distinguished Senator from Arizona (Mr. GOLDWATER), who has expressed interest in this subject and has knowledge in the area. He, unfortunately, had to be out of town today, but I am sure that he will have a reply later before we act on the bill.

I might say, Mr. President, that I intend to offer an amendment relating to this. It will not be to cut out of any of the funds but to get more information on it, so that we can know what we are apropriating and how much will be involved.

Mr. President, one of the fundamental questions that I intend to ask in the course of my address here is: If this system is so effective, as it is claimed to be, against guerrillas, and guerrilla warfare, why, after having spent $1.7 billion why we have had so little success with it in Vietnam.

Second, to what extent will such a system encourage U.S. involvement in other guerrilla conflicts by improvement of the capability to fight such wars.

Finally, what are the implications of a widespread domestic application of the system.

Mr. President, before I discuss this in more detail, I would like to refer to a very enlightening article in the Armed Forces Journal for July, the last issue of that publication, by Grover Heiman, which I think explains the potentiality and the purpose of this weapons system clearly.

In that article, Mr. Heiman points out that the Army Chief of Staff, Gen. William Westmoreland, says:

With cooperative effort, no more than 10 years should separate us from the automated battlefield.

The article continues:

As in all wars, concepts change and this is one of the effects of the Vietnam conflict. One Army officer describes this new concept of the automated battlefield as "beep to bang." Whatever the name, it heralds a billion-dollar program for the next decade if Westmoreland's prediction comes true. He explained the Army's circa 1970–80 concept this way to the Association of the United States Army last October:

"I see an Army built into and around an integrated fire control system that exploits the advanced technology of communications, sensors, fire direction and the required automatic data processing—a system that is sensitive to the dynamics of the ever-changing battlefield—a system that materially assists the tactical commander in making sound and timely decisions."

Key to the concept is the helicopter and a revolutionary new family of sensors which will provide the "beep."

In this operation a certain area is supplied with small sensors which are dropped from helicopters and which can be used to determine the movement of troops in an area which otherwise would be concealed.

The article continues:

This fiscal year approximately one-fourth of the available flexible funds is in the Army's Research and Development.

Mr. Heiman points out that:

STANO is the acronym for surveillance, target acquisition and night observation. It is in these areas that new hardware will be developed to equip the bulk of the infantry, air cavalry and aviation units that will be involved in "the number one function of finding the enemy." Providing the "bang" will be the role of the combat forces—the artillery, air, armor, and infantry—together with the helicopters needed to move the combat troops. Along with the two functions of "finding and fixing" the enemy, the Army is working for improved communications systems.

The article goes on to say that Gen. George I. Forsythe, who is a lieutenant general in command of Fort Belvoir Army combat development command, predicts that:

The future Army will assign 10 percent of its force in a combat theater to the task of finding the enemy. This force is not intended to deliberately engage the enemy, he explains. It will provide the "beep."

Under the new concepts being shaped by the adoption of the Nixon Doctrine, which calls for smaller U.S. presence in overseas areas, the Army's initial "bang" response would come from a "restraining force," which would have the job of acting on the information, i.e. intelligence, provided by the surveillance force, to block, blunt and canalize the initial enemy thrust.

The article points out that General Westmoreland noted in his October speech:

We learned that Vietnam posed a problem even more difficult than mobility. The enemy we face in Vietnam is naturally elusive and cunning in his use of the dense jungle for concealment. As a result, in the early days of the American commitment we found ourselves with an abundance of firepower and mobility. But we were limited in our ability to locate the enemy. We were not quite a giant without eyes, but that allusion has some validity.

As a result, since 1965 there has been a steadily growing emphasis in DOD on devising means of finding the enemy; and this stress has affected the development of tactics and techniques and spawned an explosion in technology. Many of the items developed for Vietnam will be found useful in the automated battlefield of the future, but not all, of course, will become universal issue.

The article continues:

As to the status of the program, Gen. Betts says:

"It will take time to tell. What we have today is a variety of sensors being used in Vietnam, some of which are effective, some are not. What we have lacked is a concept, so at the present time we are really just feeling our way. The capability of sensors is well understood by the Army. Our problem is to develop a coherent system and tie them into a central control to maximize their

strengths and minimize their weaknesses. For example, night vision devices need clear weather. We can balance this with radar in times of bad weather."

To attain the 24-hour capability the Army wants will mean entirely new families of equipment. Just how much procurement monies will be involved is dependent on a variety of factors, not the least being the size of the force and the availability of the dollar. Betts offers a very tentative estimate of between $100–$150 million a year.

"This is just a guess until we've done enough conceptual testing. An example is the new foliage radar, which is OK for Southeast Asia. We have yet to determine which of the items will be suitable for universal issue. As yet there are too many uncertainties."

To give the STANO program the emphasis he felt necessary, in the fall of 1969 Westmoreland established a STANO Systems Office reporting directly to him as Chief of Staff. Also established was a STANO Steering Group composed of senior general staff officers and major commanders. At Ft. Hood the Army activated Project MASSTER, a 282-man testing and evaluation organization to provide an integrated field test and evaluation of the STANO items.

MASSTER is the jawbreaking acronym for Mobile Army Sensor Systems Test Evaluation and Review. The organization, headed by Major General John Norton, will test and evaluate not only the hardware items destined for the STANO program, but also the concepts and doctrines of the automated battlefield. MASSTER is a decided departure from the traditional test and evaluation organization, but does not replace the Materiel Command's TECOM—Test and Evaluation Command—headquartered at the Aberdeen Proving Ground, Md.

Finally, in this very interesting article by Mr. Heiman on armed services management, he says, quoting Major General Feyereisen:

On the brighter side, there will probably be a lot of prototype construction, which will mean much greater participation by industry.

In general, I can see a decrease in communciations equipment spending with that slack taken up by spending for STANO items If I were to speculate for the future, I would say I can foresee as least as much a percentage of dollars available for communications and electronics, possibly a little more because of the STANO items.

On communication gear, per se, I think we will see less of it, especially fewer types. The trend will be for more common use. To answer this insatiable hunger for communications, we will have to optimize through systems developments.

Mr. President, this is the reason I am taking the time of the Senate to call attention to this matter because in the coming years a very large part of the expenditures by the Army, our Armed Forces, and the Department of Defense is going to be in this area. So far we have very little knowledge of it. Most Members of the Senate I have talked to did not know we had such a program. Of course, very few people in the public have been aware of it, but it could have a revolutionary effect on our military operations and a very profound effect on costs. It is something we should know about because we are appropriating money for this program at the present time with so little knowledge.

Mr. Heiman concludes:

The Army, as it presses forward on development of the automated battlefield concept and procuring of the hardware to make it possible, will find it a difficult challenge to go from "beep to bang" within the current fiscal restraints.

If the dollars are forthcoming, the Army is geared to move ahead; if not, the Army could very well meet possible conflicts in the 70s with a circa 1960 Army.

It might not be good enough.

Now, Mr. President, having indicated what the so-called automated or electronic battlefield sensor system is, let me return to the first question. If this system is so effective against guerrilla warfare, why have we had so little success with it in Vietnam? We have numerous reports in recent days it is doing an excellent job in Indochina. Several days ago the Senator from Arizona (Mr. GOLDWATER) stated:

The increase in sophistication of this equipment has been nothing short of fabulous. Again, I am not allowed to say some of the things I have seen it do, some of the ways it is helping our men in Laos, particularly—our airmen and our ground forces.

Mr. President, if this system is so effective, why has it not been more successful in Vietnam? Why has it not enabled us to cut off the main supply routes long ago between North and South Vietnam? Large numbers of these sensors have been dropped along the Ho Chi Minh Trail and other major supply routes. If these sensors are so effective, why have our bombers not been able to destroy virtually every truck and gun which has moved down the Ho Chi Minh Trail?

General Westmoreland has stated that the electronic battlefield has produced a quiet revolution in ground warfare in Vietnam. He has said that he became convinced of the value of the system following the battle of Khe Sahn. If the system was so successful, why then was a special armored column necessary to rescue the defenders of that beleaguered outpost? Why, despite almost continuous airstrikes was the enemy able to mount, virtually at will, daily offensives against the base? Why did not the electronic battlefield enable us to detect and destroy enemy mortar positions? The electronic battlefield may or may not have produced a revolution in ground warfare; it certainly has not produced a revolution in battlefield results. But it will very likely produce a colossal multibillion-dollar burden on the American taxpayer, with Members of Congress knowing little or nothing about it.

Part of the answer for the lack of success of the system in Vietnam may be found in the following statement made by Gen. Wilson R. Reed, Commanding General of the U.S. Army Computer Systems Command:

A number of our studies indicate that the tactical operations center receives and is able to assimilate for use about one-third of the information that is sensed; thus the commander ends up basing his decision on something less than 30% of the ground truth. A sorry situation when the fate of the nation may be involved.

The implications of this statement are truly far-reaching. According to the Brigader General, we are basing our response decisions on something less than 30 percent of all the information gathered by the sensors. No one knows what information is missing, or how important the missing information may be to a decision on the final armed response. The sensors provide the central computer with so much information that the system becomes overloaded. As a result, the final decision is based on a fraction of the total data. In the process, vital information may be ignored by the computer—information which could conceivably change the type of armed response required. This is almost more dangerous than having no information at all. Bombers may be called in to destory a target about which we know little or nothing. According to one member of the Special Forces who monitored a number of the sensors in Vietnam, "all we know is that something is moving out there—it could be the wind, an enemy soldier or an elephant."

COST

One of the most shocking things about the electronic battlefield is the tremendous cost of the individual sensor components. The system has already cost almost $2 billion and potentially could cost as much as $20 billion. Before that much is expended we should authorize it and know about it. That is the intent of this speech today and it will be the intent of an amendment I will submit later directing that in the future we authorize expenditures for this new weapons system or surveillance system.

The reason for the enormous cost of the program is that much of the electronic equipment is extremely complicated and therefore very costly. The July issue of Armed Forces Management contained some of the cost figures for various components of the electronic battlefield:

Some of the prices were boggling—$2,000 for an Acoubuoy—accoustical buoy; $1,900 for an Adsid—Air delivered seismic intrusion detector; and $1,700 for a Minisid—miniature seismic intrusion detector. Needless to say, many thousands of each of these devices are needed for effective coverage of a large area. For the larger items the prices rise almost astronomically: $230,000 for a single Starlight scope and laser rangefinder and $484,000 for a single stabilized night vision gunsight for helicopters.

Mr. President, some simple arithmetic should help us grasp the meaning of these cost figures. A single stabilized night vision gunsight for a helicopter costs almost half a million dollars. Even if the Army were to equip only 100 helicopters with this one piece of electronic equipment, the cost would be almost $50 million. One hundred starlight scopes cost $23 million dollars. When one considers the cost of equipping just a single combat division with such equipment, the cost would be phenomenal.

Question No. 2. The second fundamental question raised by the development of the electronic battlefield is to what extent would such a system encourage future U.S. involvement in limited guerrilla wars such as Vietnam? Should the electronic battlefield sharply improve our capability to fight such limited actions, there can be little question that the system's very existence would encourage—to some degree—involvement in such conflicts. Once we possessed the capability, there would be a continuing

temptation to make use of it. Quite probably, we would increasingly rely on military, rather than political solutions to local crises.

That this is not just theory, but what has already happened in practice is demonstrated by the U.S. involvement in Laos. Several days ago, the Senator from Arizona (Mr. GOLDWATER) reported that electronic sensors had proven invaluable to our troops in Laos. Mr. President, I think it is safe to say that most Senators were not even aware we have ground and air forces in Laos. And yet, the Senator from Arizona has told us that the use of certain sensors had made a valuable contribution to our mission in that country.

What he did not tell us was the role the sensors played in encouraging our involvement. Without the sensors, would we have had any reason to send troops into Laos? Without the sensors, what justification could have been made for our unofficial involvement in that country?

This issue becomes particularly significant in view of a general public desire to avoid future Vietnams. Why Mr. President, are we developing the capability to fight the type of war which we wish to avoid in the future? Why are we preparing for more Vietnams when the public has made clear it wants no more Vietnams?

Perhaps the most disturbing questions raised by the development of the electronic battlefield relate to the potential domestic applications of the system. Last Saturday the Washington Post reported that the Justice Department had obtained a number of sophisticated sensors and was using them to aid in the interception of narcotics across the United States-Mexican border. While this particular use may be valuable, and we all might enthusiastically approve of anything that could aid in the prevention of drug abuse, the potential for abuse is virtually unlimited. One device, now under development, will enable the user to literally "see" through solid brick walls and other opaque objects. Needless to say, such a device, if ever placed in the hands of domestic police forces, would make wiretapping primitive by comparison. The difficulty of regulating the use of such devices would be enormous. While every assurance might be given that the use of the devices would be carefully restricted, their very existence would pose a threat to privacy. At a time when privacy is being threatened from every direction, these sensors represent one of the most serious threats to one of our most sacred rights.

Mr. President, these are a few of the fundamental questions which are raised by the development of the electronic battlefield. They point up the need for a thorough investigation of the implications of such a system before we appropriate additional money for its development. We cannot afford to spend money for the electronic battlefield and then find later that we failed to ask certain crucial questions regarding its potential uses. By that time, we will have the technology. It will be a fait accompli. Only then, will we face the real dilemmas associated with dealing with the new technology. We need a full review now.

It is not altogether clear how much money this bill authorizes for this program, or for sensor surveillance.

I am going to proceed to raise these questions in the absence of the distinguished Senator from Mississippi (Mr. STENNIS). I understand he will try to be on the floor later. If not, he will answer from the record, and do so later.

I would like to ask the distinguished chairman of the Armed Services Committee, or the appropriate member of his committee dealing with this matter, a few questions.

First, how much money is there in this bill for the so-called electronic battlefield and its components?

I understand that there is some in this bill, but most of it is outside the bill because it does not require any authorization at all. A relatively small part of it requires authorization. I would like to know how much.

What portion of the total is for testing?

What portion is for procurement?

How much is there in this bill for deployment?

What have been the results of the present program for each of these areas—research, testing, and deployment? Has it worked, or not worked? What were the initial estimates of cost? Have they been exceeded and by how much?

In other words, I think we should have as much information as we can have both about costs and about how well it works?

I would like to ask some additional questions. To what extent have the sensors and other items in the system been made available to other areas of the world? Is it being used in Europe? Do we have any commitments to deploy it in Europe? In Latin America? In the Middle East?

Why is this considered such a worthy investment in view of our impotence to date in Vietnam?

I hope that the chairman will address himself in detail to these questions and issues and give us specific data on both costs and effectiveness.

I would like also to ask some additional questions.

First. The defense communications planning group—DCPG—has been in charge of our Southeast Asia sensor-related operations.

When was this organization established and what has been its relationship to other entities in the defense hierarchy, such as OSD, the Services, and the defense agencies?

What are the objectives of the DCPG programs denoted by the code names Duel Blade, Igloo White, Duffel Bag, and Tight Jaw, respectively?

How much money has been spent to date on these and other DCPG programs? Please break down the funds involved between R. & D., procurement, O. & M., and military construction funds and by fiscal year. To what extent has this DCPG funding been supplemented by funds from the individual services?

What are the projected fiscal year 1971 R. & D. and procurement budgets for the DCPG?

Is it true that DCPG activities have been divided for planning purposes into five phases, the third of which is now being implemented? Why can we not phase out these programs in light of our Vietnamization policies? What are the differences between each of the five phases, what are their respective implementation dates, and how much money has been or is planned to be spent with regard to each?

In what foreign countries other than Vietnam has equipment developed by the DCPG been deployed by the United States and for what purposes?

To what foreign countries has equipment developed by the DCPG been made available for use by their own forces and for what reasons?

What prices of equipment developed by the DCPG might have possible application by domestic police forces? Have any of these items been made available to law enforcement officials of the Federal, State, or local governments?

Second. STANO—and once again I refer to surveillance acquisition night observation—is a specifically Army-conducted program in the sensor-aided combat systems area.

When was this program originated, what are its objectives, and what is its organizational relationship to the DCPG?

What R. & D. procurement, O. & M., and military construction funds are budgeted for STANO in fiscal year 1971 and what funds have been expended in prior years?

What are the present status and future plans regarding the deployment of STANO equipment abroad and its being made available to forces of other countries for their own use?

Third. Do the Air Force, Navy, and the defense agencies have sensor-aided combat programs of their own? Please identify these programs, their objectives, and their organizational relationship to the DCPG. What has been the past and what is the anticipated funding of each of these programs? Please detail funding by type of appropriation and by fiscal year. What are the present status and future plans regarding the deployment of this equipment abroad and its being made available to the forces of other countries for their own use?

This subject was first discussed by the Senator from Arizona (Mr. GOLDWATER) when he put into the RECORD a statement by General Westmoreland going into this system in great detail. It was discussed, much later, by me. When I brought it up, the Senator from Arizona suggested that I was bringing in a new issue which had not been discussed and could somehow constitute either a violation of security or a revelation that could be of assistance and aid and comfort to the enemy.

Of course, none of us—certainly this Senator—wants to have any remarks of his or any requests of his to be interpreted or acted upon in a way that would give any assistance to any enemy of the United States. The information I am asking for is, I think, information that is essential if we are going to be responsible

in acting on the enormous costs that are involved in the automated battlefield system.

I think it is inconsistent with the duties and obligations of a U.S. Senator to vote hundreds of millions and in this case billions of dollars without having the kind of hard answers that we should have.

It has been suggested earlier in connection with another subject that perhaps the Senate should have an executive session to get some answers to the questions that were raised by the Senator from Arkansas (Mr. FULBRIGHT) and the Senator from New York (Mr. JAVITS) earlier today.

Frankly, I do not think that would be necessary with regard to this particular weapons system and the kind of questions that I am asking. Perhaps it is. I would certainly have to be convinced that the cost data I am asking for, or even the performance data I am asking for, would have to be classified. It can be of very little use to us in debate if it is classified, because it is so hard to have our staffs take part in it. We all know that it probably is unwise, if there is anything that could be damaging to this country, if it is discussed even in a body as discreet, thoughtful, and patriotic as the United States Senate. Nevertheless, I do hope that we can get these answers we need so badly.

I might say to the Senator from Mississippi that I have completed my speech. I asked the Senator a series of questions in the course of the speech, principally as to what the cost of this program was.

I also asked, if this system is so effective against guerrillas, why we have had so little success with it in Vietnam; I asked to what extent the capability might encourage us to become engaged in other guerrilla warfare situations such as Vietnam; and I asked about the implications of widespread domestic application of this system.

I would like to ask the chairman of the committee, if he could, to respond to the extent that he cares to do so. Of course, if he would prefer to put answers in the RECORD at a later date, I would certainly understand.

Mr. STENNIS. Mr. President, if the Senator will yield, I am very glad to answer his questions, and will be delighted to do so. On the question of accuracy, however, I would need a little more time to get down specifically to some of his points.

I, too, am interested in this subject matter, Mr. President, and I appreciate the interest of the Senator from Wisconsin. I have done some work on it here lately, and have a brief descriptive statement that I intend to ask to have printed in the RECORD in a few minutes. It is a partial answer to some of the Senator's questions, though not a full answer as to all. I was advised by him of the speech he was planning to make, and I appreciate that courtesy greatly, and would have been here for every minute of his speech except that I was in an emergency situation with reference to time on some other matters in connection with the pending bill.

Let me say this in a general way, Mr. President: There is nothing mysterious or particularly secret about this matter that has been called—or miscalled, in a way—the electronic battlefield. This largely originated during the war in what was, for awhile, called the McNamara Line—the area there in the proximity of the demilitarized zone where there was a controversial experiment being carried on; that is, it was controversial because of a difference of opinion as to what would be the value and the outcome of it—but on the basis of saving manpower, it was carried on, with differing opinions, as I say, as to the success of it. Certainly within the germ of all this activity there are proven to be values that are worth following up.

This is not a large system. It is not something that would ordinarily be authorized in a military procurement bill. Most of this money has come from the appropriations that are made for the operation and maintenance of the military services and from various other procurement accounts, and the prosecution of the war, without reference to any particular weapon.

Mr. PROXMIRE. Mr. President, will the Senator yield on that point for a brief question?

Mr. STENNIS. Yes, I yield.

Mr. PROXMIRE. The reason I asked the Senator to yield is that I am thinking of offering an amendment to require that in the future expenditures in this area of the automated battlefield, or whatever it is called, be authorized. I know that it is complex and difficult, and I know that virtually all the funds have been handled under the general research category, but it seems to me that until it is authorized, it is going to be hard for us to make the kind of searching inquiry and have the kind of understanding with which we should provide ourselves with respect to something that is sure to cost so much.

The reason I raise this question is that there is every indication that the Army intends to spend a great deal of its funds in the future in this area. If that is correct, I feel that we ought to require the authorization, and that I should go ahead and offer my amendment.

Mr. STENNIS. Mr. President, I appreciate the Senator's wish to draw the issue, but I doubt if it would be relevant, the general idea of having an authorization bill for a program like this to be authorized in advance.

As an illustration, now, we have to get tanks authorized, but we do not authorize the cost of a tank battle out in a certain area of the war. That comes under operation and maintenance, the fuel, and all the things that go to make up the cost of this battle among the tanks. Antitank missiles, for instance, come into it.

As to this program, I think that as the program is disclosed and revelations are made, it will become more obvious that it would hardly be a package that could always be identified in advance, and authorized. Moreover, the Army would have to stop when it got to the end of its authorization. That is not an extreme statement. This is a general, broad battlefield operation.

Mr. PROXMIRE. Yes, but what I was referring to was the procurements themselves. To the extent that there are specific procurements required of hard equipment, that part, it seems to me, should be authorized.

Mr. STENNIS. Yes, there are procurements. I am going to come to that in a minute, and give an illustration.

For the past 5 years and including the fiscal 1971 budget, we will have authorized specifically for this program, in bills like this one, $293 million for research and development of these various parts, and also, within that 5 years, we will have authorized 195 million for what we call procurement. Most of that procurement is for the modification of aircraft and procurement of drones.

This aircraft authorization is so explicit and minute that we even authorize the modification of planes. So here were a number of planes that had to be used in a special way, and they had to be modified before they could be used that way, so we authorized funds for this purpose and in the bill that we now have pending for 1971, we have, in round figures, $66 million. $45 million of that is for research and development; $17 million is for the modification of aircraft; and then there is about $4 million in there that is for classified drones.

That is as far as the hardware goes in the present program, for modified planes, drones, and research and development, and that covers it for 5 years.

Mr. PROXMIRE. The Senator from Mississippi is not saying, as I understand it, that the full cost of the so-called McNamara line and all the procurement items that went into the effort to accomplish that was as little as $230 million, or $195 million?

Mr. STENNIS. Oh, no.

Mr. PROXMIRE. Or the sum of those two figures?

Mr. STENNIS. No. I emphasized that a great part of the cost is outside this field, in what we call other procurement and operations and maintenance, but not for the specific hardware involved.

We are having a rundown on this whole operation, present and prospective for the future, in our Preparedness Subcommittee, and we may have hearings depending on how the picture looks when we get it all together. But this has tremendous possibilities, and already has demonstrated them in, for example, detection. I have here a brief statement that raised the points that the Senator has raised in one way or another heretofore, and a rebuttal to some, and this is largely for information.

I have here a summary in dollars for the last 5 years, including the budget for fiscal year 1971, with a total of each line item—the Army, the Navy, the Air Force, and the research and development—and I am going to ask that that be put in the RECORD.

Mr. PROXMIRE. I thank the Senator very much. This is most responsive and extremely helpful. This is the first time it has been called to my attention, and I

think it will be very enlightening for all Members of the Senate.

Mr. STENNIS. I might say, Mr. President, that the figure is $1.685 billion. It has been a very integral part and a substantial part of our operations over there, not just on what we call the McNamara Line but also in other areas. This is all unclassified, and I am glad to declassify it to this extent. I am a little surprised that they could go as far as they have.

Mr. PROXMIRE. It is helpful. However, I think it does leave a great, big area involving well over a billion dollars which is unaccounted for in terms of hardware and which we apparently identify as some kind of maintenance or other activities which we cannot pinpoint. It seems to me that it would be helpful in these hearings if we could determine just what this is, to the extent that it can be disclosed.

Mr. STENNIS. We will get additional facts for the Senator on that. I think his question is relevant. But this is not something where some money has been put in a hole. This is not something where there have been overruns on a weapons system—a tank, a plane, or anything like that. Many new ventures are involved in this kind of warfare. It is another illustration of the fact that we got into this war and then had to learn how to fight it. There are many illustrations of that.

Mr. PROXMIRE. I say to the Senator that we do not know whether or not there are overruns. We have not had any original estimates. We do not know what the Army expected this would cost or estimated it would cost when they first started on it. I wonder if they did expect that the McNamara Line plus the other activities dealing with this sensor system would cost $1.7 billion, which is the hard figure I have seen. I have seen some as high as $2 billion. If that was their original estimate, I am surprised that they went ahead, because this is a tremendously high cost, in view of what I understand is very poor, in fact, pathetic results.

It is true that it is a useful idea and that it is very intriguing to be able to fight guerrilla warfare in which you can identify the movement and location of the enemy, if it can be done. But it does seem, on the basis of the results in Vietnam—very poor results in Vietnam—that this has not worked.

Mr. STENNIS. I would not condemn it or make a judgment on it so severely. There have been times when the committee has had some doubts about some part of it, and some of the military has. But, unquestionably, it saved lives and it fit into this kind of warfare better than some of the other more conventional things we were doing, frankly.

We will be glad to provide the entire picture. Nothing has been hidden about it, I can assure the Senator, and he is not charging that.

Mr. PROXMIRE. I do not charge that anybody has been deliberately concealing this, but I am charging that we have not done our job. I am speaking of the Senator from Mississippi. He was apparently informed on this, but most of the rest of us were not. This is an area in which in the past 5 years we have spent $2 billion, and I am willing to guess that not more than 10 or 15 Senators knew anything about it at all, knew that there was any effort of this kind. It seemed like a bombshell when it was disclosed the other day. When we spend this much money, it seems to me that even though we are not on the committee, we have a duty to know what we are spending it for and whether or not the results are good.

Mr. STENNIS. I am glad that the Senator has this interest in it and am glad to provide him with the facts. It is just not one of those things about which speeches are made.

The way it was started and was set up, for a long time they did not want the enemy to find out that there was such a thing as these sensors, as we now call them. That was a part of the program. But that is well known now. It has done a lot of good. I am glad to discuss it with the Senator, and we will have this survey made.

Mr. President, the Senator had questions, also, with respect to the Fitzhugh proposals. I think they are very good and pertinent questions. As soon as it is time to get into that—it is a matter that is not involved in the bill—I will be glad to try to answer the questions, or any other member of our committee may do so. The Senator from Arizona will have some remarks, no doubt, on the sensor program.

Mr. PROXMIRE. The questions I had yesterday on the Fitzhugh proposals related in large part to the so-called "fly before you buy" principle, which the Secretary of Defense enunciated was the new abiding principle for procurement in the Defense Department. I pointed out yesterday that it seems that they have been violating that principle and are still violating it. Although the committee has done an excellent job in some respects, there seems to be a series of areas in which production is proceeding before testing is completed.

Mr. STENNIS. Mr. President, during last year and this year, the committee has been using the so-called "fly before you buy" principle considerably. It is reflected in the bill now before the Senate. I can point out several illustrations of where we have transferred an item from procurement back into research and development, where we think it should be kept until there is more testing. That is largely a phrase so far, and I am sure the Secretary will give it more and more meaning, and our committee will welcome it. There is no clear-cut line many times between this research and the actual procurement.

Mr. PROXMIRE. I should like to make one more point. I have developed an amendment—because I think this is such an excellent principle, that we should fly before we buy or test before we go into production—which would require that in the event this proposal is violated in procurement, the Committee on Armed Services should inform the Senate and let us know the reasons for it. It would not be anything that would put the Defense Department in a straitjacket.

It is clear that there are instances in which you must go ahead with production before you finish testing, but we ought to know that we are authorizing production of a weapons system, that we are making that authorization without having the test completed. We ought to be aware of that. If we are aware, we will be in a much stronger and better position to act intelligently. My amendment would require that this kind of reporting system be developed.

Mr. STENNIS. Mr. President, we will be glad to have the Senator's amendment. I do not indicate any kind of support for it. There must be some discretion somewhere. I think that is one of the things the committee is for—primarily—to make some recommendations. We could earmark those recommendations, and then it would be up to the judgment of the Senate.

Mr. President, I understand—and I am not jumping the gun on this—that perhaps the amendment has been completed with reference to the ABM, the proposed amendment to the ABM, that it will be completed this afternoon or Monday morning, and it might be possible to be made the pending business on Monday.

Those of us who are sponsoring the bill would be ready for such a move, and that would put us on a definite amendment. It is a matter that will be debated fully, but I do not believe at such great length as last year because, after all, we are familiar with it now in a broad way and it will become a second step proposal. So it looks like we will be off to a good start if we can get that as a major part of the bill, as an amendment to begin definite debate on Monday.

Mr. President, I think we have had a rather productive week here. We have had a very essential part of debate. There is a tremendous amount in the bill that has to be set forth, such as information to the membership, together with the work that they have done, and the issues to be more clearly defined. Members who do special work on amendments have had this time to work on them, so that I think, as a whole, the bill is pretty much down to bone and muscle. If we can get started, and get one amendment started and acted on, I believe the bill will move rather fast.

The ABM would be a good one to start on. The other weapons systems were already examined thoroughly last year. Perhaps it will not require much time for them.

Frankly, I think the McGovern-Hatfield amendment as to the war part is the one that goes to the heart of the thing and should be fully and thoroughly debated, which does not necessarily mean at great length.

I believe that will constitute the major part of the bill and we will then get along fine and realize that this week has been well used.

Mr. President, as the Senate knows, the pending business is the military procurement authorization bill, H.R. 17123, and I would like to make a brief statement on its present posture in the Senate and to express the hope that the Senate will proceed with expedition in order that we may conclude our final action

on this vital legislation. I would like to make the following points:

First, I would like to acknowledge, as I have many times, the significance and complexity of this legislation which authorizes all of the major military hardware and all of the research and development for fiscal year 1971 and which contains other legislative features including the authorization for funds for the free world forces in Southeast Asia.

I am, therefore, fully aware of the time that is required under normal circumstances to examine the bill in depth. Moreover, I am fully aware of the desires and needs of every Senator to examine the hearings and report and raise such questions as he desires prior to proceeding with the floor debate.

Nevertheless, I think the Senate as a whole must acknowledge the need for meeting these various matters and proceeding in a way which will permit us to dispose of this legislation and go to other important legislation awaiting action in the Senate.

Second, just where does the authorization bill which was reported on July 14 stand at this moment? All of the major speeches supporting the committee position on the legislation have been concluded, and the posture of the bill is that we are now waiting for the various amendments to be called up in order for them to be either adopted or disposed of, as the Senate may wish. I would like to emphasize, Mr. President, that in my view, for several reasons, the disposition of the various amendments should not require an inordinate amount of time. First of all, the issues will be clear cut; most of the information is already well known and, in many instances, was debated last year.

Probably the most significant item will be the amendments regarding the Safeguard antiballistic-missile system. Insofar as the debate is concerned, this appears to be a problem of bringing up to date such new facts as have occurred since late last summer when the Senate for several weeks debated the ABM issue, pro and con, in great depth. Every Senator, therefore, is familiar with all the basic issues involved. I realize the actual ABM amendment has not yet been introduced and a little time will be required to understand and explore the implications of whatever is presented. This having been done, however, the Senate should be in a position to work its will on the disposition of the amendment.

Another major item will concern the C–5A. The hearings and the discussion on this matter over the past months together with the discussions in the Armed Services Committee's report and hearings provide ample background for the issues involved in this matter.

There are other amendments relating to chemical and biological warfare and two amendments relating to the MIRV system which have been introduced by Senator BROOKE. I should add that Senator BROOKE has indicated he is willing to proceed with consideration of these, probably early next week.

VIETNAM WAR AMENDMENTS

Mr. President, there are a number of other amendments which I shall refer to collectively as the Vietnam war amendments. Here again, the issues involved will be fairly clear cut. There are:

First, the McGovern-Hatfield amendment which prohibits the expenditure of funds except for certain limited purposes after December 31, 1970, in Vietnam and Laos unless there has been a declaration of war by the Congress.

Second, there is the amendment of Senator HUGHES which in effect prohibits the use of funds after December 31, 1970, for the purpose of using inductees in Vietnam or any other country in a state of war or rebellion. Senator NELSON has introduced a similar amendment.

Third, then there is the amendment of Senator HATFIELD which would implement the Gates report on an all-volunteer armed force and I might add would involve an additional annual cost of $4.3 billion.

There are several other amendments which I shall not discuss in detail at this time, Mr. President, and I am sure there will be others which have yet to be sent to the desk.

In conclusion, Mr. President, I am making these brief remarks in order to emphasize that the forthcoming issues involved in all of the amendments appear to me to be fairly clear cut.

I urge that after we have had full, complete, and orderly debate, we proceed with expedition on each of these matters, in order for the Senate to perform its duty in passing this legislation.

Mr. President, for the information of all Senators, I ask unanimous consent to have printed in the RECORD a description of the electronic battlefield, including major issues and rebuttals concerning it, and a table entitled "Sensor Program Service Summary."

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

ELECTRONIC BATTLEFIELD

DESCRIPTION

Electronic or Automated or Instrumented Battlefield, have been used as titles to describe the sensor program which was started in 1966 as an anti-infiltration system to stop or impede the flow of men and material from North Vietnam to South Vietnam. It was to stretch along the Demilitarized Zone (DMZ) to Laos and cover the Laotian road networks. This program never has been identified nor funded as an "instrumented battlefield." The Defense Communications Planning Group (DCPG) was charged with developing and fielding resources for the battlefield.

It consists of a collection of equipment, most of which are sensors or "listening devices" placed along trails, roads, choke joints or in combat areas to *detect and track* the presence of enemy troops. Information from these unattended sensors is transmitted to remote positions from which firepower or strike forces then can be directed on the enemy.

This program has been directed entirely to support Southeast Asia operations. It has been very successful and has been included in the expanded Army Surveillance Target Acquisition, and Night Operations (STANO) program.

FUNDING

For fiscal years 1967 through 1970 and including the budget request for 1971, a total of $2.348 billion has been provided within the Department of Defense of which $663.4 million was not required by DCPG and was returned to the Secretary of Defense for reprogramming to other high priority programs. This leaves a balance of $1.685 billion in the program as of July 10, 1970, of which $293 million was provided for the RDT&E appropriations, $1.177 billion from the Procurement Appropriations, $197 million from Operations and Maintenance Appropriations, and $18 million from the Military Construction account. Of this $1.685 billion, $488 million ($293 million RDT&E, and $195 million Procurement) was authorized and appropriated. The remaining $1.197 billion was appropriated but was not subject to authorizing legislation under the Military Procurement Authorization Acts. (A summary of total funding is attached.)

RELATIONSHIP TO THE ARMY STANO PROGRAM

The Army STANO program, which is an acronym for Surveillance, Target Acquisition and Night Operations, was focused under Major General Fulton, USA, approximately one year ago. The successful use of unattended sensors in combat clearly suggested the merit of a systems approach which would consolidate Army concepts and development of a broad range of radars, night observation devices, infrared systems, personnel detectors and a command and control capability. Efforts are still formative, and funding has been identified in the Army FY 71 RDT&E budget in the amount of $40.6 million. The anti-infiltration, surveillance oriented sensors developed and deployed by DCPG are a portion of this expanded Army approach.

The Army STANO organization is the Army's focal point for relationships with DCPG, but it clearly is concentrating on long range Army capabilities rather than the immediate, Southeast Asia (SEA) oriented mission of DCPG.

MAJOR ISSUES AND REBUTTALS

1. Charge.—The program has never been subjected to public hearings, a detailed review, or directly authorized by Congress.

Rebuttal.—Congress has been briefed repeatedly in closed sessions by the Secretary of Defense, DDR&E, the Director, DCPG and Staff, and Chiefs of Services since 1966. Public hearings were avoided to preclude the enemy's instigation of tactical and/or technical countermeasures which take away advantages gained by U.S. forces. Armed Services and Appropriations Committees have reviewed the total program and have specifically authorized development and procurement requirements as required by law.

2. Charge.—Not only has $2 billion been spent, with the potential requirement of $20 billion, but cost growth has been severe.

Rebuttal.—Including the FY 1971 budget, $1.685 million has been applied to the program of which only $877 million directly relates to sensor technology. Rather than cost growth, the Director, DCPG has returned $663 million of the funds authorized by the Secretary of Defense. Larger expenditures in FY 1968 and FY 1969 versus FY 1967 are normal as a system moves from development to procurement. Future SEA oriented operating costs are estimated as $200 million annually (RDT&E, procurement, O&M), scarcely approaching $20 billion.

3. Charge.—New "electronic battlefield" will totally modify the way our Army fights and Congress may be told $20 billion is the price to "match the Russians."

Rebuttal.—There is currently no DOD program designated as the "electronic battlefield." The anti-infiltration and surveillance capability developed and deployed to SEA has provided our forces with a technology which denies the enemy the sanctuaries of jungle and darkness. General Westmoreland, recognizing this contribution, has stated that we need to explore the potential of such equipment and other surveillance and control devices.

4. Charge.—Equipment will not discriminate between the enemy and women and children.

Rebuttal.—Discrimination by sensing devices is costly. However, the fundamental policy followed is that the judgment of the commander, integrating all intelligence data, is essential prior to using fire power or strike forces. Without reaction, sensors are harmless.

5 Charge.—Was the system worth it?

Rebuttal.—The ability to economize on use and exposure of U.S. Forces, the protection of bases and the denial of darkness and jungle to the enemy have been major contributions. The value of this capability is attested to by the constant demands of our combat commanders for sensors in "their area of operations."

SENSOR PROGRAM SERVICE SUMMARY

[In millions of dollars]

	Fiscal year					5-year total
	1967	1968	1969	1970	1971	
Army:						
R.D.T. & E.	20.7	30.0	21.8	9.2	12.0	93.7
Procurement	144.9	192.4	131.4	37.0	78.0	583.7
O. & M.			7.5	7.9	9.3	24.7
Total	165.6	222.4	160.7	54.1	99.3	702.1
Navy:						
R.D.T. & E.	16.0	14.7	9.7	6.5	5.0	51.9
Procurement	43.8	14.3	13.0	13.3	18.7	103.1
O. & M.	5.6	11.6	1.7	2.2	2.2	23.3
Total	65.4	40.6	24.4	22.0	25.9	178.3
Air Force:						
R.D.T. & E.	9.0	23.5	20.0	12.5	14.0	79.0
Procurement	61.5	93.5	157.2	71.1	107.0	490.3
O. & M.	3.5	21.6	32.9	43.2	40.0	141.2
Milcon.	17.7					17.7
Total	91.7	138.6	210.1	126.8	161.0	728.2
DCPG:						
R.D.T. & E.	5.9	20.6	15.0	13.0	14.0	68.5
O. & M.	1.4	1.8	1.5	1.5	1.7	7.9
Total	7.3	22.4	16.5	14.5	15.7	76.4
Grand total	330.0	424.0	411.7	217.4	301.9	1,685.0

Mr. HATFIELD. Mr. President, first, I should like to commend the Senator from Wisconsin (Mr. PROXMIRE) for an outstanding piece of research, and for his contribution toward a better understanding of the military weapons system we are being asked to support through the budget operations of the Government.

I should also like to commend the Senator from Mississippi (Mr. STENNIS), chairman of the Armed Services Committee, for the fine cooperation he has extended to those of us involved in making research and other evaluations on weapons systems.

I can assure him that, as one who has associated himself with a number of amendments that will be appearing on the floor during the next few weeks, I am certain we can work out time agreements, and such other things, in order to expedite the discussions as quickly as possible, yet cover the subject thoroughly.

Mr. President, there are basic underlying questions which are presented to us by this defense bill: yet these are rarely considered when the Congress authorizes the expenditure of billions of dollars in the name of security. Our debate has usually focused upon whether a particular tank or plane or missile is the cheapest one that could be built or perhaps whether it is actually required for the mission it is to fulfill. We have been greatly concerned—and rightfully so—about the enormous cost overruns that have afflicted various weapons systems. I know that the distinguished chairman of the Armed Services Committee shares this particular concern as well, and has advocated steps to prevent such overruns in the future acquisition of major weapons systems.

Excessive costs and inefficient management should rightfully disturb the Congress. Yet I do not believe this to be the most urgent and troubling factor in our rate of defense spending.

We must begin consideration of defense expenditures by asking what the meaning of national security is in today's world. Since our ultimate aim is international peace and security, we must determine exactly what forces tend to undermine that peace, and how they best can be met.

There is no doubt that our world is afflicted with tension and turbulence. In the last 10 years 82 governments have been overthrown by some type of coup d'etats, rebellions, or revolts. And there are about 22 active insurrections in various countries today, such as Angola, Burma, Columbia, and several other countries. But what are the roots of these conflicts, how do they affect our own security, and how might they be resolved?

Revolutions are born, in my judgment, out of an impatience with suffering rather than from a passion for bloodletting. When two-thirds of the world is hungry and impoverished, and when they are often the victims of political systems which serve exclusive interests and do little to meet the overall needs of their population, it should come as no surprise that international stability remains illusive. But the sources of the instability must be clearly understood: economic deprivation, human suffering, and political oppression.

Now we all know that the Communist powers in our world have an ideology that is hostile to our own—as well as to each other, however—and that these countries possess significant military might. We must be prepared to defend ourselves if they ever intend to use their power against us aggressively. Yet, we should examine the probability of such an action, and recognize that the greatest actual sources of conflict today are rooted in economic, social, and political grievances rather than the result of aggressive, hostile military actions by the Communist superpowers.

One of the characteristics of the nuclear age is the increasing inability to effectively achieve political aims through the use of military force. We once lived in a world where military supremacy insured political supremacy. But today, with the capacity for destruction several times over resting in the hands of the major powers, military supremacy has far less of a political advantage. What advantage is it if we can kill the Russian population 10 times over, but they can only kill us six times over?

Furthermore, the use of even conventional military might by a major power is no certain means of achieving political objectives. If anything, it seems that the use of conventional military power in an interventionist manner is often counter-productive. Our own experience in Vietnam perhaps best demonstrates the inability of conventional military power to achieve a political objective—or to impose a particular type of political stability. The doctrine of "flexible response," designed to give our conventional military power the capability of responding to situations with a measured amount of military force, led us into the enduring Vietnam conflict rather than maintaining international stability. Furthermore, the presence of our troops in other lands at times can contribute to the internal instability of these governments than to the overall stability of a particular region.

The truth we are discovering is that political stability and international security are the function of political and economic rather than military factors. Political stability—or peace—can seldom be imposed for long by one country over another through the mere use or threat of its military power.

Now I realize that these might appear to be highly speculative considerations. But they are not irrelevant.

Each year we are asked to appropriate billions of dollars to buy new weapons and sustain the world's largest number of men in an active army. But no one seems to seriously ever ask the question—"Just what is this all going to be good for? What is the role of conventional military power in today's world? What is the relation between the military might we possess and our political and strategic aims? What is the basis for building international security?"

The answers to such issues may be uncertain; yet we must address ourselves to these concerns before we blindly proceed with the unquestioned approval of billions for our military capability.

We all tend to assume that the military forces we support are determined by our foreign goals and the logical result of our desire to achieve certain international objectives. We know, for instance, that the Soviets have a strategic nuclear force which must be deterred through our own strategic nuclear force.

And we know that if countries hostile to us choose for some reason to aggressively invade neighbors who were our allies, then we should be prepared to insure some kind of an effective defense. The Armed Forces we possess, then, should be what is required to accomplish these ends.

The disturbing fact, however, is that as one studies our defense posture, he discovers that it has little relation to our foreign policy goals. The forces that comprise our defense are more the result of the momentum of the military bureaucracy than of any other factor. Our defense posture simply does not reflect an analysis of what is necessary to accomplish the ends of our foreign policy. Rather, it is the product of what competing services have successfully justified as being useful and have been approved by an unquestioning Congress under the rubric of national security.

The forces we presently possess and sustain enable us to act as a world policeman anywhere in the world, whenever we please. The wisdom of such unilateral intervention has been thoroughly discussed and has been frequently doubted, both within Congress and the executive branch. Yet, we have not seriously questioned whether we should maintain the capability to unilaterally intervene militarily any place we choose to in the world. Even though we know that in any situation of internal political instability, outside intervention by a great power is likely to be counterproductive, we still prepare ourselves for this capability. The mere possession of this capability, with all the preplanned strategies and contingency plans, increases the likelihood that we might take such action. I am not suggesting that our defense somehow be totally devoid of anything that might be used for some kind of foreign intervention. But I am suggesting that if we believe that unilateral intervention in the internal political conflicts is generally not a wise or necessary step, then we should examine carefully the priority we are giving to such a capability in the development of our military forces.

Our defense posture is also designed to fight a conventional war at sea—presumably—with the Soviet Navy. I do not believe I have ever heard any discussion about just how likely it would be for us to get involved in a conventional conflict of this type with the Soviet Union that would also stop short of nuclear war. Moreover, even if we do accept the need to prepare for such a conflict, we should ask whether our surface Navy—or any country's surface ships—can be adequately defended against the modern armaments that military technology has created. Yet, billions of dollars are invested each year in the proposition that we should be prepared to fight a conventional war at sea against our potential enemies.

The Department of Defense has also claimed, in the past, that our forces have the capability to fight, all at once, in a major war in Europe, a major land war in Asia, and a minor intervention elsewhere in the world. This of course is the so-called 2½-war contingency. I have actually never heard a rationale as to why it was felt we should have to prepare for such an eventuality. I myself find it incredible to picture a situation where we are fighting in a conventional war against the Soviet Union on the continent of Europe, fighting against the Chinese or their allies with our ground troops somewhere on the mainland of Asia in another conventional war at the same time, and finally also carrying out some military intervention in South America. Yet, we assume all of this would go on, but that it would not result in any nuclear conflict. Our defense posture has been justified by its ability to accomplish all this.

So it appears to me that our defense posture has not been related in any realistic way to an assessment of what we really want to do in the world to achieve our foreign policy objective. Rather, it has been an amalgamation of everything that the military can do in the world.

Now I want to point out that this administration, according to its own statements and reports, has begun the process of trying to relate our military capabilities to our strategic goals. They are sensitive to this need and trying to set new policies. Yet, the results and implications of what they are doing for the defense budget remains to be seen. In the meantime, it is Congress which has the constitutional responsibility for trying to define what kind of military force we should have, and for what purposes it should be prepared and utilized.

In past years, Congress has refused to question seriously what has been presented to them as essential to the security of the country. Despite the fact that forces and pressures which result in the eventual requests for defense expenditures are largely the result of bureaucratic momentum, these programs are presented as the logical result of what has been determined to be absolutely necessary for national security. With thousands of dedicated public servants working for the Department of Defense, Congress has naturally assumed that they and only they can propose what we need for the defense of our Nation. The requests that come from the Defense Department are seen as a carefully thought-out approach to what is required to preserve national security. To spend a penny less than what is requested, it is suggested, will put that security into jeopardy.

I think we should realize that the posture and weapons system requested by the Defense Department as essential to security do not carry with them any mandate from heaven. It is the approximated guess of dedicated people working in an enormously complex bureaucracy and influenced heavily by the interests and biases of that bureaucracy. Their presentation of what is generally required for overall national security is no better or no worse that what the Congress may decide is necessary, on a completely independent basis.

Further, it must be remembered that the Defense Department defines and regards "national security" in the most narrow vein. Only the military factor is considered.

But when Congress evaluates the requirements of "national security," it must recognize that our true security is a combination of economic health, political stability, domestic tranquillity, national unity and dedication, as well as our military resources.

Congress has the unique task of judging the relationship between all these factors as it attempts to insure our Nation's security.

The events of this week should bring these issues into a sharp focus. New York City has barely been able to function and its citizens' safety has been jeopardized by a pollution and power-shortage crisis. There is no doubt that this poses a direct danger to the security of that city.

During the same week a Presidential panel appointed to study the Defense Department concluded:

> We are all amazed that it (the Defense Department) works at all.

Why should any Member of Congress honestly believe that our security is best protected by spending every dollar that is proposed by the Pentagon, and thus depriving resources for solving the crisis being felt this week by New York and threatening every major urban area in our land?

The task for Congress, in my judgment, is to relate the foreign policy objectives and strategic aims we wish to pursue as a nation—to the defense posture that we authorize. This must be done with attention given to our available resources and the necessity of meeting a variety of needs in order to truly provide for our Nation's security.

Previous defense expenditures have resulted from almost automatic approval of the Pentagon's wishes and proposals because of the vacuum created by the Congress lack of responsibility in examining defense requests. Thus, it is Congress which must redress this imbalance—and Congress which must assume any responsibility for inordinate defense expenditures.

We can—and, in fact, should—speculate about what our broad-range goals in the world should be, what our commitments and treaties should ideally be, and what methods we should rely on in the future for building international order. It is important that this kind of reflection go on in a serious manner within Congress.

Yet, we know that our present situation in the world presents us with immediate realities which cannot be ignored. In considering what our defense posture should be this year, and what resources we should allocate for the defense budget, we must realize that we have assumed a particular role in the world and do have various involvements which cannot be ignored.

So I want to make this proposal. Let us look at our present responsibilities in the world. We know that we have commitments, both in formal treaties and secret agreements. Conceivably, these might require us to have mobile forces which could be moved quickly to various parts of the globe. We know that we have a commitment to NATO and that at least for now we must maintain a capability

to meet an aggressive action in that part of the world. Further, the Nixon administration has outlined its own new doctrine with respect to Asia. They have stated that we would not use our ground troops for a land war in the Asian mainland, and that the defense of Asian countries should be their own responsibility, with our supporting assistance. The Guam doctrine, as it is called, has been set forth on several occasions as the official policy to be guiding our future actions in Asia. The implementation of this doctrine, then, must also be considered in determining our defense posture.

Finally, we know that the Soviets have an arsenal of strategic nuclear weapons, and that our present policy rests upon our ability to deter any possible Soviet attack by possessing the certain capability of destroying the enemy, should they initiate an attack upon us. Thus, we must provide for a continued credible deterrent force.

Now let me emphasize that I may have serious reservations about some of these working assumptions. I certainly do not agree with all our foreign commitments, and worry about how they can lead us into dangerous military involvements. The senior Senator from Missouri (Mr. SYMINGTON) has spoken eloquently and worked hard at this very point, and I respect greatly his efforts to actually discover the commitments our Nation has, and what implications they have. Furthermore, I may not agree with particular assessments of where our interests in the world actually lie. The President has said, and rightfully so, that our interests must shape our commitments. It could well be that the administration's notion of our interests in the world—in Europe and Asia—could differ from my own assessment. Likewise, there might be legitimate questions which could be raised about the whole concept of deterrence.

Finally, many of these matters, such as foreign commitments as well as our strategic posture, might be changed through various negotiations. Taking all these factors into account, let us grant the foreign and strategic objectives that are presently operative—regardless of whether we agree with them all or not—and then let us see what kind of defense posture is required to fulfill them.

Taking this framework, several Members of Congress came together again this year to analyze our military budget. We did so recognize that there were commitments and policies which had to be followed. Yet, we sought to analyze whether our expenditures for defense were adequate or excessive for those purposes. The military spending report, which I was privileged to chair, with the cooperation of colleagues in the House and the Senate, was prepared in order to provide further knowledge and examination of defense requests. It has been made available to all Members of Congress in order to enhance our ability to make these difficult judgments.

Let me briefly summarize the main findings of this report: First, we discussed various general topics, such as the relationship between defense spending and the economy. We noted how excessive defense spending has a larger inflationary effect on the economy than any other kind of Government spending. Further, we found that it is difficult to discover any substantial reductions in the defense budget that have not been the result of a lower level of spending in Vietnam. Reductions in the budget, as best as can be determined, have come primarily from that source, though some other savings might have been realized. This is hard to determine with complete precision, however, because the administration has not provided us with concrete estimates of the war's costs for this year.

The report then examined various components in the Defense budget, looking first to our expenditures for strategic arms. Our conclusion was that a completely credible deterrent force, fully capable of providing an assured destruction capability, could be maintained for considerably less expenditure and without the development of various components presently planned for our future strategic arsenal. In general, we recommended maintaining our triple deterrent of bombers, land-based missiles, and the Polaris fleet, but not continually upgrading each of these at costs which are excessive. For instance, we believe that the life of the B-52 bomber force should be preserved, but that we should not move forward with the procurement of the AMSA—advanced manned strategic bomber—which could entail an eventual expenditure of $10 billion. In a similar fashion, we recommend against major increased costs for our land-based missiles, such as the MIRV program. It is our general contention that the efforts to improve and upgrade our deterrent force should be placed with the most reliable and invulnerable component part—our Polaris system.

For this reason also, we approved of the continued research and development request for the underseas long-range missile system which could conceivably serve as a further enhancement to our deterrent force, if needed in future years and in the absence of successful SALT negotiations.

Let me add a few other comments about our strategic forces. Our projections about what is necessary to preserve an assured destruction capability are based on a number of assumptions that need careful examination. For instance, in such projections, we always assume that all of the Soviets' systems will work perfectly, and our systems will function poorly. We make this assumption in order to be safe; but of course, if the Soviets were actually planning an attack, they would never make such an assumption.

Further, we always protect against what is called the greater than expected threat. This means that we listen to all that the intelligence agencies say is the Soviet threat, and then try to imagine an even greater threat—which often requires a good deal of creative thinking—and then design our forces to protect against even this greater than expected threat.

"Assured destruction" is defined as destroying 25 percent of the Soviet population and 50 percent of its industry. By conservative estimates, 400 warheads can do far better than that. At present, we can deliver 4,200 nuclear warheads to the Soviet Union. Part of the reason for this enormous overkill is that we require each component part of the strategic arsenal—our missiles, bombers, and submarines—to be able to inflict, completely on its own, such a destructive force.

Finally, in making our projections, we do not include any damage which can be inflicted on the Soviets through our conventional forces—such as our tactical nuclear weapons placed in Europe and elsewhere, our tactical airpower, and the rest of our conventional military forces deployed at points close to the Soviet Union.

It seems obvious, then, that a reasonable readjustment in these assumptions alone would result in a more realistic strategic posture.

The report also considers various parts of the Defense budget that are devoted to our general purposes forces.

Mr. President, I do not wish to take the extensive time required to go into each one of the report's findings and recommendations in the area of general purpose forces—including our tactical airpower, our naval forces, and our manpower levels. But I do know that these will be of vital interest to the Members of the Congress. Therefore, I ask unanimous consent that the summaries and recommendations of each section of the report be inserted in the RECORD at the conclusion of my remarks. Since the entire report is nearly 150 pages long, I will not ask that it appear in the RECORD in its entirety—but that 25 pages giving these summaries and recommendations be printed in the RECORD.

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

(See exhibit 1.)

Mr. HATFIELD. In summary, the "Military Spending Report of Members of Congress for Peace Through Law," prepared by over 25 Senators and Congressmen, concludes that reductions of as much as $4 to $5 billion in requests for weapons systems, with another $4 to $3 billion in potential savings from manpower reductions, all during this fiscal year.

The long effect of those savings, in other words, the potential full costs of these various weapons systems we question, combined with manpower savings over this same period, could be close to $100 billion.

It is staggering that this amount of resources will ultimately be affected by our decisions on the defense bill this year. I want to emphasize that the findings of the Military Spending Committee report represent savings that are possible in this year's budget without any change in our international commitments, without any reassessment of our interests, or any change in our basic strategic policies and objectives.

I know that Members of the Congress will want to study this report in greater detail, and trust that it will be a useful contribution to our dialog and our judgments on these issues.

Mr. President, I have been greatly encouraged by the reports that the Nixon

administration is attempting to clarify the relation between our strategic objectives in the world and our defense posture. It is well known that the National Security Council and the Department of Defense have been engaged in the massive task of reviewing our commitments and interests, and then attempting to relate them to our force levels. Furthermore, I was most encouraged when the Guam doctrine or the Nixon doctrine was set forth by the administration. It was with wisdom and courage that we declared it would not be our future policy to fight with our own ground troops in a land war in Asia.

Now it is natural to ask what effect this new doctrine should have on our defense posture and the composition of our general purpose forces.

Few realize that the largest bulk of expenditures for defense comes from the support of our conventional military forces—roughly two-thirds of the Defense budget, with less than one-third necessary for preserving our strategic nuclear deterrent force. The size of these conventional general purpose forces has been determined in the past by the 2½-war contingency. We have had the forces required to fight simultaneously a land war in Asia, to defend against an attack on NATO, and a minor conflict somewhere else.

The posture necessary to perform this mission consisted of 2.7 million men in the Armed Forces. This included 19⅔ active divisions, seven priority reserve divisions, 23 tactical air wings, 15 naval attack carrier task forces, and additional forces for antisubmarine warfare, amphibious warfare, and airlift and sealift. Different portions of these forces are allocated to meet these various possible contingencies.

When our involvement in Vietnam began and escalated, we added on the troops and forces necessary for that conflict all in addition to our basic general purpose forces. Thus, the expenditures and manpower in Vietnam are all in addition to the basic posture of the general purposes forces determined by the 2½-war contingency. As manpower was sent to Vietnam, for instance, the size of our Army increased from the basic 2.7 million-man level to about 3.5 million men.

The cost of maintaining the general purpose forces of the size to fight 2½ simultaneous wars—not counting Vietnam—is about $44 billion. Broken down, this includes about $19.1 billion for the NATO contingency, $16.3 billion for an Asian land war, $1.3 billion for a minor intervention somewhere else, and $7.3 billion as a reserve, presumably for forces to be moved wherever they are needed. Specifically, the portion of the forces that are devoted to the Asian contingency are six Active Army divisions, two active Marine divisions, six Navy air wings, seven Air Force air wings, and a sizable portion of our ASW—amphibious, airlift, and sealift forces.

The current defense budget we are considering assumes that we will continue to pay for the 2½-war contingency in our expenditures for general purpose forces. The request for about $72 billion can be analyzed as follows: About $43 to $44 billion for general-purpose forces, $17 to $18 billion for our strategic nuclear forces, and $11 to $12 billion for the Vietnam war in the next year. I would point out that is the conservative way of figuring the war, and it is set forth by Charles Schultze, former Director of the Bureau of the Budget. However, the Cambodian invasion will probably cause the costs of the war to rise above that estimate.

The Department of Defense has stated that by the end of fiscal year 1971, or by June 30, 1971, the projected manpower level will be about 2.9 million. If we assume that the Vietnam withdrawal rates proceed as announced and continue at that rate until that time, we will have about 240,000 to 250,000 men in Vietnam at that time. One could add to this about an additional 100,000 to 150,000 men in the Armed Forces as the direct result of the war—men who were in the pipeline somewhere, for instance. But that leaves between 2.5 to 2.6 million men comprising our basic general purpose force posture. Perhaps this represents a small reduction of our basic manpower requirements during the coming fiscal year below the previous 2.7 million baseline manpower force. If so, such reductions would be the result of efficiency steps announced or taken to reduce excess manpower. However, it would not be reflective of any basic change in the composition of our general purpose forces.

But since the administration has announced that we are now to be guided by the Guam doctrine, then I would propose its implementation for the current defense budget. Specifically, this would mean that we would remove from our general purpose forces those portions assigned to fight a ground war in Asia—not including, as I have stated, our forces in Vietnam. This would result in the elimination of six Army divisions, three wings of tactical aircraft, a good portion of our antisubmarine and amphibious force in the Pacific, and six carrier task forces. However, this would still leave significant portions of general purpose forces for use in Asia in a supporting capacity to carry out the Nixon doctrine. Specifically, this would include two Marine divisions, six tactical air wings, and three potential carrier task forces, plus, of course, our program of military assistance to various Asian nations.

The budgetary result of these steps would be a savings of about $10 billion in this year's defense budget.

Thus, if we but implement the Nixon doctrine in our defense posture, creating a rational relationship between our foreign policy objectives and the composition of military forces, the budget which has been requested can be reduced by up to $10 billion.

Let me point out that Charles Schultze, former Director of the Bureau of the Budget, and William W. Kaufman, former assistant to Secretary of Defense Robert McNamara, have both testified to this point before various committees of the Senate this year. I ask unanimous consent that their testimony be introduced into the RECORD at the conclusion of my remarks.

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

(See exhibits 2 and 3.)

Mr. HATFIELD. There is one other important factor to point out in this regard. The Nixon administration has made a pledge to institute an all-volunteer military, and a Presidential Commission has further endorsed the merits and feasibility of this proposal. The chief concern expressed by the administration to date has been that the possible cost of an all-volunteer force may not make it possible to end the draft by mid-1971. Now I believe strongly that the true costs of a volunteer army would make this utterly feasible not only in a year's time, but even today. But let me point out the implications of putting the Nixon doctrine into effect in our defense posture for the prospects of an all-volunteer army. Removing the Asian contingency from our general purpose force planning, as I have described, would reduce our manpower by at least 400,000 men, and probably by more. That would create a manpower level by the end of fiscal year 1971 of no more than 2.5 million, and easily 2.3 or 2.4 million—assuming the announced rate of withdrawals from Vietnam. The budgetary cost of creating volunteer military at level, using the very conservative estimates given by the Gates Commission, would be $2 billion or less for this fiscal year. That would be offset by the savings of $10 billion.

The budgetary crisis in our Government is well known. During these very days the President is trying to make decisions about the fiscal year 1972 budget. And the largest compelling factor in all this is defense expenditures. It is our level of defense spending, more than anything else, which will decide whether or not we will have a deficit or a surplus budget, whether or not we will have a fiscal dividend in coming years; whether or not inflation will be halted; whether or not our housing goals will be met; whether or not the pollution crisis will be solved; whether or not our major urban centers will be livable; and whether or not we will build our Nation's resources and preserve our political system.

Seventy-two billion dollars is too much to spend for defense. It will create an insecure America rather than protecting our security. Without rewriting a single treaty, canceling a single commitment, or reversing a strategic objective, we could actually eliminate as much as $15 billion from this year's defense budget and enhance our overall national security. Up to $2.5 billion could be reduced from our strategic nuclear budget, another $2.5 billion could be reduced from the cost of certain unnecessary new weapons systems, and $10 billion could be reduced by following the Nixon doctrine.

Protecting and enhancing our national security—that is our task. Let us do so. But let us develop a defense posture that is related to what we say we want to do in the world. If we only do that much, then we will also be able to do what we must here at home if we

are to survive our domestic threats as well and live in peace.

EXHIBIT 1

MILITARY SPENDING REPORT

INTRODUCTION

As members of the Military Spending Committee of Members of Congress for Peace Through Law and other involved offices, we submit this year's Military Spending Report as a bipartisan review of selected military programs. Obviously, this list is not exhaustive. We feel, however, that these issues demand greater public and Congressional attention.

Our examination of the utility and necessity of requested defense funding is made with particular concern for fiscal responsibility and will have a deep interest in a proper allocation of national resources. We have concluded that significant reductions can be made without in any way weakening our national security. Indeed, the improved management and procurement practices we recommend would undoubtedly strengthen the national military posture. A reordering of national priorities, moreover, would help stabilize the economy on which all our federal programs are based and would release funds for the education and basic research on which our future security will depend. While we may not be in complete agreement on specific recommendations, we are unanimous in our recommendations for adjustments in the FY 1971 DOD budget, including general reductions.

Recommended retrenchments for FY 1971 range from $4.4–5.4 billion, excluding manpower. The FY 1971 recommended cut including manpower considerations would roughly double this figure. But since the projects affected involved long term funding commitments, the immediate cutback figures understate the long term savings. Projecting the full cost implications, our recommendations would produce eventual savings from $95–100 billion (including manpower).

While the 1969 Military Spending Report was concerned almost exclusively with weapon systems, we thought it necessary this year to also address the question of overseas troop deployments, threat projections, and the impact of defense spending on the economy. In each case, we offer recommendations pinpointing problem areas.

We emphasize that this is only a small part of what should be a continuing review of military programs by Congress and the public.

We invite the comments and support of other Members of Congress.

Mark O. Hatfield, Chairman, MCPL Military Spending Committee, Thomas F. Eagleton, Charles E. Goodell, Mike Gravel, Vance Hartke, Harold E. Hughes, Charles McC. Mathias, Jr., George S. McGovern, Walter F. Mondale, Gaylord Nelson, William Proxmire, Senators; Brock Adams, Edward P. Boland, George E. Brown, Jr., Jeffery Cohelan, Donald M. Fraser, Gilbert Gude, Lee H. Hamilton, Robert L. Leggett, Abner J. Mikva, William S. Moorhead, Charles A. Mosher, F. Bradford Morse, Lucien N. Nedzi, Ogden R. Reid, Henry S. Reuss, Morris K. Udall, Congressmen.

ECONOMICS AND DEFENSE SPENDING

Summary

Both the real and monetary costs of defense are unknown because of Pentagon secrecy, underreporting, and underestimating. The "true cost" is still greater even than the unknown monetary costs because of the sacrifice of private and social spending, which would ultimately create greater economic growth and more jobs. Further incalculable costs include the disruption of the social fabric and the imbalances in our foreign policy between military and civilian goals. But we can calculate that 70 per cent of the world's arms expenditures are made by the U.S. and the U.S.S.R., with the U.S. leading both in the total real cost in purchasing power equivalent and in real cost per capita.

Excessive defense spending causes severe economic distortions, most notably a persistent and intractable inflation. This phenomenon (1) impairs efficiency in the economy by changing the measuring rod of costs, (2) impairs work incentives and alters the savings/consumption patterns, (3) creates a demand for harsh counter-measures (e.g., direct controls), (4) lessens confidence of the citizenry in government and the economic system, and (5) distorts crucial sectors and creates imbalances.

Of major significance too is the fact that military spending is not only the major cause of inflation but is itself a major victim in terms of increasing the cost of its *own* operations. The Indochina war and our continued role in it is a major contributor to the inflationary problem in particular sectors of our economy.

There has been a good bit written about how the Federal government might spend any "peace dividend" resulting from either a winding down of the Vietnam War or a major breakthrough the arms limitation. Other possibilities for the dividend, of course, are tax or debt reduction. Some mix of all of these elements—federal expenditures, tax cuts, and debt management—might well be best as the tools of fiscal policy are brought to bear in the aftermath of a cutback in defense spending.

The size of the cutbacks—and of any peace dividend—is fraught with uncertainties. The Defense Department categorizes Vietnam costs under the broader budget item of "cost of Southeast Asia conflict." The two methods of cost-accounting are: (1) "incremental cost" method and (2) "full" or "prorated cost" method. Depending on the method used, *costs for Vietnam war spending in FY 1969 range from $17 billion to $32 billion.*

A $3 billion "peace dividend" is reflected in the new FY 1971 Defense budget. The $3 billion is what is left from a $5.2 billion saving in this year's budget over last year's after subtracting for the Administration's planned military spending increases.

Congress has a significant role to play in forging a larger "peace dividend". But Congress has been hampered in carrying out this responsibility by deceptive practices in presenting the Defense budget.

The cost of war spending in Vietnam has been underestimated by successive Administrations. This practice has postponed the existence of a "peace dividend" and rendered virtually impossible attempts by Congress at realistic decision-making for a healthy economy. The problem has been further complicated by conflicting Congressional testimony from various witnesses within successive Administrations.

In any case, increases in military spending have undermined budgetary savings. A look at the new FY 1971 Defense budget shows a whittling down of the "peace dividend" to $3 billion and even this sum is threatened by such trends as:

1. Continued U.S. fighting in Southeast Asia;

2. Increases in military aid to Southeast Asian countries;

3. Delays in troop withdrawals (the Administration has already announced that no withdrawals are planned before July, indicating that the average monthly withdrawal rate will be disrupted);

4. Cost overruns in on-going and newly acquired weapons systems.

The conclusion is clear that increased expenditures on "arms and security" have long since reached the point of diminishing returns by even the most conservative measure of costs incurred against benefits received.

Recommendations

Congress can be better equipped to discipline defense spending when the following steps are taken:

1. *A Presidential Report on Military Expenditures and the Economy*—to be delivered annually on July 1, the beginning of the new Fiscal Year, to a Joint Session of Congress and the American people. Such a message would include past and up-dated war costs, based on one method of cost-accounting. It should provide a uniform basis for cost citation; clarification of differing war cost figures over the years; description of the impact of military spending on the economy with relevant indicators; and prescriptions.

Such a Report would lead to a common understanding of war costs and eliminate the confusion that has resulted from the past war-cost options approach. The latter has created an expectation-achievement gap regarding the "peace dividend." For example, when Secretary Laird announced that Vietnam war spending would be $17 billion by the end of FY 1970, many expected a "peace dividend" of $15 billion based on a reduction from the "full cost" figure of $32 billion (FY 1969). Laird, in effect, was estimating only a possible $6 billion "peace dividend" based on a reduction from the "incremental cost" figure of $23 billion (FY 1969) or $11 billion (ext. FY 1971).

The Report would also help steer a realistic course between the extremes of pessimism and of optimism over the "peace dividend." Already within the Administration we have heard conflicting outlooks. For Daniel Moynihan, "the peace dividend turned out to be evanescent, like the morning clouds around San Clemente." (Press Conference, August 25, 1969). For Arthur Burns, formerly the President's economic advisor, if the war ended immediately, as much as $8 billion would be available for "civilian" programs. (Speech, National Governors' Conference, September 1, 1969).

Congress as a whole simply must be presented with a uniform basis of war cost and with basic data on the impact of military spending on the economy—if it is to have a meaningful decision-making role in economic policy, including economic conversion from a war-time to a peace-time economy; and if it is to change spending priorities.

2. *A "Pentagon Divivend"* can be gained by cutting out wasteful weapons spending. The Defense Department itself has a responsibility to weed out excess and waste in military spending. When the Pentagon fails to weed out unnecessary programs, Congress must take on this responsibility itself or saving from reduced war spending will be devoured by wasteful weapons spending. Preventing the peace dollar-drain-to-defense is the best way to release funds for new priorities.

INTELLIGENCE AND POLICY

Summary

The President is fed information by the Central Intelligence Agency, the National Security Council, the State Department, and the Defense Department, as well as by his own personal advisors. This information comes from four sources: the first, the most important, is the open press and technical magazines of the world; second, satellite reconnaissance; third, technical sources such as radio and radar interception; and fourth, human sources such as defectors. The information gained from these various sources is filtered by intelligence officers and fed into the network which eventually supplies it to the President. The President then can release the information as he chooses, whether to Congress, the press, or the general public. In the case of Congress, it is only a very select number of Members who actually get the information.

Recommendations

1. There should be a drastic curtailment of covert action programs and personnel.

2. The intelligence community should end the use of legitimate U.S. business and government agencies for operational cover overseas and domestically.

3. Information obtained by satellites in earth resources fisheries, forestry, and crop management fields should be declassified and shared with competent scientists worldwide.

4. A joint Congressional Committee on Intelligence should be drawn up with representation from the Armed Services and Foreign Relations Committees of both Houses.

5. There should be an official Congressional inquiry regarding the use of intelligence data to justify US weapons development programs.

STRATEGIC FORCES: OVERVIEW

Summary

The essential requirement that United States strategic forces must meet is an *assured destruction capability*—the capability of absorbing a Soviet first strike and inflicting a level of assured destruction on the Soviet Union defined as 20–25 per cent of the population and at least 50 per cent of Soviet industry. This is the essence of nuclear deterrence.

The United States can now deliver over 4,200 strategic nuclear warheads against the Soviet Union. Based on *extremely* conservative estimates, 400 warheads would destroy over 30 per cent of the Soviet population and 70 per cent of its industrial capacity—thus more than adequately meeting the requirements of assured destruction. The Soviet Union has a similar overkill capability with respect to the United States. In other words, we have a deliverable force of 10 times as many warheads as we need for sufficient deterrence of potential attack.

By MIRVing both our Minuteman and Polaris missile forces, we would more than double the number of nuclear warheads, from 4,200 to 9,600, to achieve the same objective of delivering 400 warheads.

It is also inconceivable that, *now or at any time in the foreseeable future*, any enemy will be able to destroy all our ICBMs, all our bombers, and all our Polaris (soon to be Poseidon) submarines *simultaneously*. Nevertheless, we are continuing to increase both the number and accuracy of our strategic weapons beyond any reasonabl response to the Soviet Union.

Recommendations

1. Initiate a serious Congressional dialogue about:

a. The concept of deterrence and what is sufficient deterrence;

b. The rationale for maintaining three separate deterrent forces—land-based missiles, sea-based, and bombers—each capable by itself of inflicting the requisite level of assured destruction.

2. We are currently spending on the order of $18 billion annually on strategic forces. The adoption of a restrained, yet awesomely powerful posture would produce budgetary savings of about $4 billion per year, reducing the annual cost of these forces from $18 to $14 billion. Such a posture would accept assured destruction capability as the essential requirement of our forces. But the more restrained posture, unlike current policy, would not need to go beyond assured destruction capability and would estimate the forces needed for such capability in somewhat more reasonable terms. In particular, this alternative posture would:

a. Modify the Safeguard ABM program with cuts ranging from $404 to $1,085 million;

b. Continue but not speed up Poseidon MIRV program;

c. Cancel deployment of Minuteman III MIRVs, cutting $575.7 million;

d. Postpone indefinitely the procurement of the new manned strategic bomber, B–1, cutting $100 million;

e. Continue spending on ULMS (Underwater Long-range Missile System) research and development.

The United States would still be left with awesome nuclear deterrence: More than 7,000 deliverable warheads, carried on three distinct delivery systems—1,054 possibly vulnerable land-based missiles, 656 partially MIRVed and invulnerable submarine systems; and 450 B–52 bombers which could deliver 1,800 warheads on target.

SAFEGUARD ABM

Summary

The Administration currently plans for Safeguard to perform three missions:

1. Protection of the Minuteman ICBM deterrent.

2. Protection of the entire country against a Chinese attack.

3. Protection of the entire country against an accidental or unauthorized launch from any country.

Safeguard can only partly perform its Minuteman and anti-China roles, and its technical inadequacy would be accentuated rather than decreased by an offense-defense arms race. The system might offer some protection against accidental attack and its effectiveness in this role might be increased by expanding the system at great expense. But the probability of accidental launch is not high enough to justify even the present projected cost for Safeguard. The danger of accident, moreover, can be more effectively addressed than by dependence on on enormously complex new system, itself accident-prone, and by expansion of the arms race that created the danger.

On June 17, the Senate Armed Services Committee restricted the Safeguard mission to Minuteman protection. But Safeguard is not technically suited to this role and cannot dependably perform it against any enemy with offensive technology sufficiently advanced and resourceful to pose a threat to our deterrent forces. Furthermore, adoption of Safeguard now would hamper the development of an effective defense in the future by creating a heavy vested interest in an inflexible technology incapable of responding to new offensive developments.

Recommendations

The following range of alternatives regarding Safeguard are offered in lieu of any one recommendation. All involve modifications to the Administration's request, as amended by the Senate Armed Services Committee.

1. The Safeguard system should be held at the R&D level. No funds should be authorized for Safeguard deployment.

2. Deployment of the Safeguard system should be limited to the two sites approved last year. Research and development should continue.

3. Divert R&D funds for Safeguard to R&D on an advanced ABM.

4. Escrow arrangements conditioned on the SALT negotiations. Funds held in escrow could be released at the discretion of the Congress if talks fail. Creation of an escrow arrangement, however, should not be interpreted as indicating a belief that failure of the negotiations would increase the desirability or utility of an ABM system. The weaknesses of Safeguard would be accentuated by a new arms race. New ABM deployments should not be considered as inevitable if the SALT negotiations fail. The escrow proposals follow:

a. Hold in escrow the Safeguard deployment at the original two sites.

b. Hold the entire Safeguard program (excluding R&D) in escrow.

There are a number of permutations to each of these options. In all cases, R&D could continue on a non-Safeguard ABM defense.

The potential savings in these options range from $1,085 million in 1 and 3c to $404 million in 2.

Recommendation	Cost (millions)	Reduction or escrow
1	$365	$1,085
2	1,046	404
3	365	(1)
4-A		781
4-B	365	1,085

[1] Range.

MIRV

Summary

The Multiple Independently-targeted Reentry Vehicles are a natural outgrowth of simple multiple warheads. During the early 1960s, it was determined that it would be more cost effective to deliver several warheads per missile than to add an additional number of missiles to the rocket forces. The land-based Minuteman missiles configured with MIRV will carry three warheads, whereas the old Minuteman carried only one warhead each. The sea launched ballistic missile—that is, the Poseidon replacing Polaris—will carry ten warheads as opposed to three. Half the Minuteman force and three-quarters of the Polaris boats will be converted. This will increase the number of deliverable warheads from 4,200 to 9,600, not counting the bomber capability which would raise the total by at least 3,000. The United States began deployment of MIRV on the Minuteman this June and the first Poseidon will be operational the first part of 1971. The Soviets are not expected to deploy any MIRVs for at least two years.

Recommendations

1. Every effort should be made during the current SALT talks to put a freeze on MIRV deployment.

2. The recommendations for retrenchment of MIRV apply only to the Minuteman III program.

The estimated total system cost for MIRVing the Minuteman III is about $5.4 billion. The request this year is for $686 million, including $211 million for R & D and $457.7 million for procurement. We recommend allocating no further funds for MIRVing the Minuteman because of fixed-base vulnerability and the potential destabilizing effect of MIRV.

ABRES (ADVANCED BALLISTIC RE-ENTRY SYSTEMS)

Summary

The Advanced Ballistic Re-Entry Systems Program has been active since 1963. It has led from the development of single warhead delivery systems for missiles, to multiple warheads, to the multiple independent delivery system.

Recommendations

1. The cost in research and development since 1963 has been about $1.3 billion. About $600 million has been earmarked for the next five years.

We recommend that the ABRES research program continue. However, there should be a yearly accounting to Congress about which strategic systems are being developed and what improvements are likely in deployed systems.

2. We recommend that no funding be approved for improving the accuracy of the Minuteman III MIRV.

MOBILE MINUTEMAN

Summary

Making the ICBM system mobile is a concept which has been considered as one means of protecting the retaliatory capability of the Minuteman missiles in case of a first strike. Slightly less than $109 million has been expended so far on this concept since 1959. Two particular methods which have

been given the most credence are a rail-mobile system and the basing of missiles on barges.

There is no doubt that our land-based ICBM system is vulnerable. In evaluating this approach to protecting retaliatory capability, comparisons must be made with other approaches, namely superhardening and sea-based mobility. Given improved accuracy and yield of Soviet missiles, and given the fact that we rely on our retaliatory system to *deter* a first strike attack, land-based missiles are becoming increasingly less cost-effective when compared to a retaliatory system of submarine-based missiles. Also, it should be noted that the mobile Minuteman approach was temporarily shelved in 1962 because hardened and dispersed versions of the system were shown to be more cost-effective.

Recommendations

Research and development funds should continue to be appropriated at a low level. However, no procurement should be authorized.

B–1 BOMBER (AMSA)

Summary

With all the destructive deterrent power represented by American ICBMs and SLBMs, it is worth considering whether the manned bomber should have any role at all in future U.S. strategic posture. This question deserves much more scrutiny than it has received thus far, especially since discussions to date have generally assumed the need for a bomber and have thus centered around the kind of bomber to be acquired.

Pending the careful resolution of that question, there are sound arguments for not investing more money on B–1 engineering development. First is the lack of any need for operational capability before the end of the decade. Second is the probability that a less costly bomber could be developed without loss of the most important capability contemplated for the B–1—service as a low-flying platform for the launch of stand-off missiles. Retention of the basic B–52 design with some modification would be one option. Third is the fact that current budgetary pressures demand that major expenditures be delayed if possible.

Recommendations

The current estimate for total procurement is about $9.4 billion. $100 million has been requested by the Administration for R&D. We recommend that the $100 million request be denied, leaving the $80 million carry-over from last year to continue R&D.

C–5A

Summary

The C–5A, with a basic mission weight of 712,000 pounds, is the world's largest airplane. It payload is 75 fully equipped combat troops and an additional 112,000 pounds worth of supplies. If the range of the plane is reduced from 5,000 to 3,000 miles, the load can be increased by 100,000 pounds. The plane is designed to operate from rough airfields on the forward edge of battle areas. The Air Force currently plans to buy 120 planes but may reduce this number to 81.

One of the principal reasons for buying the C–5A was its prospective cost-effectiveness as a mode of transportation. However, cost overruns by Lockheed have raised the expense of the plane from $3.4 to $5.3 billion, making it more costly to buy and operate than any current system used to transport military manpower. Moreover, the plane's capability to land and take off in forward battle areas is open to question. In short, the C–5A has become an enormously expensive and problematical system.

Recommendations

1. Delete the $200 million Lockheed contingency fund.

2. Delay all funds for C–5A pending answers to the specific questions raised in the body of the paper.

3. Congress should take action to ensure that the acquisition of military equipment does not become a form of relief funding for private enterprises.

4. No C–5As should be accepted by the Air Force until original design specifications are met and the plane can carry out its originally designated missions. Under no condition should the Air Force accept defective planes.

UNDERSEA LONG RANGE MISSILE SYSTEM (ULMS)

Summary

The ULMS program is planned as a successor to the Polaris/Poseidon ballistic missile fleet. The program envisages the development of a more efficient, highly survivable, sea-based nuclear deterrent capable of launching missiles with a range equivalent to an ICBM from quieter submarines of improved hull design. The program has not reached the contract definition stage. Recent budget requests have been $20 million for FY 1970, with $10 million approved, and $44 million in the budget for FY 1971.

The increased range of the missile—from about 2,000 miles to 6,000 miles to 7,000 miles, plus possibly deeper diving capabilities—nearly cubes the anti-submarine warfare problem for the Soviet Union. The ULMS submarine free to cruise the seven seas and remain within range of its targets, would—with multiple warheads—preclude a successful Soviet anti-ballistic missile effort. ULMS would be more invulnerable than what the Secretary of Defense refers to as the virtually invulnerable Polaris/Poseidon force.

Recommendations

1. We should proceed with ULMS as part of a decision to make a sea-based nuclear missile system the first line of deterrence. This might require a redefinition of the concept of "strategic mix", which has produced an expensive and excessive redundancy of strategic systems. ULMS is the epitome of the "blue water" option at a time when the probable obsolescence of fixed-bases has become clear in the ABM debate. When viewed as a successor to land-based missiles and their requisite defense systems, the ULMS seems cost-effective.

2. The current request is for $44 million in R. & D. We recommend a low-profile no cut position and advocate authorizing the full $44 million.

ADVANCED ICBM (WS 120–A, ICBM–X)

Summary

The Advanced ICBM program is an Air Force concept for a silo-launched missile with a greater payload capacity and range than the Minuteman III. Approximately $106 million has been spent so far, although only the most preliminary studies have been done. The program consists of several components: high performance solid rocket motor, self aligning boost and re-entry (SABRE), Advanced ICBM and basing, and hard rock silo development.

This program is a bad investment for a number of reasons:

1. Further development of a land-based deterrent system (which is becoming increasingly less cost-effective) is wasteful and unnecessary.

The building of new silos will exacerbate the arms race because the Soviet Union will have to assume that the old silos are still occupied.

Recommendations

No further funds should be appropriated until it is determined whether or not land-based missiles will continue to play a role in our deterrent posture.

SUPERHARDENING

Summary

Like making the ICBM system mobile, superhardening is a concept that is being considered as a means of reducing the vulnerability of our land-based deterrent system. It involves building underground missile silos embedded in bed rock, in order to make them strong enough to withstand all but a direct or very close hit without damage to the missile inside. The silos are viewed as a back-up defense against missiles which succeed in penetrating the ABM shield. It is felt that while larger numbers of direct hits by the Soviets are unlikely, there will be more near misses, which would destroy the present silos. The cost of one prototype silo is estimated at $278.4 million (up from a $152 million estimate in 1969). Currently, the cost of additional silos is estimated at $6 million per silo.

This program represents further development of our land-based deterrent system, which is being seriously questioned in terms of its cost-effectiveness. There is also a serious question as to whether any silo can be hardened sufficiently to withstand the improved accuracy of Soviet missiles, especially if they deploy MIRV.

Recommendations

We recommend that the $77 million R & D request be denied, until the role of fixed-based missiles is clearly defined.

TACTICAL AIR

Summary

For a given strategy, the number and mix of tactical aircraft depends on, for each theater: (1) the *threat*, (2) the *types of missions* we plan to fly, and (3) our estimates concerning U.S. and allied *capabilities* during combat.

For the NATO and Asian theaters, the air-to-air combat mission seems to dominate tactical air requirements. The allies seem to have a clear advantage in other mission categories.

The major kinds of missions flown by tactical aircraft include *close air support* of ground combat operations, *interdiction* of enemy supply and communications lines, *air superiority*, and *air base defense*, including carrier defense.

During the past decade, the Defense Department proposed that several major new procurements take place. The cost of the Navy F–14 and the Air Force F–15 may be several times that of the aircraft they replace, making it questionable whether present force levels can be maintained. Designs for the new aircraft appear less than the best possible to solve the air-to-air combat problem which should be our primary concern. Because of the large anticipated role of the F–14 in carrier defense, moreover, final decision on this aircraft should await determination of the future role of carriers.

Recommendations

1. Cut F–15 funds, pending submission of a design which costs between F–4 and current F–15 costs. Request detailed force structure implications for future years with force costs.

The current estimate for the total F15 program is $7.4 billion. The House has authorized the $370 million for R&D that the Administration has requested. We recommend allocation of $185 million for R&D.

2. A decision on a close support aircraft (AX) must carefully consider cost-effectiveness. Data on an alternative existing fixed-wing aircraft should be requested.

The Administration requested $27.9 million for R&D for the AX. The House authorized the full amount. We recommend authorizing the full $27.9 million.

3. The projected high unit cost of the F–14 and weapons has critical implications for the size of the force. Congress should:

Defer all or part of F–14 funds pending recommendations on the role of the carrier fleet and pending receipt of an alternative simpler fighter design suitable for the Euro-

pean and Korean theaters, and costing between F–4 and current F–14 costs.

The current estimate for the total F–14 program is $8.3 billion; the Administration has requested $274 million for R&D and $658 million for procurement. The House authorized $658 million for procurement and $324.2 million for R&D. We recommend approving $274 million for R&D, but allocating no funds for procurement.

4. Defer funds for Navy A–7s in FY 1971 pending NSC review of attack carrier force levels, but allow Air Force A–7 procurement to maintain the FY 1971 production base.

The Administration requested $118.3 million for the Harrier; the House authorized this full amount. We recommend deleting all Harrier funds pending a OSMC–GAO review of the flight tests.

5. Continue full R&D on the F–111A, but delete the procurement requested $515 million.

ENVIRONMENTAL WARFARE: ANTIPLANT CHEMICAL WEAPONS

Summary

The Department of Defense has recently restricted the forest defoliation program in Vietnam by banning the use of the primary defoliant "Orange" and its potential substitute "White".

Crop destruction, then, appears the remaining focus of the defoliant program in Vietnam. Since 1962, crop destruction has been a small part of the total defoliation program in Vietnam representing in 1968 and 1969 about 5 per cent of the total antiplant chemical operations.

Our investigations of the military application of antiplant chemicals in Vietnam, supported by Pentagon studies, led us to conclude that the extreme negative side effects of these chemicals exceeds the value of defoliation and crop destruction as tactics of war.

Recommendations

1. The present anti-crop and defoliation program should be terminated and stockpiles gradually eliminated.

2. The transfer of antiplant chemical weapons for use by second countries should be prohibited.

GENERAL PURPOSE NAVAL FORCES

Summary

The U.S. procures and operates general-purpose naval forces (excluding attack aircraft carriers and Polaris submarines) principally to protect merchant and military shipping, to support amphibious landings, and to sink enemy merchant shipping and other surface ships.

If, as announced, the U.S. is planning for an overall capability for 1½ wars, general purpose naval forces are slated to handle either a conventional war against the Soviet Union (in the Atlantic, with some holding operations in the Pacific) or a Pacific amphibious and aerial war against China, as well as other minor contingencies. Short of general conventional war with a major power, naval forces must plan for war with a minor air and naval power, like Egypt, or North Korea, as well as include provisions for counterinsurgency or interventions against opponents with no air or naval capabilities.

At the present time, a number of problems confront the U.S. Navy. Force levels have become institutionalized, even though effectiveness and costs have risen dramatically. The U.S. shipbuilding industry has allowed itself to fall years behind our allies. Inherited force levels are too large to be properly manned given present retention rates.

Compounding these problems is the fact that the U.S. has no clearly-defined rationale to justify the plans for an extended non-nuclear war at sea.

Recommendations

1. The Executive Branch should prepare and release a comprehensive White Paper drawing upon the Joint Strategic objective plan and the five-year defense program discussing U.S. postures related to naval forces. The various contingencies requiring naval forces should be detailed to allow Congress to determine what forces should be funded.

2. The "War at Sea" contingency outlining a U.S.-U.S.S.R. non-nuclear naval war should be publicly reexamined.

3. When comparing U.S. and Soviet Naval strengths to Congress, allied naval forces also should be examined.

4. The U.S. should enter into Naval Forces Limitation Talks with the Soviet Union. It may be possible to negotiate agreements on shipbuilding or operational force strength that would provide more security than at present and save billions of dollars on both sides.

AIRCRAFT CARRIERS

Summary

The rationale for having 15 aircraft carriers in the active fleet dates back at least to the Washington Naval Conference of 1921 which allowed 15 capital ships to each of the major powers. However, the new carriers do not do what the old battleships were designed to do, and modern carriers are immensely more powerful than their predecessors. Moreover, modern carriers are extremely costly—the new nuclear carriers came out of the shipyards costing about $540 million. And this figures does not include the aircraft, the destroyer escorts, or the annual operating costs. A figure of $1.8 billion was given recently as the cost of building and operating a carrier task force for one year. These costs, of course, come down somewhat as the carrier remains in service.

A carrier task force is valuable as a supplement to land-based attack aircraft, but it cannot take their place. A carrier can launch only a maximum of 150 sorties a day, far fewer than our land bases, dispersed around the world, can handle. Land bases are vulnerable to political pressure as well as military attack; however, the cruise missile boats and attack submarines of the Soviet Union pose a formidable threat to our carriers. Since the carriers are much more expensive and less capacious than land bases, their increasing vulnerability makes them increasingly difficult to justify in terms of cost-effectiveness.

Recommendations

1. Since the cost for constructing new nuclear carriers is prohibitively high, no new nuclear carrier should be constructed. Moreover, the number of carriers on active duty should be reduced to 10 or 12 as soon as practical. Some of the money saved in operating costs should be invested in updating our present carrier fleet.

2. The current estimate for completing the CVAN–70 is $640 million. We recommend halting construction on the carrier and deleting the $152 million which has been requested for procurement.

DD–963 DESTROYER

Summary

The primary mission of the DD–963 destroyer (formerly the DX) is to upgrade our anti-submarine warfare capability for both fleet protection and hunter-killer operations. The destroyer's secondary mission is to provide support for amphibious assault forces against air and surface threats.

The Soviet submarine fleet now numbers some 380 ships. Both the U.S. and the U.S.S.R. are carrying out a nuclearization program to improve the performance of their respective fleets. The DD–963 is in large part a response to the growing Soviet submarine threat, though other systems probably would meet the threat more efficiently.

The new destroyers will carry over 200 tons of the most modern electronic equipment and will be able to achieve a speed of 30 knots. The sub-systems of the DD–963 are extremely complex and are in varying degrees of readiness for service use. For instance the DD–963 relies on the SQS–26 long-range sonar, a system which has suffered from concurrent development and production, and has not achieved the high performance expected of it.

The Department of Defense budget request for FY 1971 is $506.8 million for six ships; the FY 1970 buy will be three ships as a cost of $308.6 million. Initially, the total program cost was to be $1.4 billion. GAO has since that time estimated that the overrun may go as high as $3.35 billion.

Recommendations

The DD–963 should have close Congressional scrutiny and constant review. It is among the most overrun-prone systems on the current Pentagon shopping list and the likelihood of cost growth must be taken into account in evaluating the priority to be given to the program.

1. Performance data on the DD–963, like most ASW systems, is not readily available. The Congress must require adequate justification for the program in the form of validated test data before a committment is made to full-scale production. The subsystems of the DD–963 are in various stages of research and development and there will be considerable pressure to deploy some of them before they are ready for service use. Congress should require assurance that the subsystems are:

A. Fully tested

B. Integrated to operate as a unit

2. Programs such as the DD–963 have had a history of expensive retrofitting as the state of the art advances and individual systems become obsolete. The retrofitting requires considerable loss of time on station and much expense. The Congress should have assurance that such retrofitting will be kept to an absolute minimum. In the absence of such assurance, the usefulness of the DD–963 becomes increasingly marginal.

3. The Administration has requested $459.5 million for procurement of the DD–963; the House has authorized $406.8 million. We recommend that $100 million of the House authorization be deleted due to

A. Concern over the extraordinary cost overrun

B. A need to insure that the necessary R&D is completed before procurement

DLGN–38 (NUCLEAR FRIGATE)

Summary

DLGN–38 is a special class of destroyer, a hybrid of the destroyer-leader and of a nuclear escort for the Navy's nuclear aircraft carriers. It will defend surface vessels, naval and maritime, against enemy submarines. It will afford an air defense capability, and it will have a limited anti-surface ship capability.

The first of the class will cost an estimated $222 million, with additional ships estimated to cost $208 million each. Four ships are planned to be built. $221.3 million is requested in FY 1971. This money will be used to complete funding of the second vessel and for long-lead procurement for the other ships.

The requests for money for this class of vessels bring a number of important issues to the Congress for decision. The first is the alleged vulnerability of surface ships to attack by a minor power with patrol craft or submarines, and surface-to-surface missiles such as the Russian STYX and the American Harpoon. Recent exercises in the Mediterranean by the 6th Fleet have indicated that small, speedy motor torpedo boats are able to penetrate carrier task force defenses.

A second issue is one concerning possible U.S. plans, yet to be revealed to reduce the number of carrier task forces. If the President

plans to do this, escort force will have to be redesigned.

A third issue is that of costs. Costs for the DLGN-38 program have been steadily and rapidly rising. A request for funds for this program offers the Congress the opportunity to spend this money contingent on cost discipline by the Navy.

Recommendations

1. Construction of DLGN-38 should be slowed until the weapons it will use, the Mark 48 torpedo, the Aegis anti-missile ship defense system, and the Harpoon antiship missile, are tested. DLGN-38 will be only as good as its weapons. If these programs are failures, there is little point in a billion-dollar ship procurement to buy platforms for them.

2. Authorization of DLGN-38 should be postponed until a comprehensive naval war policy for the U.S. is published. This alternative is akin to the recommendation of the House Armed Services Committee that no funds be obligated for any shipbuilding monies in the FY 1971 request until the National Security Council makes its study of the wisdom of going ahead with CVAN-70, the fourth nuclear carrier.

3. The Armed Services Committees should take immediate action to determine whether the DLGN-38 could be built in government shipyards at less cost to the taxpayer. Industry profits ranging between 6 to 10 per cent might be saved by this device. Alternatively, enhanced cost discipline for this program could be devised by putting strict controls on change orders, compliance with cost and specification items, testing of all subsystems before final design of the larger system, and GAO participation and review of estimates, contracting, and testing.

4. The current estimate for the total program is $4.9 billion. This includes a request by the Administration for $221.3 million for procurement during FY 1971. We recommend that the entire $221.3 million be deleted from the budget.

SSN-688

Summary

The SSN-688 class submarine is currently being planned as a group of high-speed, nuclear powered attack submarines designed to track and kill Russian missile launching subs and Soviet attack subs. A successor class to the present Narwhals and Sturgeons, the 688's, are to be very fast and silent. They are to carry the problematical Mark 48 torpedo (See section on Mark 48) and the SUBROC rocket torpedo combination. The Navy is seeking eight to ten 688's to be deployed by the mid 1970's at an estimated cost of approximately $220 million each.

In his posture statement, Secretary Laird said, "According to our best current estimates, we believe that our POLARIS and POSEIDON submarines at sea can be considered virtually invulnerable today. With a highly concentrated effort, the Soviet Navy today might be able to localize and destroy at sea one or two POLARIS submarines." A faster, more silent submarine alone is not a significant contribution without vastly improved detection and weapons systems. The sonars of the 688 class are refinements of existing systems. The problems of the Mark 48 Torpedo are such as to cause doubt that it can ever be used. SUBROC has tested well to date and is in use in existing attack submarines. Construction of what is in effect a water born ABM for an already invulnerable submarine missile capability would thus seem a costly and superfluous effort.

Recommendations

1. No further funding for procurement of the SSN-688 should be approved until a significant threat to Polaris submarines can be fully identified and the cost-effectiveness of the Mark 48 torpedo system is clarified.

2. The current estimate for the total system cost of SSN-688 is $4.3 billion. This year, $475.5 million has been requested for procurement. We recommend that these funds be deleted. However, $238 million should be allocated for continuing R&D, particularly in sub-detection systems and underseas guidance technology.

MARK 48 TORPEDO

Summary

The Mark 48 is a new submarine torpedo designed to protect our underseas craft from the latest high-speed Soviet submarines. Design and technical complications arose from the beginning. The program was soon expanded to include two additional versions—one, Mod 1, with a larger warhead designed to give greater surface ship destruction capability and another, Mod 2, to provide the original version (Mod 0) with surface ship destruction capability.

Cost overruns and schedule slippages have been phenomenal. By the end of June, 1969, estimated program costs of the Mod 0 had increased from $682 million to about $3.9 billion, an approximate 600 per cent increase, and it is already two years behind its development schedule. In its Selected Acquisition Report (SAR) of September 30, 1969, the Navy indicated that it had reduced the cost growth of the Mod 0 to $2.6 billion; however, the GAO noted a concomitant reduction in total planned quantity to be procured. Mod 1 cost overruns were by October of 1969 estimated at $62 million, a $22 million increase over a 3-month period, occurring *in spite of* a decrease in planned quantity of production prototypes from 65 to 36 torpedoes. The GAO itself reported that "the Navy's SAR does not adequately disclose reasons for cost increases . . ."

The fact that a considerable portion of the cost increase can be attributed to increases in the sophistication of the weapon raises the question of whether or not an adequate basis was ever laid for this system. For example, in 1964, when the plans were given to Westinghouse, the Navy was told they were unworkable because the torpedo itself generated so much noise the enemy submarine could not be detected. This necessitated additional contracts to alleviate the problem. It is felt by some, including A. Ernest Fitzgerald, that the Navy may have tried to camouflage its mistakes as "expanded capability". A torpedo designed to dive in excess of 3000 feet with a range of 25 miles should be able to achieve the relatively simple anti-surface ship capability without much additional development.

There are two conceivable uses for the Mark 48. The first, to destroy Soviet ballistic-missile submarines, is unlikely. A first-strike move on our part is contrary to the alleged defensive purpose of the weapon. For the system to be useful in a nuclear exchange initiated by the Soviets, but not involving their entire sea-based missile force, we would have to shadow every Soviet ballistic-missile submarine on a 24-hour basis.

A second use would be to defend U.S. ballistic-missile submarines against Soviet attack. A successful simultaneous attack on all our submarines would be virtually impossible, to say nothing of the prohibitive problems of coordinating one against bombers and land-based ICBMs.

Another condition under which the Mark 48 could be used is a war of attrition conducted at sea. Such a scenario is beyond reasonable expectation, since the victim would probably retaliate with other weapon systems.

Recommendations

The defense posture statement indicates that the Navy plans to complete RDT&E on all three versions of the Mark 48 and then choose either Mod 1 or Mod 2 for procurement in quantity for the operational inventory, procuring in the interim a limited number of Mod 0s and Mod 1s is to meet ASW requirements. This raises the question of why procure *any* Mod 0s if the final choice is to be made between Mods 1 and 2? Or why waste *any* money on procurement and development of the inferior versions? The Navy should choose which version to deploy before any further funds are authorized.

The current estimate for the total system cost is $3.57 billion for the Mod 0, and $185.4 million for the Mod 1. We recommend a cut this year of $46.8 million for the Mod 0; a delay in the funding of $55.1 for the Mod 1, and a delay in the funding of $8.7 million for conversion.

S-3A ANTISUBMARINE AIRCRAFT

Summary

The Navy is requesting $207.8 million of research and development and $101.7 million of procurement funds in FY 1971 for the S-3A, a carrier-based ASW aircraft to replace the aging S-2 now in the fleet. This request should be challenged, since the evidence available indicates that we have no need for the aircraft.

The case against the S-3A:

1. S-3A and related investment and operating costs are so high that it would be 50 to 100 per cent more expensive to provide equal area search capability using the S-3A than by using additional copies of the P-3C, our land-based ASW aircraft.

2. Land-based ASW aircraft can cover 80 per cent of the oceans' surface, and cargoes and naval forces in need of protection by such aircraft can be routed to areas where such coverage is available.

3. The aircraft carriers on which the S-3A would be based are highly vulnerable to hostile submarine action which could put them and their S-3As seriously out of commission.

4. Our attack submarines (SSNs) provide greater protection against enemy submarines than either the P-3C or the S-3A.

5. The Navy's action of recent years reducing the number of ASW carriers in its inventory from 9 to 4, is a tacit admission that these carriers and their aircraft are not essential to counter the growing Soviet submarine threat.

The development of the S-3A has been strongly resisted by forces within the Department of Defense. While the Navy won out and Secretary McNamara ultimately gave the program its go ahead, he referred to it as very "marginal". Now, at a time of much tighter defense budgets, its marginal benefits are clearly not worth pressing.

Recommendations

The funds requested by the Navy in FY 1971 should be disapproved, the S-3A program cancelled, and our existing ASW carriers phased out during the course of the next fiscal year.

The current estimated total RDT&E and procurement costs for the program are $2.9 billion. We recommend that the $309.5 million requested for this year be dropped entirely.

MILITARY MANPOWER

Summary

America now possesses the world's largest standing armed forces. The Constitution—in Article 1, Section 8—gives Congress full responsibility for raising, regulating and supporting an army. But over the past 20 years, a standing army has been maintained, without close Congressional supervision, under the control of the President as Commander-in-Chief.

In 1948, a ceiling on the size of the military was approved by Congress, and then promptly suspended. It has been ten years since Congress made a detailed study of manpower requirements.

Even though the military has moved to reduce its force levels over the past two years, there is no clear indication that such reductions will bring substantial budgetary sav-

ings. Little is known also about the composition of the military by rank and the effects of this composition upon total military pay.

Changing strategic conditions have an impact on key current manpower issues such as the draft and draft reform, military pay equity, force level determination, civilianization, and the pace of transition toward a volunteer force.

Recommendations

1. The Administration should submit to Congress an annual manpower authorization request. This request should specifically relate DOD requirements to the State Department Foreign Policy posture statement. The magnitude and deployment of land forces should be justified in terms of U.S. foreign policy goals and treaty obligations.

2. During termination of the Vietnam War, the armed forces should be reduced by 800,000 men—the manpower increase generated by the conflict. Additional cuts can be gradually made over the next several years, returning manpower levels to the currently suspended statutory ceiling of 2.3 million men or less.

The shift to a "1½" war planning base, and elimination of Vietnam-mobilized forces could well permit a 15 or 20 per cent reduction in land forces. Potential savings from such a move might range from $4 to $8 billion.

3. The General Accounting Office should undertake a comprehensive study of military manpower by rank, determining total salaries, fringe benefits, and support costs accruing by grade.

4. An integrated manpower management program should be created by DOD. Management by the separate services is inefficient and redundant. Many jobs and managerial techniques are the same throughout the military.

5. Congressional Armed Services committees should proceed with draft reform hearings focusing on the recommendations of the Gates Commission. At the same time, the committees should act to reform the Selective Service System as part of a phased program leading to ultimate adoption of a volunteer military. Initial reforms should include measures to apply uniform standards, plug lottery loopholes, rationalize the drafting of physicians, and provide right to counsel.

Requirements for drafted doctors can be drastically reduced by requiring non-combatant military personnel, and all dependents and retirees, to use some form of pre-paid medical care rather than inducted doctors for non-military work.

6. DOD should present its pay reform recommendations to Congress. A salary system with room and board should be introduced and present retirement provisions should be replaced. Retirement income available to military retirees should be reduced during the years they could still work if they were civil servants. Improvement and rationalization of pay and retirement scales are important intermediate steps if a transition to a volunteer military is to be efficiently accomplished.

7. DOD should continue its "civilization" program which was abandoned during the Vietnam buildup, this program would create new civilian jobs, produce some budgetary savings, and free some military personnel to return to civilian life.

8. Project Prine, a modernized accounting system for the entire defense establishment, should be implemented. Congress should receive quarterly reports on operating costs and efficiency.

9. All reserve units should be assigned mobilization missions or affiliated with active units. Training and preparation of reserve units could then be integrated with active training. In addition, Congress should require regular reserve forces readiness indicators and reports on operating costs.

LAND FORCES IN KOREA

Summary

Currently, there are some 55,000 American troops in South Korea. This deployment bolsters South Korean forces, acts as a deterrent against a North Korean and/or a Chinese attack, and provides a visible symbol of American commitment to South Korea.

The number currently deployed, however, is not clearly related to any of these objectives. South Korean forces outnumber those of the North 620,000 to 384,000. The two American Divisions merely add to the imbalance. Secondly, an invasion of South Korea must cross the DMZ where it is impossible to conceal troop movements of requisite size. Consequently, the United States could introduce forces in the event of a North Korean or Chinese buildup. A large-scale Chinese attack would probably invoke a nuclear response. A specific level of manpower is not essential to the demonstration of a commitment to an ally. There are indications that the Administration is cognizant of this and preparing to negotiate a substantial reduction of American forces in South Korea.

The deployment of the American forces along the DMZ also creates the danger of a "trip-wire" involvement of American forces contravening the "constitutional processes" qualifications of the U.S.-South Korean defense treaty. This problem, along with the question of the stationing of tactical nuclear weapons, and resulting requirements for American forces in sufficient numbers to adequately guard those weapons are two other important aspects of South Korean deployment calling for reexamination.

Recommendations

1. The U.S. can withdraw one division (20,000 men) rather quickly. This can result in savings of some $200 million. Further reductions could also be negotiated in the land forces deployed there. This should not as yet include reduction in American tactical air support.

2. The U.S. should withdraw all nuclear weapons from South Korea.

LAND FORCES IN EUROPE

Summary

Growing domestic pressures for a decrease in American force levels in Europe necessitate extensive reexamination of American interests in Europe and the means for best serving them, if options are not to be foreclosed by a precipitate response to such pressures.

Current NATO force levels, in spite of military assessments to the contrary, are now seen as in rough parity at least with Warsaw Pact forces, while the roles of both military alliances are coming more into question. The relevant comparison is in actual numbers of personnel deployed rather than numbers of divisions and their relative reliability. Observers point out that Pact Forces consist of large contingents of Czech, East German, Rumanian, Hungarian, Polish, and Bulgarian troops, most of which are likely to be substantially less well-equipped and trained—and in the Soviet view, less reliable—than Soviet troops. It can be argued also, that German, British and French forces, would be generally more reliable in defense of Western Europe than most Pact forces would be in aggression against it.

Deterrence of Soviet adventures in Western Europe, moreover, may be only indirectly related to conventional force levels, and may well not suffer in the face of substantial reduction of American forces.

In any case, there is great need for streamlining of forces, and a potential for substantial savings.

Among the more powerful arguments against substantial American force reductions in Europe is that such moves would force the West Europeans to capitulate to Soviet pressures on important matters and would cause substantial political instabilities. But the Europeans should be quite capable, with minimal American presence but a firm American commitment, of deterring Soviet adventures themselves. It may be the long and pervasive American dominance in NATO which is a principal cause of the European malaise in world politics.

There are growing doubts about Soviet intentions in Western Europe, and given internal and East European problems, about Soviet capability to act aggressively.

Recommendations

1. Limited reductions could be made in U.S. forces in Europe, perhaps to under 100,000 men over three or four years. Both the size and timing of the reduction, however, should be determined through a process of full consultation with Europeans as part of a program of streamlining and reorganization of NATO. Large manpower reductions are possible without change in the U.S. combat contribution if the Europeans could assume a greater role in logistical support. The withdrawals ideally would be coupled with a multi-year commitment of U.S. forces at the lower manpower level. A reduction of 100,000 would, at minimum, save approximately 1 billion in budgetary outlays annually. Coupled with substantial streamlining and consolidation of headquarters, the budgetary savings could be much larger.

2. Transfer of SACEUR to the Europeans and substantial reorganization of NATO to coincide with the increased role of Europeans in their own defense.

LAND FORCES IN SOUTHEAST ASIA

Summary

Even beyond the American forces fighting in various parts of Indochina, the U.S. commitment in all of South Asia is substantial. Aside from over 450,000 troops in Vietnam, Laos, Cambodia, and Thailand, the Pacific fleet carries approximately 390,000 men, and there are support and other forces in large numbers in Japan, Korea, Okinawa, Taiwan, and the Philippines.

The key question focusing on the factors responsible for this massive presence is, relatively simple: What is the vital interest of the United States in the Pacific Basin?

Unless vital interest is at stake—the U.S. should be extremely careful before undertaking further interventions. That condition should be maintained even when interventions involve only military aid, equipment and training.

The final clause of the Nixon Doctrine expounded at Guam deserves close examination. The President states that "we shall look to the nation directly threatened to assume the primary responsibility of providing the manpower for its defense." The catch phrase is "primary responsibility". The history of American involvement with Vietnam began largely under identical conditions.

Hopefully, in Southeast Asia and the Pacific Basin, American defense commitments can be safely reduced by a careful application of the Nixon Doctrine—mainly by limiting its utilization strictly to areas where U.S. vital security interests are immediately and primarily at stake.

There is not room in this overall analysis for a detailed study of current American troop allocations—and the potential for future reductions in those levels—in each of the Southeast Asia countries. Instead, as a case in point, the following section looks at just one controversial nation, Korea. It should be recognized that the analysis of the Korean situation is done under the unique conditions of that country, but is not uncharacteristic of general manpower problems applicable world-wide.

STRATEGIC FORCES

Program	Description	Administration request fiscal year 1971 (millions) R. & D.	Procurement	House authorization, fiscal year 1971 (millions) R. & D.	Procurement	Current estimate, total program	Proposed program action
Poseidon	Submarine conversion and missile.	$122.7	$921.6	$122.7	[1] $371.1 / 550.5	$5,555,200,000	Continue but not speed up.
Minuteman III	Strategic missile	211.0	475.7	[2] 211.0	475.7	$5,375,800,000	Cut $686,000,000.
AMSA (B-1)	Strategic bomber	100.0	0	100.2	0	$9,377,000,000	Cut $100,000,000.
ULMS	Submarine and strategic missile system.	44.0	0	44.0	0	Not available	Low profile, no cut.
Safeguard ABM	ABM system	365.0	660.4	365.0	661.0	$12,000,000,000	Range from $404,000,000 to $1,450,000,000.
C5-A	Transport		610.6		[3] 544.4	At least $5,300,900,000	Cut $200,000,000 contingency fund.
				TACTICAL AIR			
F-14	Tactical fighter	274.0	658.0	324.2	658.0	8,279,100,000	Cut $658,000,000 until DOD GAO review of complete flight test program. Retain full R. & D.
F-15	Air superiority fighter	370.0	0	370.0	0	$7,355,200,000	Cut R. & D. $370,000,000 by half, $185,000,000.
A-X	Counterinsurgency aircraft	29.7	0	27.9		In concept formulation	Authorize full R. & D. request.
F-111A	Long-range fighter	48.2	515.1	48.2	515.1	$6,380,800,000	Cut all procurement $515,100,000: continue full R. & D.
A-7E	Light bomber	0	252.9		113.0	$1,397,500,000	Defer procurement pending NSC review.
Harrier	British-made fighter	0	118.3		118.3		Delete pending USMC-GAO review of complete flight testing.
CVAN-70	Nuclear carrier	0	152.0	0	152.0	$640,000,000	Cut $152,000,000.
DD-963	Antisub destroyer	0	459.5	0	506.8	$3,350,000,000	Cut $100,000,000.
DLGN-38	Nuclear missile frigate	0	221.3	0	213.8	$4,875,400,000	Cut $221,300,000.
SSN-688	Attack submarine	0	475.5	0	498.0	$4,279,700,000	Cut $475,500,000; shift $238,000,000 o R. & D.
Mark 48	Antisub and ship torpedoes	$36.3	[4] 110.6	$36.3		$3,570,000,000 (Mod 0) $185,400,000 (Mod 1)	Cut $46,800,000 procurement, Mod 0. Delay fund of $55,100,000 for Mod 1 and $8,700,000 for conversion of Mod 0 to Mod 2 pending justification of keeping production lines open.
S-3A	Antisub plane	207.8	101.7	207.8	101.7	$2,931,700,000	$309,500,000.

[1] Conversion.
[2] Slightly less than $211,000,000.
[3] Including $200,000,000 contingency fund.
[4] Includes $46,800,000 (Mod 0's); $55,100,000 (Mod. 1's); $8.700,000 (conversion).

SUGGESTED CUTS

	Fiscal year 1971 (millions)	Current estimate of total program (billions)
Strategic:		
ABM	404-1,450	12.7
MM III MIRV	686	5.4
B-1	100	9.4
C5-A	200	5.3
Superhard	77	6.0
Subtotal	1,467-2,513	38.1
Military manpower:		
General (15-20 percent overall reduction in land forces)		4.0-8.0
Europe (100,000-man cut over 3-4 years) ($1 billion minimum)		[1] 1.0
Korea (20,000 men) ($200 million)		[1] .20
MBT-70	77	8.0
Subtotal		13.2-17.2
Tactical air:		
F-14	658.0	8.3
F-15	185.0	7.4
Harrier	118.3	
F-111A	515.1	9.2
Subtotal	1,476.4	24.9
Navy:		
CVAN-70	152.0	.64
DD-963	100.0	3.35
Mark 48	[2] 46.8	3.57
DLGN-38	221.3	4.9
SSN-688	237.5	4.3
S-3A	309.5	2.9
Subtotal	1,130.9	19.66
Total	[3] 4,351-[3] 5,397	95.86-99.86

[1] Ongoing.
[2] Delay 55.1, 8.7.
[3] Excluding manpower.

EXHIBIT 2

THE VIETNAM WAR, MILITARY BUDGETS, AND DOMESTIC PRIORITIES: A PROJECTION OF ALTERNATIVE POLICIES

(Testimony of Charles L. Schultze before the Committee on Foreign Relations, U.S. Senate, April 29, 1970)

Mr. Chairman and members of the Committee, I should like to discuss with you briefly today the budgetary outlook for the federal government over the next five years as it will be affected by alternative policies dealing with our overseas commitments and military strategy, including but not limited to our involvement in Indo-China.

At first thought, the budget may seem a relatively prosaic and uninteresting framework within which to cast this discussion of major national policies. Yet budgetary dollars are but a symbol of more important things. As we have become aware, even a wealthy nation such as ours does not command unlimited resources. Consequently when we decide to spend, say, $20 billion per year in pursuing our aims in Vietnam there remain $20 billion less for assisting education, or manpower training, or pollution control or for reducing taxes and thereby permitting more use of resources for private purposes. In a world of limited resources we must make choices. Every dollar we spend for one public purpose represents one dollar less for some other purpose, public or private. This fact does not of itself either justify or deny the wisdom of any particular set of foreign policy commitments. But it does call to mind that these policies have economic costs not merely in terms of dollars but in terms of schoolrooms, and hospitals, and clean water. As a consequence, like any other set of policy choices we must weigh their potential benefits against the other things we want which their adoption forces us to give up.

There are three basic elements involved in this review of the budgetary costs of alternative foreign policies and military strategies: *First*, an estimate of the current costs of carrying on the Vietnam war; *second*, a projection over the next several years of federal revenues under current tax laws and federal expenditures under existing and currently proposed programs, leading to an estimate of the residual sums available to pursue high-priority domestic needs; then *third*, an examination of how several alternative foreign policy and military strategies will affect the budgetary outlook and will expand or contract the resources at hand for meeting those domestic needs.

The estimates and projections I shall present summarize the results of a study carried out by a number of staff members at The Brookings Institution and recently published under the title of *Setting National Priorities: The 1971 Budget*. There are a few excerpts from that publication which provide some detail on the military budget aspects of my testimony which, with the Committee's approval, I should like to submit for the record. Finally, let me note that the underlying data and estimates dealing with the costs of the Vietnam war and with alternative military strategies were developed by my colleague at Brookings, Dr. William Kaufmann, who should not however be saddled with the blame for the particular judgments I make or biases I reveal in this testimony.

THE BUDGETARY COSTS OF VIETNAM

Until this year, each budget document since fiscal 1967 included an estimate of budgetary outlays incurred because of Vietnam. No such estimate has been officially published this year. In any event the numbers made available in prior years were not a good measure of the *incremental*, or *added*, costs of our involvement in Vietnam. This is not to say they were deliberately mis-stated, but simply that they didn't pretend to measure the extra costs, but rather the *total* costs. For example, the naval task forces steaming off the Gulf of Tonkin would have been steaming somewhere else had there not been a war in Vietnam. What is relevant, therefore, is not the total cost of those forces but the extra costs of the ordnance expended, the additional sorties, the higher attrition of aircraft and the like which are attributable to the Vietnam operation.

Table 1 provides an estimate of the *added* costs in Vietnam during the peak year of action, 1968. It is built up from estimates of the personnel added to the Armed Forces since 1965, the ordnance expended, the aircraft lost, etc. This estimate of $23 billion per year as a peak cost compares with a higher figure of $29 billion used by the Defense Department in Congressional hearings last year (Testimony of Robert C. Moot, Defense Comptroller, in *The Military Budget and National Priorities*, Hearings before the Subcommittee on Economy in Government of the Joint Economic Committee, 91 Cong. 1 sess., 1969, part I, p. 320).

Table 1.—Peak Incremental Outlay for the War in Vietnam

Type of expenditure:	*Billions of current dollars*
800,000 military personnel at $12,000 per man per year	9.6
250,000 civilian personnel at $10,000 per man per year	2.5
Ground, air, and naval ordnance	5.2
500 aircraft at $3 million per aircraft (average)	1.5
Replacement of land force equipment and supplies (U.S. and ARVN)	1.3
Other procurement	1.0
Construction	1.0
Transportation and petrol, oil, and lubricants	1.0
Total	23.0

Source: Charles L. Schultze with Edward K. Hamilton and Allen Schick, *Setting National Priorities: The 1971 Budget* (The Brookings Institution, 1970) Table 2–13, p. 49.

It is very important, I believe, *not* to overestimate the budgetary costs of Vietnam. By subtracting the higher cost figures, referred to above, from the total defense budget, some Pentagon spokesmen have made the argument that the remaining sums allocated to non-Vietnam purposes have been too small in the past five years to keep the armed forces of the United States in proper combat readiness and its equipment fully modern. As a consequence they argue that Vietnam has "robbed" the remainder of the Armed Forces, that there is a backlog of unmet needs which remains to be met once Vietnam operations are reduced, and that Defense budgets cannot therefore but cut significantly.

Table 2 provides an estimate of the budgetary costs required to maintain in a modern and combat-ready state the conventional forces of the United States at a pre-Vietnam level. This is compared with the amounts actually available for that purpose, an estimate arrived at by subtracting the added costs of Vietnam from the total budget for conventional forces. It is clear that there has not been a deficit of funds—Vietnam has not in any overall sense "robbed" the remainder of the forces. A backlog of unmet needs does not appear to have been built up justifying a large diversion of the savings from a cessation of the war into other military channels.

While the cost of Vietnam during the peak year of 1968 was about $23 billion, it appears that costs will amount to about $17 billion in the current fiscal year 1970. If President Nixon's scheduled troop withdrawals, announced last week, proceed on a gradual and even pace throughout the next twelve months, and are extended at that pace over the remainder of fiscal 1971, the budgetary cost of Vietnam would drop to perhaps $12 to $13 billion in that year. This estimate assumes that there is no significant step up in U.S. combat operations or military assistance in Laos or Cambodia. Should the troop withdrawal be bunched up at the end of the year, rather than proceed steadily throughout the period, then the budgetary costs will be higher than the $12 to $13 billion I have estimated.

TABLE 2.—REQUIRED VERSUS ACTUAL SUMS AVAILABLE TO MAINTAIN U.S. CONVENTIONAL FORCES IN MODERN COMBAT READY STATUS

[Based on added Vietnam costs; in billions of dollars]

	Fiscal years—				
	1966	1967	1968	1969	1970
Budget for conventional forces	52.2	59.6	60.3	59.6	58.3
Less added costs of Vietnam	6.0	18.0	23.0	22.0	17.0
Available for maintenance	46.2	41.4	37.3	37.6	41.3
Required for maintenance	38.7	39.1	39.4	38.9	42.1
Deficit or surplus	+7.5	+2.3	−2.1	−1.3	−.8

Source: Adapted from Charles L. Schultze with Edward K. Hamilton and Allen Schick, "Setting National Priorities: The 1971 Budget" (Brookings Institution, 1970), table 2–14, p. 50.

PROJECTION OF FUTURE BUDGETARY CONDITIONS

As a prelude to examining the impact of withdrawal from Vietnam and of alternative foreign and military policies on budgetary costs and on domestic programs it is necessary to lay out an overall budget framework.

We have made budgetary projections to fiscal 1975. Essentially this consists of projecting (1) federal revenues under current tax laws and (2) the expenditures which would be forthcoming under current and Administration-proposed programs, allowing for increases in prices, wages, workloads, rising numbers of people statutorily eligible for benefits under social security and other programs, and similar relatively "built-in" elements making for changes in expenditures. The difference between the revenues and expenditures so projected is the *fiscal dividend*, the amount available for discretionary use in expanding existing federal programs, creating new ones, retiring the debt, or reducing taxes.

In these projections the following assumptions were made:

1. Economic growth would resume at a 4 to 4½ percent annual rate after the present pause, with the unemployment rate returning to slightly below 4% sometime in 1972. Inflation would continue but at a moderated pace, tapering off gradually from the current 5 to 6 percent to 2 to 2½ percent in 1972 or 1973.

2. Current tax laws would not be changed.

3. All major Administration-proposed programs (family assistance, revenue sharing, urban mass transit, etc.) would be adopted.

4. The Vietnam war would be terminated, so that by fiscal 1975 the only expenditures would be some $1 billion for economic aid or a combination of economic and military assistance.

5. The armed forces would return to their basic pre-Vietnam level of 2.7 million men.

The budgetary consequences of these assumption are shown in Table 3. Revenues under existing tax laws would have risen to about $284 billion by 1975. However, the tax reform bill of 1969 provided for a host of tax cuts, scheduled to phase in over the next several years. By fiscal 1975 the net revenue loss from that bill will be $8 billion, leaving $276 billion in revenues.

A return to the pre-Vietnam military structure and pace of modernization would mean a defense budget of about $62 billion in today's prices and $74 billion in the prices likely to prevail in 1975. (Rapidly rising numbers of retired military personnel will also add substantially to the budget over this period, a fact which has been taken into account in the estimates.) The projection also assumes a residual expenditure of $1 billion in S.E. Asia.

On the civilian side the "built-in" growth of current and Administration proposed federal programs would add some $50 billion to federal outlays in the four year period between 1971 and 1975—a rise of about $12½ billion per year.

TABLE 3.—THE FISCAL DIVIDEND

[Fiscal year, billions of dollars]

	1971	1975
Revenues:		
Before allowing for 1969 tax reform	202	284
Less cost of tax reform		−8
Total revenues	202	276
Expenditures (built-in):		
Military	72	75
Vietnam	(12)	(1)
Civilian	129	178
Total expenditures	201	253
Difference between revenues and expenditures	1	23
Less budget surplus needed to reach national housing goals		10
Fiscal dividend		13

Source: Adapted from Charles L. Schultze with Edward K Hamilton and Allen Schick, "Setting National Priorities: The 1971 Budget" (Brookings Institution, 1970), table 6–5, p. 186.

There will be, then, on the basis of these projections, a residual of about $23 billion—the gap between revenues and already committed expenditures. But not all of this will be freely available to pursue high priority domestic programs of the federal government or for tax reduction purposes. In 1968 the Congress, after examining the data on the rate of new family formation and on the condition of the housing stock, set out as a goal for the nation the construction of some 26 million housing units in the decades of the 1970's. The Nixon Administration has adopted that goal, with some modifications. But it is most unlikely that this goal of building 2.6 million housing units a year can be met unless the federal government, under conditions of high employment prosperity, runs a substantial budget surplus, which I have put conservatively at $10 billion per year. Under economic circumstances likely to exist during prosperity in the next five years, failure to run a budget surplus would generate such tight money and high interest rates that housing construction would not reach the 2.6 million per year goal. On the basis of the projections in its latest Economic Report, President Nixon's Council of Economic Advisers appears to agree with this conclusion.

Granted the need for a budgetary surplus of this rough magnitude, then, the fiscal dividend available to meet high priority domestic needs by 1975 will total only $13 billion. This is less than one percent of the gross national product projected for that year. Or to put it another way, although the federal government disposes of 20 percent of the national income, built-in commitments and the cost of the defense program—assuming a return to the pre-Vietnam pattern—will absorb 19 percent of that, leaving only 1 percent freely disposable by the President and the Congress. This is hardly a large sum to look forward to, four years from now, and even after assuming that Vietnam hostilities are ended.

ALTERNATIVE FOREIGN AND MILITARY POLICIES: THEIR EFFECT ON THE FISCAL DIVIDEND

I pointed out earlier that the projections assumed a continuation of current strategic nuclear force policies and a return to the pre-Vietnam force structure for the nation's conventional forces. This would imply a military budget of $62 billion in fiscal 1971 prices and $74 billion in prices expected to prevail in fiscal 1975. The $62 billion (which *excludes* the cost of Vietnam) may be conveniently split into two parts:

	Billion
Strategic nuclear forces	$18
Conventional forces	44
Total	62

Let us examine each in turn.

Conventional forces

The *pre-Vietnam baseline* force which would be brought by $44 billion would consist of the following major elements: 2.7 million men in the armed forces; 19⅔ active divisions and 7 high priority reserve divisions; 23 tactical air wings; 15 naval attack carrier task forces; substantial forces for anti-submarine warfare, airlift and sealift, and amphibious warfare; and continued large outlays for communications, intelligence, and R&D. Such a budget would also provide substantial sums to keep the weapons and equipment of this force modernized.

This force structure was basically designed to provide the capability simultaneously to fight the initial pre-mobilization stages of two large and one small war: a Warsaw Pact attack on NATO; a Chinese conventional attack in S.E. Asia or Korea; and a minor conflict in the Western Hemisphere.

One alternative to returning to this type of force structure is to adapt the armed forces and the military budget to a literal interpretation of the "Guam doctrine." If we truly accept the fact that the United States is no longer prepared to intervene on the ground in a large way in Asia, then those forces in the baseline structure earmarked for that contingency could be sharply reduced. Should we adopt a military posture consistent with this change in our overseas policy, some $10 billion per year could be saved in the military budget. We could eliminate: six Army divisions, three wings of tactical aircraft, six attack carrier task forces, and a significant part of our anti-submarine and amphibious forces in the Pacific. Such a reduction would still leave the U.S. with two Marine divisions, six fighter bomber air wings, and three attack carriers earmarked for service in an Asian emergency. In addition, a reasonable reevaluation of how we deploy our carriers might release one or two of the Atlantic based carriers for Pacific service. In short, a military force structure consistent with the apparent foreign policy thrust of the Guam doctrine could release $10 billion a year in higher needed resources for meeting domestic purposes.

I am fully aware, of course, that many in the military will argue that even if we do reduce our overseas commitments, we cannot afford to reduce our armed forces since they will be needed to back up more fully than they do now the remaining commitments. The Navy will argue, for example, that if we give up bases in Asia we need carriers even more than ever before. As a matter of fact, however, the existing number of carriers has never been fully justified; the use of carriers in a "surge" role to provide quick initial air cover prior to the establishment of Air Force bases rather than in continual support as is now the case, would itself greatly reduce the need for the current number of carriers; and there is no shortage of potential airfields in relevant parts of the world which can be made useable quickly for Air Force fighters by employing "bare base kits" stored by the Air Force.

More generally, the mere adoption of a change in long range foreign policy commitments, such as that presumably contained in the Guam doctrine, will not be automatically accompanied by a matching change in the military force structure. But changes in the two should go together. And if the Guam doctrine can be made to lead to a consistent reassessment of military requirements some $10 billion in budgetary savings might be realized.

Strategic nuclear forces

Taking into account their share of budgetary costs for intelligence, communications, R&D, and the like, the maintenance and improvement of the nation's strategic nuclear forces currently take about $18 billion in budgetary resources annually. Current strategic doctrine is apparently in something of a transition period, and future trends will obviously be affected by the outcome of the SALT talks. Nevertheless, present strategic force objectives may be described as: the maintenance of a generously estimated assured destruction capability, plus.

Assured destruction capability refers to our ability to absorb a Soviet first strike and retaliate devastatingly. This provides deterrence against a possible first strike. The term "generously estimated" simply means that we are preparing against a very high estimate of Soviet capabilities, and buying "insurance" against all sorts of relatively remote contingencies. We are, for example, building our ABM to protect our land-based missile sites against the contingency that they become vulnerable to Soviet SS–9's, even though our Polaris and Poseidon submarines are invulnerable to a Soviet strike and could do the assured destruction mission alone. The term "plus" was used in the description of current policy to cover the fact that with an ABM area-wide defense against a possible Chinese missile threat we will be going beyond the assured destruction concept to try to provide some means of limiting damage from an enemy strike. The term "plus" also expresses my belief that the full introduction of MIRV's into the forces as currently planned, will push their capabilities beyond what even a most generous estimate of assured destruction capability would require.

The $18 billion cost of strategic nuclear forces, used in the initial projections for 1975, would provide funds for the procurement and deployment of at least some of the following new weapons systems:

The ABM.

MIRV's installed on both land-based and submarine-based missiles.

A new advanced manned strategic aircraft (AMSA or the B–1).

A new airborne warning and control system, probably with a modified F–106 interceptor (AWA CS–F–106X).

A new underwater long range missile system (ULMS) to carry much heavier and longer range missiles than today's Polaris and Poseidon.

An alternative strategic nuclear posture would accept assured destruction capability as a necessary and vital objective, but would not seek to build insurance on top of insurance and would give up the attempt to go beyond assured destruction. The alternative posture would start from the proposition that damage limiting capabilities are not useful as diplomatic or military instruments, that large scale damage limiting capabilities are impossible to achieve against the Soviet Union and too uncertain and not worth the cost against the Chinese. It would also reject going beyond the assured destruction concept as self-defeating in the sense of provoking Soviet counter-actions which nullify the initial gain.

Under this alternative, deployment of the ABM would be deferred (while continuing research), MIRV deployment would go ahead but on a stretched-out and reduced basis, AMSA and ULMS would be carried on as modest R&D programs, and the current air defense system would gradually be eliminated. The $18 billion annual cost of the strategic forces would be cut to $14 billion per year. The U.S. assured destruction capability would consist of 3000 to 4000 deliverable warheads carried on 1054 perhaps vulnerable land-based missiles, 656 submarine-based missiles, some of which were MIRV'd, and a force of 300 B–52 bombers. Against this number, it has been calculated that only 400 warheads would have to be detonated over the Soviet Union to eliminate it as an industrial society.

The force levels and capability provided by this alternative would, of course, have to be continually reviewed in the light of international developments. and particularly Soviet strength. While it would reflect the belief that a restrained posture is most likely to lead to progress on arms limitations, it would not preclude later review and policy changes.

If both of the alternative postures described above were adopted—a Guam doctrine-oriented structure for our conventional forces and an assured destruction strategic force—some $14 billion could be eliminated from the defense budget. These savings are measured in dollars of today's purchasing power. By fiscal 1975, in prices projected for that period, the savings would be $17 billion. In that situation in 1975 defense budget would be not $75 billion but $58 billion. The fiscal dividend available for meeting other needs would rise from $13 to $30 billion, an increase of 150 percent.

In my own view, while the specific dollar sums and force structure incorporated in the lower cost alternatives are of course open to question and debate, neither represents an extreme suggestion, nor can it be characterized, in the invidious sense of the term, as "unilateral disarmament."

The lower cost alternatives would provide the United States with awesome strength, both strategic and conventional, a strength not inconsistent with its status and commitments.

ALTERNATIVES WHICH MIGHT INCREASE MILITARY COSTS

There are, of course, potential developments which could raise the military budget above the level assumed in the central projections and thereby reduce or even eliminate the $13 billion fiscal dividend in 1965.

1. *Continued U.S. troop presence in Vietnam.*—Should it occur that a residual number of U.S. troops are left in Vietnam indefinitely, added budgetary costs would be incurred. If, for example, 100,000 U.S. troops were to remain in the Indo Chinese peninsula engaged in some form of combat, the cost might be on the order of $5 billion per year. This would, of course, cut the 1975 fiscal dividend to a mere $8 billion.

2. *Strategic arms escalation.*—Should the two major nuclear powers fail to agree in the SALT talks, should each suspect that the other was beginning to achieve or seeking to achieve a first strike capability, the $18 billion per year cost of the U.S. strategic forces could well rise to somewhere in the neighborhood of $23–24 billion per year. Additional offensive forces, particularly sea-based missiles, and a much heavier ABM, bomber defense network, and civil defense system might be forthcoming.

3. *Heavier modernization of the conventional forces.*—Should a rapid increase in procurement of modern equipment be undertaken, perhaps on the (mistaken) ground that Vietnam had "robbed" the baseline force, significant budgetary costs would be incurred. Such a "heavy modernization" budget might include large scale and rapid acquisition of F–14 and F–15 fighters, an increase in the attack carrier task force, more "high speed" attack submarines and anti-submarine warfare escorts, several more C–5A airlift squadrons, and the increased outlays for operations and maintenance which would go with such systems.

SUMMARY

Even a cessation of hostilities in Vietnam and a complete U.S. troop withdrawal will not guarantee that large sums of money become available for meeting important public needs over the next five years. The growing expenditures under existing domestic programs and the cost of maintaining the pre-Vietnam military force structure will absorb most of the added budgetary resources arising out of economic growth and withdrawal from Vietnam.

There is no law of necessity, however, which dictates that the nation must return to the pre-Vietnam military posture. A realignment of U.S. conventional armed forces

in keeping with at least one interpretation of the "Guam doctrine" would provide substantial budgetary savings. This realignment would reduce the armed forces and weapons bought against the contingency of major U.S. involvement in a land war in Asia. Additionally, the adoption of a more restrained, but still realistic strategic nuclear posture could produce additional reductions in the defense budget. Together these two actions would provide some $14 billion in budget resources, measured in today's prices, and $17 billion in prices expected to prevail in 1975. Such budgetary savings would sharply expand the sums available to meet urgent domestic needs over the next several years. Yet their realization would not, in my view, interfere with the maintenance of the necessary strategic and conventional military power of the United States.

EXHIBIT 3

STATEMENT OF WILLIAM W. KAUFMANN BEFORE THE SUBCOMMITTEE ON ECONOMY IN GOVERNMENT OF THE JOINT ECONOMIC COMMITTEE, JUNE 5, 1970.

I. INTRODUCTION

When we talk about defense policy and national priorities, we usually mean changing the allocation of our resources among a wide range of public and private activities rather than abolishing some of these activities. In present circumstances, we tend to mean giving greater emphasis to domestic programs than we have done in the past. That, in turn, implies that we must increase taxes, take resources away from other programs, simply rely on increased revenues from a growing economy for new initiatives, or take some combination of these steps.

Increased taxation does not look like a plausible option. In fact, we appear to be going in the opposite direction with the tax reform bill of 1969. We are left, therefore, with the growth of federal revenues (as a function of expanding GNP) and a redistribution of those revenues as the principal means by which we can change our emphases. The defense budget, always of interest, becomes the object of particular attention in that context. Few people regard it as an uncontrollable in the same sense as Social Security or Medicare, and many regard it as excessively large for the international objectives that we should have in mind.

What is more, it can be demonstrated that the size of the discretionary resources (or the fiscal dividend, if you prefer) available to the President for domestic programs is highly sensitive to the level of defense spending. During the past year, for example, the Brookings Institution has looked at a number of different defense budgets within the context of expected Federal revenues and outlays, and—assuming an end to the war in Indochina—has found it quite plausible to conceive of defense budgets and discretionary resources in the following range by FY 1975:

DEFENSE BUDGETS IN FISCAL YEAR 1975
[In billions of dollars]

In 1970 dollars	In 1975 dollars	Discretionary resources fiscal year 1975, In 1975 dollars
$75	$92	$6
$60	75	23
$48	58	40
$45	54	44

It is easy enough, of course, to invent defense budgets which differ substantially from the one we have now. But how do we choose among them? And once having chosen, how do we make our preferences politically acceptable?

II. POLITICS AND PLANNING

There is a tendency, in trying to provide answers, to make them extreme and to mix up the two questions. At one extreme, for example, the defense budget is described as the product of negotiations and bargains among interest groups whose objectives and programs are largely determined by their organizational affiliations. At the other extreme, the budget is seen as resulting from a highly orderly process in which objective analysis by disinterested public servants plays the dominant role. As usual, the truth seems to lie somewhere between these extremes.

A careful description of the existing political process would probably show that organizational interests and bargains are very critical determinants of the budgetary outcome. At the same time, it would be hard to deny that a rather primitive art called force planning exists, or to assert that it plays no part in budgetary choices. What tends to be at issue, usually, is not whether objective analysis exists and should play a major role in determining budgetary outcomes, but whether it does or can do so.

Here, because of limitations in time and space, the discussion will focus on how we can choose from among the many defense options available to us. How our choices can be driven through the jungle that is the political system, or how the system can be made more receptive to systematic analysis and choice, must await another occasion.

III. CURRENT DEFENSE BUDGETS AND VIETNAM

In order to start the discussion somewhere, let us consider defense outlays for FY 1970 and FY 1971 as they relate to the war in Southeast Asia, our strategic nuclear forces, and our general purpose forces. This breakdown gives us the following figures (in billions of dollars):

	For fiscal year—	
	1970	1974
War in Southeast Asia	$17	$11
Strategic nuclear forces	17	18
General purpose forces	43	43
	77	71

This particular distribution of defense expenditures serves several purposes. It defines three major areas where we can exercise choice. It tells us what we are spending in these areas. And it provides a basis against which to measure and compare various types of change.

The costs of the war in Southeast Asia are incremental costs: that is, outlays over and above what we would be spending for our peacetime military establishment and its activities. They reflect a decline from the peak incremental cost of about $23 billion (rather than $29–30 billion), which occurred during FY 1968.

The outlays for the strategic nuclear forces and general purpose forces (or limited war forces, if you prefer) reflect the costs of our baseline force: that is, what we have regarded in the past as necessary in peacetime for the maintenance of U.S. interests and commitments. These baseline expenditures amount to about $60 billion in FY 1970 and $62 billion in FY 1971. They would translate to around $50 billion in 1965 dollars, or what we were spending on our defense establishment prior to the major expansion of our involvement in Southeast Asia.

In current prices, the baseline force absorbs 78 per cent of our defense outlays. The cost of the war, on the other hand, represents 22 per cent of the total, and, at least until recently, its share has been declining. In principle, we can alter the rate at which we withdraw from Southeast Asia. This would affect the speed with which we recover the remaining costs of the war. But despite the over-arching importance of the conflict to American society, we have to recognize that there is a very definite limit to the amount of resources that its termination will yield, and that the total "dividend" will be more than absorbed by impending tax cuts and the growth in the costs of the so-called uncontrollable domestic programs. It is estimated that the tax reform bill alone will result in a loss of federal revenues of $8 billion by FY 1975. Social security costs, on the other hand, are likely to increase by $12 billion over the next five years. Thus, if we want to consider major new initiatives on the domestic front, it appears that we must look primarily to economic growth and to the baseline defense budget.

IV. ANALYSES OF THE BASELINE BUDGET

Efforts to come to grips with the baseline budget can best be made by means of macrostrategic and microstrategic analysis, although the distinction between the two types is somewhat artificial, particularly when it comes to the strategic nuclear forces. The macrostrategic approach involves the development of objectives, measures of effectiveness, and gross force levels with existing capabilities. The microstrategic approach deals with the fine-tuning of these forces by means of weapon system comparisons. The results of these comparisons tend to express the least-cost method of achieving prescribed levels of effectiveness. In the process, the analysis may also consider the effects of marginal increases and decreases in force levels. Obviously, one type of analysis can very quickly lead into the other type.

V. THE STRATEGIC NUCLEAR FORCES

The macrostrategic approach provides many of the critical assumptions that underlie the current baseline force. In the design of our strategic nuclear capabilities, for example, the baseline budget is strongly affected by the following assumptions:

1. Our strategic offensive forces, in a second strike, should be capable of inflicting a level of assured destruction on the Soviet Union defined as 20–25 per cent of the population and at least 50 per cent of Soviet industry.

2. We should maintain a modest capability to limit damage to the United States, should strategic deterrence somehow fail, in the form of anti-bomber defenses, a thin, area-wide ABM defense, some offensive forces capable of destroying fixed, hard targets, and a cheap civil defense program.

3. We should maintain three separate forces—land-based missiles, sea-based missiles, and bombers—each capable, by itself, of inflicting the requisite level of assured destruction: all of this as insurance against the possibility that one or even two of these forces might fail to respond after a Soviet first strike.

The current baseline, strategic nuclear forces are rather widely considered to be conservatively designed because of these assumptions. An even more conservative posture would involve raising the level of assured destruction and placing a much heavier emphasis on damage-limiting capabilities such as the ABM and large-scale civil defense. A posture of this character, along with extensive modernization programs for bombers, missiles, and anti-bomber defenses, could raise the total budget for the strategic nuclear forces from about $18 billion in FY 1971 to something on the order of $24 billion a year. It might also induce Soviet reactions of such magnitude that they would nullify the additional security that we had expected to gain.

With or without SALT, another major variant from the baseline would result in a less conservative posture. For example, we might reduce the level of assured destruction that we require to 10–15 per cent. We might give up our modest efforts to achieve a damage-limiting capability. And we might reduce the attempt to maintain all three of our deterrent forces in a highly survivable condition. This posture would permit us to phase out some of our current

offensive and defensive forces and cancel or reduce expenditures on newer systems that we are now programming or deploying. The resulting budget for the strategic nuclear forces, associated capabilities, R&D, and support might fall from $18 billion to $14 billion a year.

VI. THE GENERAL PURPOSE FORCES

The costs of the general purpose forces are comparably sensitive to changes in a series of macrostrategic assumptions. Thus, the current baseline forces are very much a function of the following premises:

1. The Soviet Union and China are basically hostile and ambitious powers who might act separately but more or less simultaneously to satisfy their ambitions at the expense of our interests.

2. We must therefore be able, in conjunction with our allies, simultaneously to meet conventional attacks in Europe and Asia, and deal with a minor contingency elsewhere.

3. We must have the forces and the strategic mobility necessary to deploy rapidly to threatened regions and to establish forward defenses sufficient to meet the early phases of an attack.

4. We must also maintain the forces, equipment, and supplies necessary to reinforce deployed forces and sustain them in combat for as much as 3–6 months.

Simply to give one example of the impact of these assumptions, consider the costs, in 1971 dollars, of preparing to deal simultaneously with two major contingencies and one minor contingency. These costs are approximately as follows:

Annual cost in billions in 1971 dollars

Contingency:	
NATO Europe	$19.1
Asia (Korea or Southeast Asia)	16.3
Western Hemisphere (minor)	1.3
Strategic reserve and unallocable activities	7.3
Total	44.0

To the extent that these figures have merit, a fairly literal interpretation of the President's Guam doctrine should result in decreasing the costs of the Asian contingency from $16.3 billion to about $6.3 billion. In other words, a change in the assumptions about the contingencies alone could cut the costs of the general purpose forces from $44 billion to $34 billion a year.

The current baseline forces are frequently characterized as underdesigned for the three standard contingencies. A more conservative design could result in the addition of land forces, tactical air wings, and attack carriers, along with increased numbers of the next generation of more expensive weapon systems. Such changes might raise the budget for the baseline general purpose forces from $44 billion to $53 billion a year in 1971 prices.

VII. COST-EFFECTIVENESS

Defense costs in the past have varied similarly, if less dramatically, as a function of microstrategic analysis. Now, however, the impact of these choices is becoming more impressive as weapon systems become increasingly complex technologically, and their procurement and operation and maintenance costs climb. The conventional wisdom has it that weapon systems choices should be governed by technological advance. Not only must we buy the newest and most sophisticated systems: we must also replace the older systems on a one-for-one basis, quite apart from such factors as the capabilities of potential adversaries, increases in costs, and supposed increases in unit effectiveness.

Frequently, however, it turns out that for a budget of, let us say, a billion dollars, it makes more sense from the standpoint of effectiveness to buy 1,000 units of relatively old-fashioned system A, costing a million dollars apiece, rather than 500 units of system B, costing $2 million apiece. Of course, there are those who would say, if that is the case, spend $2 billion and buy 1,000 units of system B. But for $2 billion, we could buy 2,000 units of system A, which still might leave us better off. Indeed, system B—however glamorous and sophisticated—would have to be at least twice as effective as system A before it would be worth buying as a substitute. More often than not, however, we fail to achieve such advances in effectiveness as we move from one system to the next. As a consequence, we may prefer simple, reliable systems to their technologically advanced successors which promise a great deal but are unable to deliver on the promise because they are low in reliability, only marginally better in other significant parameters of effectiveness, or both.

Many systems under development, or actually in the procurement process, are at issue on precisely these grounds. The following table lists a number of such weapon systems for the general purpose forces, along with the obligational authority requested for FY 1971, currently estimated total procurement costs, and estimated annual operating costs:

[In billions of dollars]

System	Fiscal year 1971 NOA	Estimated procurement costs	Estimated annual operating costs
SAM–D air defense	$0.09	$3.4	$0.5
MBT–70 tank	.08	2.0	.3
TOW antitank missile	.10	1.0	.1
F–15 aircraft	.40	7.7	1.1
F–111 aircraft	.50	.5	.1
F–14 aircraft	.80	8.3	1.2
Phoenix missile	.10	1.5	.2
S–3 aircraft	.30	3.2	.4
SSN–688 attack submarines	.50	4.5	.6
DLGN–38 frigate	.20	4.9	.7
CVAN–70 attack carrier	.15	.6	.1
DD–963 destroyers	.50	4.2	.6
Total	3.72	41.8	5.9

Let us assume rather arbitrarily that the procurement costs of these systems will be spread evenly over a 10-year period, and that we will incur their total annual operating costs for only three of the ten years. The resulting average annual systems costs will then come to around $6 billion for the 12 systems listed. Thus, even if we were to substitute for them new systems about half as expensive to procure and operate, we might still be able to save, on the average, about $3 billion a year during this ten-year period. Alternatively, for the currently estimated totals, we could have twice as many of the cheaper systems as we are planning to buy of the more exotic new systems.

VIII. SOME DEFENSE OPTIONS

With these kinds of macrostrategic and microstrategic calculations, it becomes possible to construct a variety of defense budgets, each with a particular rationale. Thus, we could continue to maintain the pre-Vietnam baseline force as one option. This would mean a fairly conservative posture for the strategic nuclear and general purpose forces and a good deal of latitude for their modernization in the face of obsolescing systems and evolving threats. Such a posture would cost about $62 billion in 1971 prices and $75 billion in 1975 prices, assuming an end to the war in Vietnam. Around $23 billion in discretionary resources would become available by FY 1975 as a result of defense spending at a level that was thought necessary between 1961 and 1965.

Another option would be to strive for a major damage-limiting capability in our strategic nuclear forces (despite the strong probability of Soviet countermeasures) along with general purpose forces designed to give us increased confidence of being able to cope simultaneously with major European and Asian conflicts. This would combine the strategic package of $24 billion with the general purpose package of $53 billion for a total budget of $77 billion in 1971 prices and $92 billion in 1975 prices again assuming a full U.S. withdrawal from South east Asia. Defense outlays at this level would result in discretionary resources of about $6 billion. That is, with estimated revenues, we would not be able to fund fully existing and currently proposed domestic programs, much less embark on major new initiatives.

Still a third option would involve the adoption of a less flexible and higher risk posture with respect to both the strategic nuclear and the general purpose forces. As indicated earlier, the strategic forces would be designed for the assured destruction mission only, planning would be done less conservatively than is now the case, and the required levels of damage to the Soviet Union would be lowered. The general purpose forces would no longer be programmed for two major contingencies simultaneously and a substantial portion of the capabilities oriented toward Asia would be retired. The resulting strategic and general purpose packages would cost $14 billion and $34 billion respectively, for a total of $48 billion (without Vietnam) in 1971 prices and $58 billion in 1975 prices. This budget, which would be $17 billion below the pre-Vietnam baseline budget (in 1975 prices), would enable the President to dispose of discretionary resources on the order of $40 billion by FY 1975.

If, in addition, we became less mesmerized by the latest defense technology and exercised greater discipline at the microstrategic level than we now do, we might bring this low budget down by another $3 billion or more without any loss of combat effectiveness. This would mean a post-Vietnam budget of $45 billion in 1971 prices and about $54 billion in 1975 prices. The resulting fiscal dividend by 1975 would amount to $44 billion, a figure which would come rather close to satisfying most domestic demands for resources as they are currently formulated.

IX. RISK, INSURANCE, AND CHOICE

Other more or less conservative and flexible defense postures could obviously be generated. It seems reasonable to argue, however, that post-Vietnam budgets in the range of $45–$77 billion (in 1971 prices) would be compatible with a major role for the U.S. in world affairs. Even at the low end of the range, moreover, significant resources would be available to counter qualitative and quantitative changes in potential threats. What would determine our choice between the two poles presumably would not be whether we sought to become isolationists or world policemen, since neither budget would accord with either policy. Rather, we would probably want to be concerned with the degree of risk we are prepared to take in defending and maintaining our interests, how our military posture might interact with that of allies and potential enemies, and what domestic opportunities we forego as we move toward higher and more conservative defense budgets.

The choice of an insurance policy, in defense as in other areas, is always difficult. But reasonably well-tailored policies can be designed to suit the national customer. There are, admittedly, a number of insurance salesmen on the premises who have their own special views about companies and premiums. No doubt their pressures strongly affect the final choice. Still and all, before the decision is reached, it usually proves more desirable to have some understanding of the product and what we want than it is simply to enter the market place as an ill-informed purchaser of the competitors' wares. Consumer reports can be as useful in defense as they are elsewhere.

APPENDIX

I. INCREMENTAL COSTS OF THE WAR IN VIETNAM

TABLE 1.—ESTIMATED PEAK INCREMENTAL COST OF THE WAR IN VIETNAM

Type of expenditure:	Billions of current dollars [1]
800,000 military personnel at $12,000 per man per year	9.6
250,000 civilian personnel at $10,000 per man per year	2.5
Ground, air, and naval ordnance	5.2
500 aircraft at $3,000,000 per aircraft (average)	1.5
Replacement of land force equipment and supplies (U.S. and ARVN)	1.3
Other procurement	1.0
Construction	1.0
Transportation, petroleum, oil, and lubricants	1.0

[1] Details do not add to total because of rounding.

TABLE 2.—ESTIMATED MANPOWER REQUIREMENTS AND INCREMENTAL COSTS OF THE WAR IN VIETNAM, FISCAL YEARS 1968–72 [1]

[Cost items in millions of current dollars]

Item	1968	1969	1970	1971	1972
Military personnel:					
In Vietnam	536,100	538,200	380,000	200,000	50,000
In line of communications and training	263,900	233,447	180,714	120,714	20,000
Civilian personnel	250,000	227,771	167,794	111,894	10,000
Total personnel	1,050,000	999,418	728,508	432,608	80,000
Cost of military personnel:					
In Vietnam [2]	17,477	17,545	12,388	6,520	1,630
In line of communications and training [3]	3,167	2,801	2,169	1,449	240
Cost of civilian personnel [4]	2,500	2,278	1,678	1,119	100
Total incremental cost	23,144	22,624	16,235	9,008	1,970

[1] The manpower data in this table are end-of-year figures, and the costs developed from them represent annual rates of outlay at yearend.
[2] $32,600 per man per year, based on an average annual rate of $12,000 per man for pay and allowances, and average annual combat costs per man of $20,600.
[3] $12,000 per man per year.
[4] $10,000 per man per year.

TABLE 3.—EXPENDITURE LEVELS FOR ILLUSTRATIVE VIETNAM DISENGAGEMENT PROGRAM, FISCAL YEARS 1969–75

Item	1969	1970	1971	1972	1973	1974	1975
Military personnel (thousands of men)	538	380	200	50	0	0	0
Incremental outlays (billions of dollars)	23	17	11	3	1.5	1	1

TABLE 4.—DEPARTMENT OF DEFENSE ESTIMATES OF THE INCREMENTAL COSTS OF THE WAR

[In billions of current dollars]

	Fiscal year 1969	Fiscal year 1970
Military personnel	5,666	5,375
Operation and maintenance	6,488	5,438
Procurement	8,757	6,283
R.D.T. & E.	139	112
Military construction	494	220
Total	21,544	17,428

TABLE 5.—DEPARTMENT OF DEFENSE ESTIMATES OF THE COSTS OF THE WAR BY MILITARY SERVICE

[In billions of current dollars]

	Fiscal year 1965		Fiscal year 1969		Fiscal year 1970		Percent change in non-SEA costs over fiscal year 1965	
	SEA	Other	SEA	Other	SEA	Other	Fiscal year 1969	Fiscal year 1965
Army	11.6	11.5	13.6	9.8	14.6	+17	+26	
Navy	13.2	4.4	18.1	3.4	18.9	+37	+43	
Air Force	18.1	5.6	20.3	4.2	20.5	+12	+13	
Defensewide	4.2		5.3		5.6			
Total	47.1	21.5	57.1	17.4	59.6	+21	+27	

II. COSTS OF THE STRATEGIC NUCLEAR FORCES

TABLE 1.—ESTIMATED COST OF THE STRATEGIC NUCLEAR FORCES BY PROGRAM, FISCAL YEAR 1971

[In billions of dollars]

Program	Total	Strategic forces
Strategic forces	7.9	7.9
General purpose forces	24.7	
Intelligence and communications	5.2	2.6
Airlift and sealift	1.5	
National Guard and Reserve Forces	2.5	
Research and development	5.4	2.2
Central supply and maintenance	8.4	1.9
Training, medical, and other general personnel activities	12.6	3.0
Administration and associated activities	1.5	.4
Support of other nations	2.5	
Total obligational authority	72.3	18.0

TABLE 2.—ESTIMATED COST OF THE STRATEGIC NUCLEAR FORCES BY MAJOR SYSTEM, FISCAL YEAR 1971

[In billions of current dollars]

System	Cost [1]
Minuteman and Titan	3.1
Polaris	2.6
Heavy bombers	3.5
Air Force air defense system	3.0
Army air defense	.4
Anti-ballistic missile defense	1.8
Intelligence and communications	3.5
Civil defense	.1
Total	18.0

[1] System costs reflect not only direct program costs, but also indirect support costs.

III. COSTS OF THE BASELINE GENERAL PURPOSE FORCES

TABLE 1.—ESTIMATED COST OF THE BASELINE GENERAL PURPOSE FORCES BY PROGRAM, FISCAL YEAR 1971.

[In billions of current dollars]

Program	Total	General purpose forces
Strategic forces	7.9	
General purpose forces	24.7	20.5
Intelligence and communications	5.2	2.6
Airlift and sealift	1.5	1.2
National Guard and Reserve Forces	2.5	2.0
Research and development	5.4	3.2
Central supply and maintenance	8.4	5.1
Training, medical, and other general personnel activities	1.5	1.0
Support of other nations	2.5	0.7
Total obligational authority	72.3	44.0

TABLE 2.—ESTIMATED COST OF THE BASELINE GENERAL PURPOSE FORCES BY MAJOR SYSTEM, FISCAL YEAR 1971.

[In billions of current dollars]

System	Cost [1]
Army divisions	13.6
Marine division/wings	4.0
Guard and Reserve Forces	3.3
Navy air wings	7.2
Air Force air wings	8.4
Antisubmarine and antiaircraft warfare at sea (ASW and AAW)	3.8
Amphibious, fire support, and minelaying forces	1.1
Airlift and sealift	2.0
Military assistance	.7
Total	44.0

[1] System costs include not only direct program costs, but also R. & D. and indirect support costs.

TABLE 3.—ALLOCATION OF BASELINE GENERAL PURPOSE FORCES BY GEOGRAPHIC CONTINGENCY AS OF 1970

Type of force	Europe	Asia	Western Hemisphere	Strategic reserve	Total
Active Army divisions	7	6	1	2⅓	16⅓
Active Marine division/wings	1	2			3
Guard and Reserve Forces	7			2	9
Navy air wings [1]	4	6	1	4	15
Air Force air wings	16	7			23
ASW and AAW forces [2]	50	50			100
Amphibious and other forces (percent)	33	67			100
Airlift and sealift forces (percent)	50	50			100
Military assistance (percent)	30	70			100

[1] All attack carriers on station (2 in the Atlantic, 3 in the Pacific) and their immediate backup carriers are allocated to Europe and Asia.
[2] Excluding escorts for the attack carriers.

TABLE 4.—ALLOCATION OF COSTS OF BASELINE GENERAL PURPOSE FORCES BY GEOGRAPHIC CONTINGENCY, FISCAL YEAR 1971 [1]

[In billions of 1971 dollars]

Type of force	Europe	Asia	Western Hemisphere	Strategic reserve	Total
Active Army divisions	5.8	5.1	0.8	1.9	13.6
Active Marine division/wings	1.4	2.6			4.0
Guard and Reserve forces	2.5			.7	3.2
Navy air wings	1.9	2.9	.5	1.9	7.2
Air Force air wings	5.8	2.6			8.4
ASW and AAW forces	1.9	1.9			3.8
Amphibious and other forces	.4	.7			1.1
Airlift and sealift forces	1.0	1.0			2.0
Military assistance	.2	.5			.7
Total	20.9	17.3	1.3	4.5	44.0

[1] Excluding the incremental costs of the war in Vietnam.

TABLE 5.—AN ALTERNATIVE ALLOCATION OF COSTS OF BASELINE GENERAL PURPOSE FORCES BY GEOGRAPHIC CONTINGENCY, FISCAL YEAR 1971 [1]

[In billions of 1971 dollars]

Type of force	Unallocated	Europe	Asia	Western Hemisphere	Strategic reserve	Total
Active Army divisions		5.5	4.8	0.8	1.8	12.9
Active Marine division/wings		1.0	2.6			3.6
National Guard and Reserve forces		2.5			.7	3.2
Navy air wings		1.7	2.7	.5	1.8	6.7
Air Force air wings		5.4	2.6			8.0
ASW and AAW forces		1.8	1.8			3.6
Amphibious and other forces		.2	.8			1.0
Airlift and sealift forces		1.0	1.0			1.0
Research and development	3.0					3.0
Total	3.0	19.1	16.3	1.3	4.3	44.0

[1] Excluding the incremental costs of the war in Vietnam.

III.—DEFENSE BUDGET OPTIONS

TABLE 1.—STRUCTURE OF DEFENSE BUDGET OPTIONS (EXCLUDING VIETNAM COSTS), FISCAL YEAR 1971

[In billions of 1971 dollars]

	Baseline option	Conservative option	Medium-risk option	Medium-risk option (streamlined)
Strategic nuclear forces:				
Minuteman and Titan	3.1	3.1	2.3	2.3
Polaris	2.6	3.6	2.6	2.6
Heavy bombers	3.5	4.9	2.9	2.9
Air Force air defense	3.0	4.1	2.4	2.4
Army air defense	.4	.4	.3	.3
Antiballistic missile defense	1.8	3.8	.5	.5
Intelligence and communications	3.5	3.5	3.0	3.0
Civil defense	.1	.6		
Subtotal	18.0	24.0	14.0	14.0
General purpose forces:				
Active Army divisions	13.6	17.7	8.7	8.0
Marine division/wings	4.0	5.4	4.0	4.0
Guard and Reserve forces	3.3	3.2	3.2	3.2
Navy tactical air wings	7.2	8.7	4.2	3.2
Air Force tactical air wings	8.4	10.4	7.3	6.6
ASW and AAW forces	3.8	3.8	3.3	2.7
Amphibious and other forces	1.1	1.1	.6	.6
Airlift and sealift	2.0	2.0	2.0	2.0
Military assistance	.7	.7	.7	.7
Subtotal	44.0	53.0	34.0	31.0
Grand total	62.0	77.0	48.0	45.0

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

Mr. HATFIELD. I yield.

Mr. PROXMIRE. I congratulate the Senator from Oregon on a superlative speech. I wish that the Senate had been in full attendance while the speech was delivered, because I think it is the kind of speech that all of us in the Senate should hear and ponder.

The Senator from Oregon has done an extraordinary leadership job in organizing and providing for the Senate this remarkable analysis of our defense budget in his "Members of Congress for Peace Through Law" organization, and I would hope that as much of that document as possible—in fact, all of it if possible—could be printed in the RECORD. I understand the Senator did summarize some of the points in his speech, and that was put into the RECORD.

Mr. HATFIELD. Yes.

Mr. PROXMIRE. Would it be possible for the Senator to put all of that into the RECORD? I think it is very important and significant that it should be made part of the permanent RECORD, and it does pertain to the particular measure on which we are about to vote.

Mr. HATFIELD. Mr. President, I thank the Senator for his generous comments. I am proud to be associated with the Senator from Wisconsin in his many attempts to evaluate our military spending commitments.

In response to the Senator's specific question as to whether or not the full report will be placed in the RECORD, at our next meeting of the "Members of Congress for Peace through Law," we will make that determination and act accordingly.

Mr. PROXMIRE. While I may not be present at that meeting, I would request the Senator to vote my proxy in favor.

Mr. HATFIELD. I am sure the material from the report itself is available to Members of Congress, and we will see to it that each Member is presented with a copy.

Mr. PROXMIRE. The position taken by the Senator from Oregon is easily misrepresented and misunderstood. I think many people have the general impression that those of us who favor reducing military expenditures this year are somehow, in some way, expecting to reduce the real force and effectiveness of our military forces in fulfilling our obligations in the world and in defending this country.

The great thing about the Senator's speech is that he was meticulous; he was very careful in explaining precisely where these reductions could come without in any way inhibiting this country from having, first, a believable, effective strategic deterrent, and, second, general purpose forces capable of fighting a major war and a minor war at the same time, and in addition continuing even at the present level, or at the level planned by the administration, the war in Vietnam.

So there is nothing in the Senator's proposal—by which, as I understand, he said we could cut $10 to $15 billion from the defense budget—that would in any way cripple or limit, reduce the effectiveness of, or really affect our military operations. I think it is very important to get this idea across.

It is especially useful that the Senator from Oregon tied this in with the Nixon doctrine enunciated at Guam. As he says, if we pursue that policy and the policy enunciated also by the Secretary of Defense of being capable of fighting a one-plus war, instead of having $43 billion for a general purpose force, we could have $34 billion for a general purpose force, and economize to the extent of $9 billion right there.

In addition, of course, the very carefully documented and developed analysis provided by the "Members of Congress for Peace Through Law" which the Senator heads shows how we can reduce cer-

tain of our strategic weapons without reducing our effective deterrent.

Mr. HATFIELD. Mr. President, I respond to the Senator by stating this one point. The Senator has reiterated in a very accurate way the simple fact that those of us who have given time and effort to an analysis of our defense spending program have every degree of desire to have adequate and appropriate defense for this Nation, such as any other Senator, any other Representative, or any other citizen wants for his country.

Somehow, there has developed in this Nation the attitude that to question the dollar requests from the Pentagon is to undermine the Nation's security. By acceding to that kind of determination, we are failing to uphold our constitutional responsibilities as Members of Congress, because, again, as the Senator from Wisconsin knows, article I, section 8 of the Constitution clearly places upon the shoulders of Congress the responsibility to raise the militia, determine the size of the militia, and appropriate money for the militia, the Army, the Navy, and all the military forces. It is very interesting to note that in this Constitution we have come to revere and recognize as one of the greatest documents ever written by man, Congress is specifically prohibited from making appropriations for military expenditures for more than two years.

So, as Alexander Hamilton once observed in one of his writings, if Congress is incautious enough to make appropriations and give that kind of long-range commitment to the Executive, it should be required to at least review those commitments every 2 years.

So I think we must get across the message that we have this constitutional duty to uphold the needs of the military; but, by the same token, we must make evaluations independently of the military requests, without inhibiting or threatening or placing in jeopardy our national defense.

Second, I think it must be clearly understood that in line with the statements of the Secretary of Defense, Mr. Laird, when he has so clearly enunciated the hope, the plan, and the program to move to a reduction from this two-and-one-half war contingency to a one-and-one-half and perhaps only a one-war contingency, we are, in line with the enunciation of the Nixon doctrine, attempting to advocate and furnish the military capacity necessary to fulfill that kind of announced policy, and the direction that the Defense Department wants to move.

So often, again, it is implied that if we question the Defense Department's requests, we are immediately putting ourselves in juxtaposition to the objective of over-all national security; and that is not necessarily so. I feel that we are in concert with the Defense Department and the President's announced policies and directions by proposing these cuts.

Lastly, I think within the whole matter of national security, we must bear in mind the fact that total national security is not found in our military hardware alone; that a nation can have the most superior military hardware and, without the will, without the commitment, without the strength of the people within that nation's boundaries, the military hardware can be of little protection against would-be aggressors, or can mean very little in the overall effort to carry on certain international policies.

I need not recite history, but I can recall, as can the Senator from Wisconsin, I am sure, the simple facts leading up to World War II, where France had the finest equipped army on the Continent of Europe, the Maginot line was considered to be an impregnable defense, and that somehow, when Paris fell, everyone was standing around wondering how it happened with all this military supremacy and superiority.

Now the French historians—not American nor German historians, but French historians—are beginning to tell us, from their analysis of the documents and the relevant data, that the one most important single element missing in that period of France's history was the internal will and the strength of her people.

That is what I fear in this country today, that we have reached a point where our people, because of lack of adequate education, health services, housing, and environmental protection, all of these factors have led to disenchantment, to alienation, to polarization, and that this is a greater threat to our national security than anything we face outside our own borders.

Mr. PROXMIRE. Mr. President, I am glad the Senator from Oregon has stressed this once again, because I think this factor has been too frequently overlooked. There is a feeling even on the part of some Members of Congress, apparently, that the details involved in national defense expenditures are none of Congress' business, that we do not know enough, we are not scientists or military men, so it is really not our business to be concerned with them. I am glad the Senator referred to the wisdom of our Founding Fathers in saying that Congress cannot appropriate for military spending for more than 2 years.

This is our business and our duty. We cannot escape from it. The executive department has no right to spend money without Congress determining how much money. The Constitution is explicit and clear that this is our responsibility and our duty, and we cannot escape from it.

So important is the last point raised by the Senator from Oregon that I believe it cannot be overemphasized that the real strength of our country is not our military strength—though that is important, and we have to have it—but the real strength of this country is in the unity of our people, the attitude of our people, the ability of our people. There is no question that if we expend $72 billion in the military and starve our education, starve our attempts to rebuild our cities, our housing, and do not give millions of Americans hope and a feeling that they have a future—this weakens, enfeebles our country in many ways.

I also think the Senator's speech was helpful in pointing out how to get an all-volunteer Army. The Nixon administration has very wisely and very constructively said that it favors an all-volunteer Army. They deserve a lot of credit for that, because many have opposed it. The administration is moving in that direction, and the Senator from Oregon has pointed out how they can move more efficiently and quickly in that direction. The way, really, is to end the Vietnam war. But, short of that, to the extent that they feel they cannot end the war quickly, they can also approach a volunteer Army by reducing our unnecessary Asiatic area and living up to the notion of a one-plus war. If they do that, they reduce the manpower commitments.

The Senator's proposals would also provide the savings which will make it possible for higher pay, greater incentive, for people to volunteer and to encourage them to stay in the Army, to make it a career and to make it practical; because it is true that it probably would require the higher pay to make this feasible, and the Senator's amendment, which he is going to press later in this debate, acknowledges that.

One or two other points: I was glad the Senator pointed out something I have overlooked and which I think many Members of Congress have overlooked. We continue to maintain the ability to fight against Russia in a conventional war at sea, and this is immensely expensive. The likelihood that we are going to have a conventional war with Russia at sea is not just remote—it is virtually impossible. Such a war would quickly develop into a nuclear war. So far as a war with any other power is concerned, our Navy is so overwhelmingly powerful that it is greater in virtually every respect than all the other navies in the world combined.

China does not have a navy to speak of. Their navy is a tiny fraction of what our Navy is. They do have some submarines. I do not mean to overlook the fact that it is a big country, but they do not have the capability to fight a sea war. We can also save in this way.

I also congratulate the Senator from Oregon in not only stressing the importance of a balanced defense effort, recognizing our domestic responsibilities, but also that the military expenditures are principally responsible for our inflation. This was a finding, one that I support, on the basis of extensive hearings by our Joint Economic Committee. The cut so far in our military spending—and it is a cut—is entirely accountable by the reduction in Vietnam. The notion that many people have that we have cut back on the Military Establishment elsewhere in the world is wrong. As a matter of fact, we have reduced our actual spending in 1970 over 1969 by only approximately 1 percent, on the basis of figures that have been out a day or two. The cutback in Vietnam is accountable for a great deal more than that. Even if we allow for the inflation, the additional cost because of inflation in physical terms to the Military Establishment outside of Vietnam is bigger now and will be bigger on the basis of the budget before us than it was in 1969 or in 1970, given the fact that Vietnam is, we hope and pray and expect, being phased out.

Mr. HATFIELD. I am grateful for the Senator's remarks.

Would the Senator not also agree that, although the claim is made frequently today that this budget is now the first budget in many years in which we are spending more on the domestic level than for defense and military purposes—if that figure can be proved with numbers—it is not to be implied that it is because of a reduction in the military spending as much as it has been a greater growth within some of our domestic programs that are long overdue and were pushed through with a great deal of difficulty even through Congress, in order to achieve some of the objectives of meeting people's needs, and that it is not by deliberateness or by design that a cut has been made in military commitments or spending, except for withdrawal from Vietnam?

Mr. PROXMIRE. Yes. Also, it is on the basis of very arbitrary definition and determination of what military expenditures really are. For example, it leaves out of account the entire interest on the national debt.

Mr. HATFIELD. Eleven percent of the budget.

Mr. PROXMIRE. Some people argue that 80 percent of the interest on the national debt—Arthur Burns, the Chairman of the Federal Reserve Board—is because of war, and that interest constituted a terriffc increase this past year. It was an increase from $16 or $17 billion to approximately $20 billion.

Mr. HATFIELD. Eleven percent of the budget.

Mr. PROXMIRE. Also, the fact that many of these programs have increased—social security, for example, and others—because of inflation, which in turn has been caused by our excessive military spending.

Mr. HATFIELD. I do not believe the cost for running the Selective Service is part of the military expenditures.

Mr. PROXMIRE. Even veterans' expenditures are excluded from that figure.

I apologize for taking so long. I should like to make one more point. I do think that what the Senator has said today is going to be enormously helpful to us when an amendment comes up later to reduce and limit overall spending by the Defense Department. We expect to offer that amendment. I think the Senator has made the most effective speech in support of that kind of effort.

Mr. HATFIELD. I am proud to associate myself with the Senator's long and effective efforts in the whole field of military budget analysis. I want to take this occasion to express my appreciation for his work.

Mr. MATHIAS. Mr President (Mr. COOK), will the Senator yield?

Mr. HATFIELD. I yield.

Mr. MATHIAS. Mr. President, I refrain from congratulating the Senator from Oregon on the statement he has just made. I do not think he wants congratulations. I do not think that my congratulations can add anything to the importance of the statement. But, as one American, I can thank him for his statement.

I thank him for his statement on several grounds. One is that somebody has to look at defense expenditures. As the Senator from Oregon has pointed out, there has been a feeling for too long that to question the cost was to question patriotism.

I am reminded of the injunction to the Senate by a very great American, a former majority leader of the Senate, Robert A. Taft of Ohio, shortly before his death, at a time when he was serving as majority leader, the leader of the Republican Party, at a time when there was a Republican President, enjoined upon the Senate the duty, in his words, of severe scrutiny of defense budgets. That Republican President, President Eisenhower, during whose administration Senator Taft was majority leader, has left to the entire American people the duty of accomplishing Senator Taft's severe scrutiny of military expenditures.

So I think that the Senator from Oregon has been, as I have suggested, fulfilling that duty, which is important for all Americans and which, far from being in any way unpatriotic, is in fact a very necessary duty of every patriot.

The second point the Senator made which I think is also extremely important is that there has to be a balance.

At a later stage in debate, I am going to speak more about this subject. However, I am so glad the Senator has laid the groundwork for it, because there does have to be a balance. We have got to get away from this business of jagged charts where, in moments of excitement and emotion, we spend billions of dollars, and then in other moments we chop off expenditures, disrupt the defense establishment, and disassemble defense industries. That is not real economy. That is where the art of management is important.

The Senator from Oregon has been so right to emphasize the need for balance.

Again, I add my thanks for what I consider to be a patriotic duty.

Mr. HATFIELD. Mr. President, I am grateful to the Senator from Maryland, my friend, Mr. MATHIAS. I am also grateful for his contribution and especially for his focusing upon the words of Senator Taft during the time of a Republican administration when one of the great Americans of all time, Dwight D. Eisenhower, was in the White House.

Talking about the balance in our national expenditure programs, I am reminded by his reference to Senator Taft and President Eisenhower of some vital words presented to the American people for their thinking by President Eisenhower in his farewell address, when he said that the time can be reached in military spending when additions to the military budget, far from strengthening the national security, may actually weaken it.

President Eisenhower continued to express his thoughts by saying that the true national security of a nation is founded upon the moral and economic structure of a people and not on military hardware alone.

Thus, I think this is a time in American history when we have reached the point where additions to the military budget, far from strengthening the national security, may actually be weakening it, to quote not only a distinguished general but a distinguished President of the United States and a very distinguished patriot, Dwight D. Eisenhower.

I am very grateful again to the Senator from Maryland for his comments, and will look forward to his further discussion of a subject in which we both share concern, as well as great concern for the national defense of this country.

RECESS

Mr. BYRD of West Virginia. Mr. President, I move that the Senate stand in recess, subject to the call of the Chair, with the understanding that the recess not extend beyond 3:15 p.m. today.

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

Thereupon, at 3:01 p.m., the Senate took a recess, subject to the call of the Chair.

The Senate reassembled at 3:08 p.m., when called to order by the Presiding Officer (Mr. COOK).

AUTHORIZATION OF APPROPRIATIONS FOR MILITARY PROCUREMENT AND OTHER PURPOSES

The Senate continued with the consideration of the 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.

AMENDMENT

Mr. COOPER. Mr. President, I ask unanimous consent that an amendment to H.R. 17123, which will be submitted by the senior Senator from Michigan (Mr. HART) and myself on Monday next, be printed in the RECORD at this point.

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

On page 7, line 1, strike out "$1,031,600,000" and insert in lieu thereof "$838,600,000."

On page 16, line 8, strike out "$322,000,000" and insert in lieu thereof "$192,800,000".

On page 17, beginning with line 15, strike out all down through line 5 on page 18, and insert in lieu thereof the following:

"SEC. 402. (a) No funds appropriated pursuant to this or any other Act may be obligated or expended in connection with deployment of the Safeguard Anti-Ballistic Missile System, or any part or component thereof, at any site other than the two sites at which deployment was heretofore authorized by law (Malmstrom Air Force Base, Great Falls, Montana, and Grand Forks Air Force Base, Grand Forks, North Dakota).

"(b) The provisions of subsection (a) shall not apply to the obligation or expenditure of funds for research, development, testing and evaluation activities carried out in support of any advanced anti-ballistic missile program at sites heretofore established for such purposes."

Mr. COOPER. Mr. President, the Hart-Cooper amendment which will be cosponsored by other Senators, provides for an authorization of $1.027 billion. These funds may be expended for deployment of the ABM system at Malmstrom and Grand Forks, the two sites authorized last year. Of the total, $627.2 million is available for continuing phase I at Malmstrom and Grand Forks, the prototype deployment which was begun last year.

Also authorized was $35 million under the amendment, as requested by the Department of Defense, for emplacement of additional sprint missiles at the two sites.

The full amount of $365 million requested for research and development would be authorized for use for that purpose on the advanced ABM system, such as the so-called dedicated system; specifically designed for Minuteman—a system advocated by many distinguished scientists and experts.

Last year over $1 billion was authorized for deployment and, as of May 31, there was a $224 million carryover.

Mr. President, a table which appears in the committee report indicates the funds requested and the funds for phase I that would be available under the Hart-Cooper amendment as compared to the amounts requested for phase I and phase II and recommended by the Armed Services Committee. The funds carried over from last year's authorization as of May 31 are indicated under table II.

I ask unanimous consent that these tabulations be printed at this point in the RECORD.

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

TABLE 1. SAFEGUARD PROGRAM FOR FISCAL YEAR 1971 RELATED ONLY TO PROTECTING THE DETERRENT AND NOT AREA DEFENSE

[In millions of dollars]

		Phase 2				
	Phase 1	Due to added SPRINTS at GF & MALM	Due to the Whiteman site	Due to advance prep Warren	Due to other	Total
Authorization:						
R.D.T. & E	365.0					365.0
Procurement	457.4		178.0	15.0		650.4
Family housing	8.8					8.8
Military construction	161.0	35.0	120.4	0.4	8.4	325.2
Subtotal in bill	992.2	35.0	298.4	15.4	8.4	1,349.4
Other not subject to authorization:						
Procurement	0.6					0.6
Military construction	8.0		6.1	3.0	2.9	20.0
Operations and maintenance	42.0				11.0	53.0
Military personnel	12.0				2.0	14.0
Subtotal	62.6		6.1	3.0	15.9	87.6
Total ABM program	1,054.8	35.0	304.5	18.4	24.3	1,437.0

TABLE 2

TABLE 2.—*Funds from fiscal year 1970 that remain unobligated* [1]

[In millions]

R.D.T. & E	$70
Procurement	92.3
Construction	62.3
Total	224.6

[1] Figures are as of May 31, 1970.

Mr. COOPER. The amendment, therefore, would provide ample funds—over $1 billion—for demonstrating any necessary bargaining strength at the SALT talks.

May I say that the Senator from Michigan and I, as well as other Senators who indicate an interest in this amendment, support and want to support in every way possible the success of those talks.

In this year of difficult economic conditions, reductions in the Federal budget are of considerable importance. Our amendment would save $322.2 million.

I point out that if the SALT talks succeed in the near future, and if the United States and the U.S.S.R. agree on what is termed zero ABM, no sites would be necessary to be deployed, including those previously authorized at Malmstrom and Grand Forks.

There are reports—and I hope that they are true—in the press that the SALT talks may result quite soon in a preliminary agreement on the limitation on the ABM, if not a complete ban.

It has also been reported that if zero ABM is not agreed to by the United States and the Soviet Union, ABM protection of Moscow and Washington respectively is likely. In either of these events, the requested deployments at Malmstrom, Grand Forks, Whiteman or Warren Air Force Bases could not be used, and the work would not go forward at those sites

Deployments at Malmstrom and Grand Forks, which our amendment would permit, would provide ample bargaining power that the administration states is requested.

I point out that the number of ABM missiles to be deployed at Malmstrom and Grand Forks are several times greater than those deployed by the Soviets in the Galosh system around Moscow—which is their only ABM system.

We believe that our amendment is in accord with the proposal of the Secretary of Defense to "fly before you buy" for prototype development. It will also assist the SALT talks without hindering the ability of this country to proceed with the development of an effective ABM system. For, if the Soviets proceed with the development of the SS–9's and other missiles, it may be necessary to deploy an effective missile defense system.

In fact, most of the scientists who have testified on the ABM have said that the development of an effective ABM system is of vital importance if the land based Minuteman deterrent is to be perfected. Such a system would add to the security of this Nation. But deployment of the ineffective Safeguard system would not add to the security of this country.

For this reason we believe our amendment would best meet the needs of this country at this crucial time and in the future if the Soviets proceed with the deployment of the SS–9's.

We will submit for formal printing the amendment on Monday in order to give those Senators who wish to cosponsor the amendment an opportunity to do so.

Mr. HART. Mr. President, the Senator from Kentucky (Mr. COOPER) and I have given the most sober consideration to the development of the amendment we introduce today.

Many of us believe the ABM system needs more research and development—that it is a waste of the taxpayers' money not to "fly before you buy."

But a number of Senators feel that the Senate last year gave the go-ahead to deployment at Grand Forks and Malmstrom, and that we should not replow that ground.

So, believing as we do that the important thing is to stop the momentum—the buildup, with its enormous total expense—we have decided to confine our amendment to eliminating the expansion of Safeguard to Whiteman, Mo., and Warren, Wyo.

This amendment would strike only $322 million from the Safeguard authorization recommended by the Senate Armed Services Committee. It would leave $1.03 billion. We would specifically authorize the $35 million item listed by the Department of Defense and the committee under phase II for "added sprints at Grand Forks and Malmstrom" since the opponents of Safeguard have all along contended that additional Sprints were needed at Grand Forks and Malmstrom.

But more important than the money saving, in my book, is that through this amendment we offer an opportunity to halt the seeming all-out momentum to install a 12-site—or even a 14-site—Safeguard system, the benefit of which would be negligible and the cost enormous.

DISTRICT OF COLUMBIA PUPILS SCORE BELOW U.S. NORMS IN READING AND MATH

Mr. MONDALE. Mr. President, this morning in the Washington Post there appeared an article by Lawrence Feinberg reporting on the tragic conditions in the District of Columbia schools.

The article cites recent test results released by the District of Columbia school system which indicate that student achievement in reading and mathematics is declining rather than improving or even remaining constant.

This conclusion is based on an analysis of the California testing bureau scores which compare the performance of children in the District of Columbia

schools to that of children in public schools in 11 other major cities.

The article reports that by the sixth grade, Washington students average seven-tenths of a year behind students in the other big cities, and by the ninth grade, they are 1.6 years behind their counterparts in 11 other large city systems, comparing the reading norms for the Nation as a whole, the students by the ninth grade are 2.2 years behind.

That does not, however, tell the whole story. If one looks at the table of achievement broken down by actual elementary and junior high schools, there are many elementary schools in this community in which students have such an abysmally low level of performance that it is nothing short of an utter and national disgrace.

Earlier this year the U.S. Senate created a Select Committee on Equal Education which I am privileged to chair and on which the distinguished Senator from Kentucky (Mr. COOK), now Presiding Officer, serves with such distinction.

I think this report states the fact that here in the Nation's Capital thousands and thousands of children are being doomed by being denied the basic tools of reading and arithmetic which are necessary for any achievement in American society.

We spend a lot of time, and rightfully, concerned about the crime rate in the District of Columbia, our Nation's Capital. It is indeed awful. Perhaps we would get more action in reducing the crime rate if we were to seriously examine these kinds of statistics that indicate the tragic way in which we are denying children an adequate education and destroying thousands of school children before they ever have a chance.

It is my judgment that this kind of destruction to our schoolchildren is far more pervasive than many Americans suspect. It is a matter also that I feel deserves greater attention.

These statistics do not compare the achievement of these school children in the District of Columbia with school children generally. They compare them only with the school children in 11 other major cities which we know also have education difficulties.

Even by that standard, the District of Columbia is doing so poorly that the average student in the ninth grade is 1.6 years behind, and if we compare the Nation as a whole, he is 2.2 years behind.

The committee which I chair will shortly be holding hearings on the problems of equal educational opportunity in northern cities.

I know of no place where we could more appropriately begin than in the Nation's Capital, not only because of the tragic conditions cited in the report, but also because, of all the school systems in the country, this is the one in which Congress has a special responsibility and in which we have especially failed.

I would suggest that this report would shock the conscience of the Congress and of the Nation and that this Nation could respond in a way which would provide these children an opportunity to be a part of the fullness of American life.

Mr. President, I plan to make a more complete statement on this matter the early part of next week.

I ask unanimous consent to have printed in the RECORD the article of Mr. Feinberg which was published in the Washington Post this morning, together with a table on District of Columbia test results broken down by elementary and junior high schools.

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

DISTRICT OF COLUMBIA PUPILS SCORE BELOW U.S. NORMS IN READING, MATH

(By Lawrence Feinberg)

Average reading achievement in Washington's elementary schools fell substantially this year, continuing a four-year decline that has left the school system well below national norms.

The city schools were just a few points below these norms in 1966–67.

Citywide scores on standardized mathematics tests are even lower than those in reading, but the decline in these exams has been less steep.

Results of the nationwide tests were disclosed last night at a meeting of the Washington school board. The board also received school-by-school results on a new test comparing Washington with the norms in 11 other big cities rather than with national standards that include suburban and rural school systems.

These results indicated that in only 23 of the city's 133 elementary schools is the median sixth-grade reading level equal to the norms in the big cities. Only two of Washington's 30 junior high schools matched these big-city standards.

The systemwide results on the new tests, prepared by the California Testing Bureau, show that the median score in reading for Washington's third-graders was four-tenths of a year below the big-city norm.

By sixth grade, Washington students average seven-tenths of a year behind the other big cities, and by ninth grade they are 1.6 years behind.

Compared with the higher reading norms for the nation as a whole, the Washington students are 2.2 years behind.

Because this was the first time the California tests were given in Washington, no school-by-school comparisons can be made with previous years.

However, a systemwide comparison was made by giving another examination, the Sequential Test of Educational Progress (STEP), to 10 percent of the city's students, selected at random, in the third, sixth, ninth, and 11th grades.

The STEP tests previously had been given to all students, but they are being phased out because local officials believe the California tests are better.

In the spring of 1967 both fourth- and sixth-graders in Washington had a median score in reading at the 47th percentile on the STEP test, compared to the nationwide norm of 50.

This spring the median for Washington's fourth-graders was at the 31st percentile on the test; for sixth-graders it was 35.

The median is the midpoint above which are the score of half those taking the test and below which are the scores of the other half.

For Washington ninth-graders, the median was also 35 in reading compared with the national median of 50, but it had sunk to that level one year ago. The median for 11-graders here stayed unchanged at 40. It had been at the 45th percentile in 1967.

The D.C. medians in mathematics on the STEP tests this year were 25 for fourth-graders; 29 for sixth-graders; 24 for ninth-graders, and 24 for 11th-graders.

In 1967 the medians had clustered around 35.

In the school-by-school results on the California tests, the pattern of high and low scores generally followed the socio-economic levels of the students attending the different schools.

Thus, 10 of the 23 elementary schools with average reading scores above the big-city norm of 50 were located in ward three, the prosperous area west of Rock Creek Park.

They are the only elementary schools in Washington with mainly white student enrollments. The averages at some of them—91 at Lafayette, 85 at Murch, and 79 at Stoddert—are comparable with achievement levels in Bethesda, which is part of the Montgomery County school system.

The Shepard school, in a prosperous integrated area just off upper 16th Street NW, averaged at the 82d percentile in reading. About 70 per cent of its 550 students are Negro; about 30 per cent are white.

The nearby Takoma school averaged 56.

Other schools with high scores were in Negro middle-class areas in Northeast Washington and in upper Northwest. Among them were Bunker Hill, Burroughs, Brightwood, Keene and River Terrace.

The 23 elementary schools that received Title One federal aid because they are in poverty areas generally had very low scores.

One exception was Walker-Jones, at 1st and L Streets NW, with an average reading score of 52. Walker-Jones also scored high in other standardized tests given in previous years. Its math scores were even higher than reading averaging 64. In most schools mathematics achievement scores were lower than reading.

The two junior highs whose ninth-graders averaged above the big-city norms were Deal, 80 in both reading and math, and Gordon, 52 in both subjects. Deal's ninth grade was about two-thirds white; Gordon had a small white majority. The two schools are both west of Rock Creek Park and are the only junior highs in the city with mainly white enrollments.

Five junior highs scored between the 41st and 46th percentiles. Four of them—Backus, Paul, Rabaut, and Taft—are in the semicircle of middle-class Negro neighborhoods in upper Northwest and far Northeast Washington. The fifth, Sousa, is near Fort Dupont Park in Southeast Washington.

The eight elementary schools in the Anacostia decentralization project had average reading scores slightly higher than those for the 16 elementary schools in the model schools division in Cardozo, again apparently reflecting socio-economic differences.

Among the Title One schools, half of which are in Cardozo, those in Project READ, which uses a series of programmed work books, did somewhat better than schools not in the project.

At Morgan, the city's oldest community controlled school, the results varied widely between the third and sixth grades, in contrast to most schools where the scores at the two levels were similar.

Morgan's third-graders scored at 50 in reading and 60 in mathematics. For sixth grade, the scores were 25 for reading and 27 for mathematics.

DISTRICT OF COLUMBIA TEST RESULTS

The table below gives reading and mathematics scores for District elementary and

junior high schools during the last school year. In the elementary schools, there are separate figures for third- and sixth-graders. The junior high tests were given only to ninth-graders. No senior high school scores were released yesterday.

The scores used are medians. Thus, if a school's third-grade median is 40, half the third-graders there scored above 40, half below. The numbers are percentiles but they are based on big-city norm of 50 rather than on national norms. Thus, if a school's score is 40, it is ahead of two-fifths of the big-city schools across the country, and behind three-fifths.

The big-city norms used in this compilation are lower than national norms. Against national norms, District schools would score lower than shown here.

There are citywide figures at the top of both the elementary and junior high school lists.

ELEMENTARY SCHOOLS

	Reading		Math	
	3d	6th	3d	6th
Citywide	34	36	30	32
Adams	24	34	30	26
Aiton	32	29	30	30
Amidon	33	0	34	0
Bancroft	25	24	24	19
Barnard	51	42	48	44
Beers	42	54	42	41
Benning	68	54	61	59
Birney	26	28	20	23
Blow-Pierce	31	29	42	21
Bowen	0	33	0	29
Brent	41	40	36	31
Brightwood	49	50	35	46
Brookland	30	45	34	38
Bruce	30	33	26	31
Bryan	42	35	36	33
Buchanan	24	30	27	30
Bundy	0	18	0	20
Bunker Hill	53	59	40	51
Burroughs	71	63	59	55
Burrville	26	32	26	28
Carver	33	25	35	21
Clack	45	45	31	36
Cleveland	23	24	13	16
Congress Heights	42	37	43	32
Cook	27	0	18	0
Cooke	25	18	20	19
Crummell	27	33	24	27
Davis	31	42	26	36
Draper	37	29	35	27
Drew	31	28	27	23
Eaton	80	32	69	77
Eckington	27	32	23	30
Edmonds	24	0	16	0
Emery	33	30	36	26
Fillmore	62	75	60	83
Gage	28	32	49	32
Garfield	30	32	27	29
Garrison	19	31	18	23
Gibbs	32	28	26	25
Giddings	28	22	19	26
Goding	28	28	21	25
Grant	0	65	0	63
Green	37	37	39	29
Grimke	21	25	21	28
Hardy	59	37	70	34
Harris	24	30	31	31
Harrison	21	25	24	20
Hayes	55	19	59	21
Hearst	83	71	90	79
Hendley	31	36	30	30
Houston	23	31	22	27
Hyde	40	0	29	99
Jackson	50	43	45	35
Janney	77	79	87	78
Keene	55	65	53	58
Kenilworth	36	31	26	22
Ketcham	21	32	23	26
Key	48	75	61	51
Kimball	33	26	40	27
Kingsman	48	33	49	40
Lafayette	91	92	89	89
Langdon	38	37	32	34
Langston	0	0	0	0
LaSalle	62	55	50	49
Lenox	22	31	20	22
Lewis	31	40	19	38
Logan	30	26	33	18
Lovejoy	27	21	25	34
Ludlow	17	23	19	27
Madison	28	24	27	21
Mann	79	71	68	67
Maury	30	32	25	32
McGogney	27	28	36	28
Merritt	27	20	26	22
Meyer	25	36	24	35
Miner	24	29	20	31
Monroe	31	27	34	23
Montgomery	20	18	18	13
Morgan	50	25	60	27
Morse	21	39	20	27
Moten	29	30	24	25
Mott	21	30	21	25
Murch	84	86	79	82
Nalle	21	33	18	31
Nichols Avenue	46	0	41	0
Noyes	33	36	38	82
Orr	36	33	42	33
Oyster	42	81	67	73
Park View	35	33	30	31
Patterson	47	51	48	45
Payne	27	36	22	28
Peabody	25	26	14	16
Perry	0	15	0	12
Petworth	45	39	52	42
Plummer	36	38	38	31
Powell	41	49	33	44
Randle Highlands	44	42	37	35
Raymond	30	30	29	34
Richardson	23	27	34	23
River Terrace	51	50	45	40
Rudolph	29	38	23	36
Savoy	27	26	26	20
Seaton	23	20	11	18
Shadd	25	19	27	21
Shepherd	83	80	71	77
Simmons	37	33	33	26
Simon	28	33	29	31
Slater	31	49	24	44
Slowe	43	39	46	41
Smothers	31	41	27	45
Stanton	33	31	35	30
Stevens	35	35	20	42
Stoddert	79	80	81	86
Sumner	38	37	42	40
Takoma	57	54	47	45
Taylor	25	18	14	16
Thomas	27	34	24	36
Thomson	25	18	31	21
Truesdell	38	36	30	35
Turner	27	24	25	30
Tyler	26	27	25	18
Van Ness	28	31	25	26
Walker-Jones	48	55	66	63
Watkins	32	18	30	20
Webb	38	35	36	31
West	68	57	61	47
Wheatley	27	33	21	30
Whittier	43	44	35	45
Wilson	24	32	19	23
Woodridge	45	48	40	33
Young	43	42	30	44

JUNIOR HIGHS

9th grade

	Reading	Math
Citywide	32	28
Backus	45	43
Banneker	24	24
Browne	32	28
Deal	80	80
Douglass	32	25
Eliot	23	20
Evans	21	23
Francis	20	19
Garnet-Patterson	28	21
Gordon	52	52
Hamilton	24	19
Hart	31	40
Hine	22	19
Jefferson	31	27
Johnson	None	None
Kramer	31	31
Langley	33	32
Lincoln	24	17
Macfarland	31	28
Miller	31	24
Paul	42	43
Rabaut	42	32
Randall	26	20
Roper	26	21
Shaw	20	17
Sousa	46	40
Stuart	23	21
Taft	41	34
Terrell	22	18
Webster	32	18
Woodson	36	37

RECESS

Mr. BYRD of West Virginia. Mr. President, I move that the Senate stand in recess, subject to the call of the Chair, with the understanding that the recess not extend beyond 3:30 p.m. today.

The motion was agreed to, and at 3:21 p.m. the Senate took a recess subject to the call of the Chair.

At 3:30 p.m., the Senate reassembled when called to order by the Presiding Officer (Mr. COOK).

SENATOR THURMOND'S ROLE IN ASSISTING SCHOOL BOARDS

Mr. THURMOND. Mr. President, this morning's Washington Post has alleged that my staff members and I had tried to "sell" forced desegregation plans to South Carolina school districts. This allegation is totally false, and I denounce it for what it is—a malicious fabrication. My staff and I have acted only as an advocate on behalf of the school districts that have come to us for help in obtaining the relief to which they are entitled.

The Post bases its entire allegation on anonymous sources. I challenge the Washington Post to produce these anonymous informants referred to as "top administration sources." I challenge the Post to prove that I ever tried to pressure any school district to accept any HEW plan.

At the request of numerous school districts, I have fought the total destruction of our public schools at the hands of ultraliberal zealots. On many occasions these zealots disregarded the law and the President's guidelines in making totally unreasonable demands upon the school districts in my State. My staff and I made ourselves available to the districts to assist them in reminding HEW of the requirements of the law and in opposing these unreasonable demands. We did not draw up any desegregation plans but simply fought for HEW's approval of the plans submitted by the various school boards.

I have never urged any school district to accept any plan. In fact, on numerous occasions, I have suggested to school trustees that they might come closer to getting justice by going to court if HEW would not come forward with reasonable plans.

The discussions at HEW have been most trying. The HEW zealots have a narrow view of their mission, and ignore the factors involved in quality education. Every district is different, and only the local officials can understand the impact of extreme plans upon their school systems. The Supreme Court has not yet defined what it means by a unitary school system, but HEW does not hesitate to impose its own interpretation of this difficult question.

The tirade conducted by the Washington Post against the South never seems to end. It appears daily in the form of false propaganda in the news columns, bigoted editorials, and distorted cartoons. The Post will go to any length to create dissension and animosity for purely political reasons, and to drive a wedge between the administration and the South.

In the same spirit of stirring up turmoil, the Post has continued to print the story that the Justice Department intends to send lawyers to the South to enforce integration even after the President denied that there would be any

coercion involved. The Post is apparently working in collusion with underlings in the bureaucracy to bring public pressure for ultra-left policies.

I was pleased with the President's statement Thursday night that the Federal Government would give such assistance only when requested by the States involved. It is hoped that this policy will be followed. We shall be on guard to watch whether his orders are carried out by his subordinates.

ADJOURNMENT TO MONDAY, AUGUST 3, 1970, AT 11 A.M.

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11 o'clock Monday morning next.

The motion was agreed to; and (at 3 o'clock and 34 minutes p.m.) the Senate adjourned until Monday, August 3, 1970, at 11 a.m.

HOUSE OF REPRESENTATIVES—*Friday, July 31, 1970*

The House met at 11 o'clock a.m.

The Chaplain, the Reverend Edward G. Latch, D.D., offered the following prayer:

If we hope for what we do not see, we wait for it with patience.—Romans 8: 25.

O God, creator and preserver of all mankind, we commend to Thy loving care and wise guidance the men and women who lead our Nation in these troubled times. Support them and strengthen them, we beseech Thee, and so prosper their endeavors that our people may be led in the ways of justice, by the roads of righteousness, and along the paths of peace.

We pray for all who serve under the glorious banner of our great country. Particularly do we pray for those who struggle for freedom and more particularly do we pray for our prisoners of war. May they have faith and courage to endure what must be endured, patience amid suffering, a happy issue out of their affliction, and a glad reunion with their faithful families. Hasten the end of conflict and grant us peace in our time, O Lord.

We pray in the spirit of Him who came to bring us Thy peace. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 14619. An act for the relief of S. Sgt. Lawrence F. Payne, U.S. Army, retired.

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

S. 3647. An act 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;

S. 3648. An act to provide improvements in the administration of health services in the District of Columbia, and for other purposes; and

S. 3730. An act to extend for one 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.

LOST AND FOUND: COLCORD, OKLA.

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

Mr. EDMONDSON. Mr. Speaker, I am sure many of my colleagues have received complaints about the 1970 census, but I will match my latest experience on the matter with that of any other Member.

The Census Bureau lost an entire town within my district.

Colcord, Okla., may not compare with New York City or Los Angeles in the eyes of the Census Bureau, but to the people who live and work there, it is a mighty important place.

The preliminary census figures released in Oklahoma's newspapers last week showed no listing for "Colcord"—a very nice community, I can assure my colleagues, which I have personally visited often. It seems the Bureau lumped all the citizens of Colcord in with the rural residents of Delaware County when the worksheets were being compiled. Fortunately though, the Census Bureau has now assured me that the 432 people who live in Colcord will henceforth be recognized as a city in the eyes of the Federal Government.

Mr. Speaker, the Colcord incident is but another in an ever-growing list of complaints over the 1970 census. It amply demonstrates why several colleagues and I felt it important to introduce H.R. 18590 last week to provide reimbursement to a community which shows by a recount that the Census Bureau's original tally was in error by at least 3 percent.

I welcome my colleagues' help with this legislation, and hope that it receives both early and favorable consideration here in the Congress.

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

Mr. EDMONDSON. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. How do you spell the name of that place so I can endeavor to help the gentleman?

Mr. EDMONDSON. "C-o-l-c-o-r-d." I appreciate the gentleman's offer of help.

WHERE ARE THEY NOW?

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

Mr. BLACKBURN. Mr. Speaker, the question comes to my mind today: Where are they now? Where are they now, those thousands of students who deluged all of us several months ago advising us on matters of foreign affairs as well as military affairs? Where are the college professors who felt free to dabble in international affairs and the military affairs of our country by sending telegrams to the President several months ago, as well as to all of us, advising that the President had pulled a great military blunder by going into Cambodia?

There has been a great silence on the part of those students.

There has likewise been a great silence from those same college presidents.

Mr. Speaker, this question comes to my mind: Those people were very sincere in their criticism. Their criticism has proved to be unfounded. The fact of the matter is that the President kept his word, and the military posture in Indochina has been improved immensely. The judgment of the President and those who supported him has been vindicated by the events of history.

Our losses in Vietnam during the last 2 weeks are at the lowest level in 4 years. The Vietcong and the North Vietnamese have been badly crippled as a direct result of the Cambodian venture. Yet over 1 month after the President withdrew our troops we have not heard a word from those criers of doom who deluged us several months ago. It seems to me that at least one of those giving us erroneous advice would now be willing to admit their error and apologize for the great furor they created.

Mr. Speaker, I think it is fair to ask: Where are they now?

DEFENSE PRODUCTION ACT EXTENSION AND ECONOMIC STABILIZATION ACT

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 17880) to amend the Defense Production Act of 1950, and for other purposes.

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

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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