SENATE—*Tuesday, December 8, 1970*

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

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

O God who has left Thy creative work unfinished as a challenge to the souls of men, we thank Thee for sharing with us Thy divine wisdom and for calling us to cooperate with Thee in building the beautiful temple of life. Give us unclouded vision to see Thy perfect plan. Give us the spirit of wisdom and of understanding to guide us so that we may live and serve according to Thy will. Help us to seek the truth come whence it may, and cost what it will. Grant that in the service of humanity we may be divinely guided, and so live that we may minister to the gladness and glory of God, to whom be praise and dominion forever and ever. Amen.

Suggested by Mr. Henry T. Deren, Ivyland, Pa.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., December 8, 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 PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Leonard, one of his secretaries.

RECOMMENDATION RELATING TO EMERGENCY RAILWAY STRIKE LEGISLATION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91-424)

The ACTING PRESIDENT pro tempore (Mr. ALLEN) laid before the Senate the following message from the President of the United States, which was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

After much effort at settlement through negotiation and mediation, we are confronted with an emergency stemming from a dispute between railway carriers and four unions representing their employees. The unions involved have declared their intention of calling a nationwide strike starting at 12:01 a.m., December 10, 1970.

All existing governmental procedures have been carefully but vainly used to bring about a settlement of the dispute. Negotiations among the parties, based upon the recommendations of the Emergency Board, have progressed during the last 30 days. However, because of the number of parties and the complexity of the issues involved, these negotiations have not resulted in an agreed-upon resolution. At my direction, the Secretary of Labor has sought from the parties a voluntary extension of negotiations without strike or lockout, but he has not been successful.

A nationwide stoppage of rail service would cause hardship to all Americans and harm to the economy, particularly a stoppage at the height of the pre-Christmas season.

It is essential that our railroads continue to operate. Therefore, I recommend that the Congress extend for 45 days the period during which no work stoppage may occur. It is my hope that these additional 45 days will lead to a voluntary negotiated settlement of this dispute.

In requesting an extension to January 23, 1971, I am mindful of the fact that the current Congressional session is fast drawing to a close and there are many other pressing and important matters to be dealt with. Under these circumstances, it would not seem advisable to thrust upon the Congress at this time the consideration of the complicated substantive issues of this dispute.

The fact that some progress has been made in negotiations is encouraging, and it indicates that the parties may be able to resolve their differences. However, if no settlement is reached within this time period, I shall make additional recommendations to the Congress.

I urge that Congress act quickly on my proposal so that a crippling stoppage can be averted, and so that the nation's travelers and shippers can depend on uninterrupted service.

RICHARD NIXON.

THE WHITE HOUSE, *December 7, 1970.*

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, December 7, 1970, be dispensed with.

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

NOTICE OF CALENDAR TO BE CALLED LATER TODAY

Mr. MANSFIELD. Mr. President, in compliance with a suggestion made yesterday, which I hope will meet with the approval of the Senate, we will take up the unobjected-to items on the Calendar later in the morning today.

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the conclusion of the remarks by the distinguished Senator from Oklahoma (Mr. BELLMON) today, there be a 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, 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.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider two nominations on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

The ACTING PRESIDENT pro tempore. The nominations on the Executive Calendar will be stated.

DEPARTMENT OF COMMERCE

The assistant legislative clerk read the nomination of Andrew E. Gibson, of New Jersey, to be an Assistant Secretary of Commerce.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

The assistant legislative clerk read the nomination of C. Langhorne Washburn, of the District of Columbia, to be Assistant Secretary of Commerce for Tourism.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

Mr. SCOTT. Mr. President, will the distinguished majority leader yield?

Mr. MANSFIELD. I yield.

Mr. SCOTT. May I say that I know one of these nominees, Mr. C. Langhorne Washburn. I have known him for 20 years. He is a man of considerable ability who has been doing this kind of work, promoting tourism and the interests of tourism of the United States in the implementation of the U.S. Travel Act for which the distinguished Senator from Washington (Mr. MAGNUSON) deserves a great deal of the credit. I am delighted to see that Mr. Washburn has been confirmed to this new position.

Mr. President, I ask unanimous consent that the President be notified of the confirmation of the two nominations.

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

LEGISLATIVE SESSION

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

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

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

ELIMINATION OF MULTIPLE CUSTOMS DUTIES ON CERTAIN HORSES

Mr. MANSFIELD. Mr. President, I ask unanimous consent to rescind the action of the Senate in agreeing to the amendment of the title of H.R. 4239, which was passed by the Senate on yesterday.

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

The amended title ordered to be stricken reads as follows:

An act to prevent the payment of multiple customs duties in the case of horses temporarily exported for the purpose of racing, and to provide for the imposition of quotas on lamb meat.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. At this time, in accordance with the previous order, the Chair recognizes the distinguished Senator from Oklahoma (Mr. BELLMON) for not to exceed 30 minutes.

Mr. KENNEDY. Mr. President, will the Senator from Oklahoma yield briefly without losing his right to the floor or any of his time?

Mr. BELLMON. I yield.

STATE INCOME TAX WITHHOLDING FOR INTERSTATE TRANSPORTATION EMPLOYEES—CONFERENCE REPORT

Mr. KENNEDY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10634) to amend the Interstate Commerce Act and the Federal Aviation Act of 1958 in order to exempt certain wages and salaries of employees from withholding for income tax purposes under the laws of States or subdivisions thereof other than the State or subdivision of the employee's residence. I ask unanimous consent for the present consideration of the report.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the report?

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

(For conference report, see House proceedings of Dec. 3, 1970, pp. 39843–39845. CONGRESSIONAL RECORD.)

Mr. PROUTY. Mr. President, I must confess that I am a bit disappointed in this act dealing with State taxation of the compensation of employees of interstate employers as it emerged from conference. There have been eliminated from the Senate-passed version thereof provisions which would have limited the number of States that could tax the compensation of employees of interstate carriers to not more than two.

Nobody argues that it is just or reasonable to permit the numerous States through which an employee of an interstate carrier may move during the course of a year to tax the compensation he receives in the performance of those duties. This situation is aggravated by the fact that some States attempt at least to tax not only the compensation actually earned in that State but all of the compensation of the employee in question. A bill limiting the number of States that could make a claim upon the compensation of such an employee to not more than two, as had been provided in the Senate-passed version of this bill, would have been in the public interest, in my opinion.

Nonetheless, Mr. President, the bill which you have before you, and which was agreed to in conference, is a very great step toward solving the unique tax problems of the employees of interstate common carriers and, I might add, of the carriers themselves. While it does not limit the liability of such employees, it does limit the number of States which may require withholding from the compensation paid to an interstate carrier employee to not more than one and the number of States which may require the filing of information returns with respect to the compensation of such an employee to not more than two. In the first case, either a State in which such an employee derived more than 50 percent of his compensation would be entitled to require withholding or if there is no such State, the State of the employee's residence would be entitled to withholding. In the second instance, both the State entitled to withholding and the State of the employee's residence would be entitled to require the filing of information returns by his employer.

Mr. President, these provisions are fair and equitable to all concerned:

It protects the employee from multiple withholding;

It reduces the burden upon the employer associated with multiple withholding and/or the filing of information returns with the vast number of States in which his employee may operate for some portion of any given tax year;

It preserves to the State most closely associated with the earning of compensation by such an employee, the right to require withholding and to the State most closely associated with the employee, the right to obtain the information which they need to assess his tax liability.

Mr. President, while this may not be the best possible legislation that could be devised to deal with the peculiar multi-State tax problems of the employees of interstate carriers, it is the best which we can pass during the closing days of the 91st Congress. Legislation to obtain one or more of the goals which have been accomplished by the present bill has been pending before Congress for a decade. It is high time that we did something to resolve the problem. I urge the Senate to adopt the conference report.

Mr. KENNEDY. Mr. President, I move adoption of the conference report.

The motion was agreed to.

ENERGY PRODUCTION

Mr. BELLMON. Mr. President, President Nixon's decision to produce oil wells on Federal leases on the Outer Continental Shelf at the maximum level consistent with wise conservation practices appears to be an example of a good decision reached for the wrong reasons.

It is a good decision since it provides a small, though badly needed, economic incentive, through accelerated returns, to a selected segment of the oil industry. I believe four companies will be the principal beneficiaries. It will also help resolve the argument about the amount of shut in crude oil producing capacity remaining in this country.

However, the reason given for the President's action, that is, to drive down crude oil prices, is erroneous since both prices and profits received by the oil industry and wages received by oil workers have not risen as much as in many other segments of the economy. The President has mistakenly chosen to administer an undeserved public whipping to one of the most responsible, most essential elements of our society.

Mr. President, I hold in my hand a table showing the level of profits received by many industries in this country and ask unanimous consent to have it printed in the RECORD.

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

RATIO OF PROFITS FEDERAL TAXES (ANNUAL RATE) TO STOCKHOLDERS EQUITY

[In percent]

Industry	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	Average 10 years, 1960–69	Rank
Aircraft and parts	7.3	9.8	12.7	11.3	12.2	15.2	14.4	12.9	14.2	10.6	12.1	1
Motor vehicles and equipment	13.5	11.4	16.3	16.7	16.9	19.3	15.9	11.7	15.1	12.6	15.1	4
Electrical machinery, equipment	9.5	8.9	10.0	10.1	11.2	13.5	14.8	12.8	12.2	11.1	11.4	5
Furniture and fixtures	6.5	4.9	7.9	8.3	10.1	13.4	14.2	12.1	12.2	12.6	10.2	8
Tobacco manufactures	13.4	13.6	13.1	13.4	13.4	13.5	14.1	14.4	14.4	14.4	13.8	2
Chemicals and allied products	12.2	11.8	12.4	12.9	14.4	15.2	15.1	13.1	13.3	12.7	13.3	3
U.S. petroleum	8.8	8.7	8.8	9.8	10.1	11.3	12.3	12.5	12.2	11.0	10.5	7
All manufacturing corporations	9.2	8.8	9.8	10.3	11.6	13.0	13.5	11.7	12.1	11.5	11.1	6
Textile mill products	5.8	5.0	6.2	6.1	8.5	10.9	10.1	7.6	8.8	7.9	7.7	10
Food and kindred products	8.7	8.9	8.8	9.0	10.0	10.7	11.2	10.8	10.8	10.8	10.0	9
Primary iron and steel	7.2	6.1	5.4	7.0	8.8	9.8	10.2	7.7	7.6	7.7	7.7	11

Source: The Chase Manhattan Bank for domestic operations of U.S. petroleum corporations, FTC–SEC for manufacturing corporations.

Mr. BELLMON. Mr. President, this table shows that the oil industry does not receive more profits but rather less than the industry at large. It seriously questions the wisdom of the President's decision to make the effort to force down these prices.

President Nixon's action serves to underscore widespread public misunderstanding of the energy business and of the growing energy crisis.

The critical shortage of energy which this country faces is a condition heretofore unknown and is properly causing great concern among consumers who have always taken energy abundance for granted. I am convinced that it is the misguided and shortsighted action by Congress and the Federal regulatory agencies which have produced this crisis. It is my opinion that Congress must act now to correct this situation before capital and talent has permanently and irreplaceably departed the industry. It is my purpose to help focus attention on this problem so that necessary correctives can be taken to avoid the national stagnation an energy shortage will bring.

Our country has long been known as a land of plenty. From the founding of this Nation the rich endowment of arable lands, forests, water, minerals, and elbowroom has provided the resources required for this country to become the world's most highly developed, industrialized nation.

This high degree of development is reflected by the heavy use of fuels. The United States uses more energy totally and on a per capita basis than any other country in the world. The United States consumes approximately one-fourth of the world's coal, a third of the petroleum, and twice as much natural gas as all the rest of the world put together. The United States of America with 6½ percent of the world's population, consumes 37 percent of all the energy used in the world.

Through much of our history, we have been able to take for granted that domestic sources of energy would meet the needs of industry and the consumer in any crisis. Recently, the energy supply picture has changed and a feeling of alarm has begun to spread. There is good reason for concern.

In 1945, the annual production of energy in the United States of America from all sources equaled 32,333 trillion B.t.u.'s while the annual consumption of that energy was only 31,541 trillion B.t.u.'s. As a result, the energy industry was troubled with surpluses.

Five years later, in 1950, production of energy still led consumption. The annual production of energy from all sources equaled 34,510 trillion B.t.u.'s while consumption was 34,153 trillion B.t.u.'s. A relative balance between production and consumption had evolved.

By 1960 energy production as compared to consumption had changed. In that year this Nation produced 41,704 trillion B.t.u's of energy from all sources while we consumed 44,816 trillion B.t.u.'s. For the first time in modern history, the United States had moved from an energy surplus condition to an energy deficit. The era of abundance had ended.

Since 1960 the gap between supply—production—and consumption has continued to grow. The latest figures—for 1968—show production of 57,495 trillion B.t.u.'s of energy. Consumption for that same period reached 62,143 trillion B.t.u.'s of energy. Long range predictions indicate that the rate of consumption of energy will continue to increase at even a faster rate than in past years. One source, the Chase Manhattan Bank, predicts a growth rate of energy consumption in the years 1965–80, almost twice the rate of the previous 5 years, 1960–65. Expressed in oil equivalent, the Nation's energy requirements in 1950 amounted to 16 million barrels a day. By 1965, they had reached a level of 26 million barrels a day. This Nation's energy requirements are expected to reach an estimated 46 million barrels a day by 1980.

This production-consumption squeeze can be seen in all of our principal sources of energy, coal, oil, natural gas, and nuclear fuels.

COAL

The demand for bituminous coal and lignite outran production in 1968. In that year U.S. bituminous coal and lignite consumption plus exports gained 19.5 million tons over 1967. Production, however, declined 7.4 million tons during the same period, creating a gap of 26.9 million tons. There are good reasons for the decline in production.

Until relatively recent time, coal mines could be opened with comparatively low investment because the principal element of production was labor rather than expensive equipment. Mine sites were relatively plentiful and coal was near to the surface. Mine safety laws were shamefully lax. As a result, the industry consistently had excess productive capacity, and coal consumers naturally fell into the habit of relying on low cost "distress coal" as a ready source of supply as well as a reserve in time of trouble.

A national coal crisis has developed, although we are beginning to pull out. Today, the national coal shortage has improved. Power companies report that coal stocks are now near 60 million tons, which will be adequate for 1970–71 winter needs provided there are no serious interruptions due to labor-management problems in the mines or lengthy transportation delays.

Interestedly known recoverable reserves of coal far exceed any other energy source. It is estimated that the United States has over 220 billion tons of coal reserves still remaining, enough to last 395 years at the current rate of use. With these reserves available and demand high, it is fair to ask why is more coal not being mined?

NATURAL GAS

In 1968, for the first time since World War II, when annual reserves studies were initiated, the United States used more natural gas than it discovered. Consumption of gas reached a new peak in 1968 of 19,351 trillion B.t.u.'s, accounting for 31.1 percent of the total energy consumed in the United States. Production in 1968 climbed to a record 19.4 trillion cubic feet, up a trillion over the previous year. However, during the same period, gross additions to reserves were only 13.7 trillion cubic feet. This shows that we used something like 6 trillion cubic feet more than we discovered.

Productive capacity has fallen below demand and suppliers have begun turning customers away. In early July it was reported that a shortage in the supply of natural gas in the Baltimore-Washington area had reached a critical situation. In this same area a policy was instituted in April which prohibited new contracts to supply gas to any new customer or for new equipment of an old customer that would use more than 300,000 cubic feet of natural gas per day. As a result, the power firm had to tell over 40 potential natural gas customers that they could not be supplied. Similar conditions exist in other areas.

So, with coal, just as with natural gas, there is a paradox. The estimated known recoverable reserves of natural gas in the United States are 5,000 trillion cubic feet. There is enough for 250 years. With demand high and reserves abundant, I believe it is fair to ask why is more gas not being produced?

PETROLEUM AND PETROLEUM PRODUCTS

Crude oil and crude oil products continue to lead all other energy fuels in annual consumption. In 1968, the U.S. production of crude petroleum equaled 19,308 trillion B.t.u.'s of energy. Total demand in the United States for petroleum and petroleum products for the first 6 months of this year ran about 5.8 percent higher than a year ago.

It is estimated that known recoverable reserves of crude oil in the United States total 2,000 billion barrels, enough to last over 200 years at anticipated rates of consumption. These figures do not include the reserves in Alaska. Nor do they include the tremendous reserves in the oil shales of the Rocky Mountain States. However, here again a paradox exists. While the demand for petroleum and petroleum products increases, and while additional resources are known to exist, exploration activities to locate more oil continue to decrease.

Drilling activity declines markedly through the third quarter of this year:

	1st 9 months of 1970	1st 9 months of 1969	Decrease
Total wells drilled	21,483	23,207	1,824
Total footage	104,055,207	110,490,330	6,435,123
Wildcats	5,503	6,339	896
Total footage	33,053,207	38,110,283	5,057,076

Mr. President, wildcat wells are wells that locate new reserves. With demand high and abundant reserves available for development, I believe it is fair to ask why are more wells not being drilled in the United States.

URANIUM

Nuclear energy for peaceful purposes has the potential of supplying the energy source needed to provide electrical power to millions of consumers. However, durinnging the past decade nuclear energy has not been able to provide the energy which was predicted in the early sixties when the consensus of opinion was that nuclear reactors could compete economically with conventional power sources.

In the context of that evaluation, power companies rushed to nuclear power as a new source of energy. Subsequent to that first assessment, it has been determined that the evaluation of

nuclear energy potential was incorrect. Nuclear energy as a solution to the electrical power gap was, and still is, not a reality. The Atomic Energy Commission estimates that over 600,000 tons of potential reserves of uranium exist in the Western United States, enough to meet all electrical power requirements for an infinite number of years. The United States is the admitted world leader in atomic and nuclear know-how, and yet presently nuclear power provides only 0.047 percent of our Nation's energy consumption. During the past summer, electrical energy ran short and "brownouts" were common. With the need great, the reserves abundant and the technology in a high state of development, I believe it is fair to ask why is more energy not being produced from nuclear sources? Congress should find out before it is too late.

Several new and innovative energy sources are presently under study and development by industry and Government. One such idea is now being developed in the western part of the United States. It is called geothermal steam and it involves the harnessing of steam produced by nature's cooling-off process inside the earth, or of steam artificially induced into hot strata of the earth. If proper techniques can be developed and used successfully, this could prove to be a most exciting breakthrough in the search for an ample supply of pollution-free power for future generations.

There is presently pending before the Senate a bill to allow the further development of geothermal steam sources in the Western United States. If this measure is enacted, this source could provide steam to power electric generating facilities for the large metropolitan areas on the west coast.

To help avoid future energy crises, the Congress must keep abreast of this and other new energy possibilities and when appropriate, act to insure full and orderly development.

No one who has studied our energy potential can reasonably doubt that this country has the reserves needed to supply our needs for the indefinite future. An enormous supply of untapped natural gas, coal resources to last hundreds of years, abundant oil reserves yet untouched, a vast potential supply of nuclear fuel and new exotic power sources, could provide abundant energy for all our needs. Yet, in spite of our rich natural endowment, the United States is today facing acute shortages of fuels—all kinds of fuels—to powerplants and industry, to generate electrical power, and to heat homes, schools, and hospitals. And the trend of further increases in consumption accompanied by paradoxical decreases of domestic production are predicted indefinitely for the future. Mr. President, the Congress needs to find why, so that needed corrective action can be taken—now, before it is too late.

In 1965 the United States consumed 4.2 billion barrels of petroleum and petroleum products. It is estimated that by 1980, U.S. consumption will reach 6.5 billion barrels per year. That is a 54-percent increase in 15 years. The ratio of new U.S. crude oil reserves to production has been in a declining trend since 1950.

Mr. President, at this point I ask unanimous consent to insert in the RECORD an article from the Wall Street Journal concerning the decline in crude oil reserves.

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

[From the Wall Street Journal, Apr. 8, 1970]

CRUDE OIL RESERVES FELL TO 15-YEAR LOW IN 1969

NEW YORK.—Proved domestic reserves of crude oil fell to the lowest level in 15 years last year, and combined oil and gas liquids reserves were the lowest in more than a decade.

Proved reserves of crude oil at year-end totaled 29.6 billion barrels, down one billion barrels, or 3.5%, from a year earlier, the American Petroleum Institute reported. Combined reserves of oil and gas liquids totaled 37.8 billion barrels, down 1.5 billion barrels, or 3.9%.

This is the sixth year in the last decade in which proved U.S. oil reserves have declined, and the third year in succession. Earlier this week the American Gas Association reported that proved U.S. reserves of natural gas fell for the second consecutive year in 1969, after 20 years of steady increases.

The oil reserves figures, however, continue to omit the probable major amounts in the vast Prudhoe Bay oil field on Alaska's North Slope. The institute's committee compiling the statistics said the North Slope reserves are indicated to be extensive, but couldn't be evaluated quantitatively. They said that competitive factors prevented operators on the North Slope from providing the proprietary engineering and geological data needed to estimate reserves.

Mr. BELLMON. The natural gas picture is no better. In 1965 the consumption of natural gas in the United States was over 16,000 billion cubic feet. By 1980, it is estimated that requirements for natural gas will reach about 30,000 billion cubic feet a year. This is close to 90 percent more natural gas in 15 years. Production and development of natural supplies are declining.

Mr. President, I ask unanimous consent to insert into the RECORD an article from the Tulsa Daily World indicating the decline in natural gas reserves in the United States.

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

[From the Tulsa Daily World, Apr. 6, 1970]

U.S. NATURAL GAS RESERVES DECLINE SECOND YEAR IN ROW

NEW YORK.—Saying the "urgency of stepping up oil and gas exploration was underscored, the American Gas Association Sunday reported the nation's proved natural gas reserves declined in 1969 for the second year in a row.

The AGA committee on natural gas reserves estimated year-end proved reserves at 275.1 trillion cubic feet compared with 287.3 at the end of 1968.

The committee, which has reported annually since 1946, is presently headed by John C. Jacobs, senior vice president, Texas Eastern Transmission Corp., Houston.

This 4.2 per cent drop resulted when production climbed 7 per cent to a record 20.7 trillion cubic feet, while gross additions to reserves totaled 8.4 trillion, compared with 13.7 trillion a year earlier.

"We are disappointed but not surprised by the reserves figures," said J. W. Heiney, AGA president. "Unless this situation is corrected, the natural gas industry will be severely hampered in its efforts to expand output to meet the rapidly growing demand. Similarly, its contribution to combating air pollution, by providing a clean-burning fuel, will suffer."

Heiney, president of Indiana Gas Co., Inc., Indianapolis, emphasized that such a brake on the industry's ability to play its full part in the energy economy would be an artificially-induced shortage.

Although proved gas reserves have declined, potential gas reserves—that is, gas believed to be in the ground but yet to be discovered—are larger now than ever before.

The potential gas committee, in a study released last summer by the Colorado School of Mines, estimated potential gas supply—in addition to proved reserves—to be 1,227 trillion cubic feet. Nearly double the committee's estimate of two years earlier, this would be sufficient supply to meet indicated needs into the 21st century.

Proved reserves in Alaska, where vast potential gas deposits are believed to exist, are currently reported at 5.2 trillion cubic feet. This amount does not include estimates for the Prudhoe Bay area because of non-availability of data the committee requires to make such estimates.

The gas industry has consistently urged Congress to strengthen exploration incentives. It is also in favor of retaining a quota system on oil imports, rather than adopting a tariff system which it believes would further discourage U.S. petroleum exploration and development.

"Any decline in the search for oil would automatically reduce the search for gas," Heiney said. "Yet as the reserves figures show, what the industry needs now more than anything else is more not less, exploration."

The reserves committee also estimates that natural gas liquids reserves declined 455 million barrels to 8.1 billion barrels with production reaching a record 736 million barrels.

Canadian reserves, the Canadian Petroleum Association reported, climbed from 47.7 to 52.0 trillion cubic feet despite peak production of 1.6 trillion.

The five leading natural gas States experienced reserves declines as follows—Texas, down from 119.0 trillion to 112.2; Louisiana, from 88.0 to 85.1; Oklahoma, from 18.3 to 17.6; New Mexico, from 15.1 to 14.3; and Kansas, from 14.5 to 14.1.

Concurrent with the AGA report on natural gas reserves, the American Petroleum Institute's annual report indicated a continuing decline in crude oil reserves.

"The oil experience," continued Heiney, "reminds us that this nation has an overall energy supply problem. In recent weeks several officials of the national administration have called attention to problems with electric power, coal, and oil. There isn't just a gas shortage. There's an energy shortage. And, as I have indicated, there are compelling public interest reasons by the solution to our particular part of the energy shortage should have top priority."

Mr. BELLMON. Coal consumption in 1965 totaled 5.2 million tons. It is estimated that by 1980 the United States will consume over 800 million tons of coal a year. That is approximately 60 percent more coal than this Nation consumed in 1965. Today coal production is lagging behind demand for that fuel source and it is estimated that pollution control measures and the enforcement of the Coal Mine Health and Safety Act passed by this body a year ago will further hamper increased production efforts.

In 1968 nuclear powerplants produced approximately 3,000 megawatts of electricity. It is estimated that 150,000 megawatts of power will be produced in 1980. This is an increase of 4,900 percent capacity. Even with this tremendous pro-

portional increase, the nuclear power industry is expected to supply less than 5 percent of the total energy requirements of this country in 1980.

From this it can be seen that this Nation is failing to meet its present energy needs and its tragically apathetic about meeting future requirements. As a result, we are face to face with a dilemma which must be solved. To find a solution Government must first get the facts in order to make correct decisions and set a course for the country. Only then will investors in the energy industry feel secure in making the huge investments required. The name calling and finger pointing which has gone on will heat no homes and power no factories. As long as uniformed or misinformed charges about the high cost of energy from domestic sources are current, and as long as false reports are circulated, this Nation will go backward—toward energy starvation.

I believe it is fair to ask, where can the United States acquire adequate energy fuels to supply the immediate needs of this country and insure that adequate supplies will be available for the future needs of the United States? This country could increase its reliance on energy from foreign sources. The theory is that there is an abundant supply of energy fuels outside the United States that can be purchased at lower prices than domestic products. The theorists postulate that consumers could save money by destroying the domestic energy industry and reducing this Nation to a state of energy dependency.

Recent occurrences in the Middle East and the resulting jump in the costs of imported crude oil have proven the utter fallacy and stupidity of such a policy though few of its advocates have had the grace to admit the folly of the policy they have advocated. It is fortunate for the country and the consumers of energy that such a policy has not been followed since it would now cost $11 billion more per year to buy crude oil and natural gas from Middle East sources than from domestic sources.

This is not the first time conditions have arisen to show the utter folly of depending upon insecure sources for fuel. In 1967 a political upheaval in the Middle East drastically curtailed the flow of petroleum products to the United States and the rest of the free world. Costs skyrocketed and the situation was saved only by the reserve producing capacity of our domestic petroleum industry.

This time we may not be as fortunate. My State of Oklahoma no longer has reserve producing capacity. The percentage allowable in Oklahoma on wells is presently 150 percent as of December 1, 1970. In December 1969 the percentage allowable for the same type operation was 100 percent. In December 1968 the percentage allowable was 90 percent. In December 1967 the percentage allowable was 54 percent.

The latest production-nomination figures are for October 1970. In October 1970 the nomination demand was 656,575 barrels of crude oil per day. Production was 605,048 barrels per day or over 50,000 barrels per day short of demand. The nomination demand for December 1970 is 650,559 barrels per day. The shortage is expected to remain at about 50,000 barrels per day. This situation has existed for over a year.

Production has increased slightly with the increase of the allowable but still the industry is unable to meet the demand because the existing wells are unable to meet the demand capacity.

Mr. President, I have a table which graphically shows the figures I have just given. I ask unanimous consent that the tables may be printed in the RECORD.

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

	Thousands of barrels daily	Percent allowable
Oklahoma production:		
1967	632.2	54
1968	611.0	90
1969	615.7	100
1970	(1)	150
Texas production:		
1968	3,096.7	52
1969	3,155.5	68
1970	(2)	83

[1] Estimate current production as of Dec. 1, 1970.
[2] As of Dec. 1, 1970.

Mr. BELLMON. Mr. President, if we cannot meet the demands, further price increases of imported petroleum products are certain.

Our country is not the only nation in the world that has an expanding energy demand. Japan, Western Europe, the Soviet bloc countries, the Soviet Union, and the developing nations of Africa are all rapidly increasing their demand for fuels to supply their own energy needs. This sharpens competition for the available supply and will almost certainly further increase the cost of energy fuels from foreign sources.

For most of these nations the only hope for improvement lies in the national income generated by sales promotion. It is from petroleum sales that funds to pay for schools, hospitals, highways, water and sewage system comes. For these nations their endowment of petroleum is the only substantial marketable product they have. For them petroleum is their "pearl of great value." It is depletable and irreplaceable and once it is gone, hope for national development will be gone.

Why, then, should the developed nations where most of this petroleum is marketed conspire to drive down international oil and gas prices. We pretend to favor helping underdeveloped nations. With great sanctimony we and a few other rich nations provide a pittance of "foreign aid." At the same time, through force of our economic strength, we take from them at bargain-basement prices the only resource they have available for helping themselves.

Mr. President, our Nation must have an increasing supply of energy fuels to allow it to continue to achieve industrial and social progress and to discharge our international responsibilities. The question is where and how can our Nation best acquire the needed energy. There are only two possible answers. The energy will come either from secure domestic sources or from insecure foreign sources. I submit that the only sane answer lies in the development of domestic energy resources rather than further reliance on outside supply. While the Nation safely can and should purchase a substantial portion of its energy needs from foreign sources, the maintenance of a strong, dependable domestic energy industry is essential for security, economic, and humanitarian reasons.

Mr. President, I ask unanimous consent to have printed in the RECORD a table showing the conditions in some of the countries from which we buy oil. The figures show the conditions in the countries of Indonesia, Venezuela, Nigeria, Iran, Saudi Arabia, Iraq, the United Arab Republic, Libya, and Kuwait compared with conditions in the United States.

The table shows the drastic need for better schools, better health, and better public services. It demonstrates the need for an improvement in the quality of life in many countries from which we buy petroleum. I believe that Senators will find the table valuable when they come to decide whether this country is following a sane, humane policy when it comes to the prices paid those countries for our fuel oil imports.

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

CHART I

	Population (in millions)	Number of persons per physician	Life expectancy in years	Number of persons per teacher	Literacy rate (percent)	GNP per capita in dollars	Total Government revenues (in millions of dollars)	Oil revenues portion	Total Government expenditures	Education expenditures		Health expenditures		Highway and communication expenditures	
										Millions of dollars	Per capita	Millions of dollars	Per capita	Millions of dollars	Per capita
Indonesia	114	34,820	48	313	60	$100	$406	$17	$406						
Venezuela	10	1,210	66	152	90	880	2,062	1,268	2,464	$307	$31			$69	
Nigeria	62	44,230	46	531	32	80	524	100	523						
Iran	28	3,880	45	286	28	297	2,141	1,063	2,730	260	9				
Saudi Arabia	8	13,000	35	444	10	478	1,134	943	1,230	88	11	$38	$5	117	$15
Iraq	10	4,760	50	165	22	278	821	457	1,050	148	15	31	3		
UAR (Egypt)	34	2,380	53	210	40	183	1,483	60	2,328	269	8				
Libya	2	3,160	50	219	30	1,644		1,120							
Kuwait	0.7	750	50	99	54	4,111	889	782	889	27	39	16	23		
United States	204	850	73	92	95	4,500	260,000		280,000	40,000	196	9,000	36	41,000	58

Mr. BELLMON. Mr. President, any other course will be a great disservice to our citizens and to friendly nations. That opinion is not universally held and Congress needs to find which viewpoint is correct. Only then can this Nation embark upon a well-thought-out course to meet our energy needs now and in the future. There are other questions which need answers.

President Nixon's action, had it been taken for this reason, would have been commendable. Taken for the reason announced, which is to force down petroleum prices throughout the world, it amounts to a slap in the face to the energy industry and may prove to be a disincentive which will discourage accelerated fuel production, aggravate already critical shortages and contribute to higher fuel costs.

Vast new reserves of crude and natural gas have recently been discovered in Alaska. This source of energy can provide some relief, though it is likely that consumption will rise about as rapidly as Alaskan oil flows develop. Utilization of Alaskan petroleum is impossible until transportation facilities are built.

A trans-Canada pipeline is now in the study phase. If and when this source of energy is available for consumption in the United States, the cost for the natural gas delivered by this new system is estimated to be close to 60 cents per million cubic feet. Liquefied natural gas from Algeria landed at the Port of New York is costing $1.20 per million cubic feet—triple the delivered price of gas from Mid Continent. The supply of gas from Algeria is extremely uncertain since the Algerian Government has negotiated a contract giving the French Government priority. At the same time, the Federal Power Commission is controlling wellhead prices on Mid Continent Natural Gas at the unbelievably low price of 10 to 15 cents per million cubic feet. The price is so low that operators lose money and drilling of new wells is virtually at a standstill. Why does the Federal Power Commission pursue this ridiculous policy? Do we really need Federal regulation of natural gas prices or can the market set the price? Congress needs to find out.

Mr. President, there is another troublesome aspect of the President's action. As is common, even necessary in the executive branch of Government, the President's action represents a conclusion and it is impossible for the country or the Congress to know the basis or the facts upon which this conclusion was reached.

In the critial and complex energy field, which conflicting political forces seems to have chosen for a battleground, the country and Congress must know what the facts are. In addition, Congress must have a means of remaining current as conditions change.

The Senator from West Virginia (Mr. RANDOLPH) has introduced S. 4092, a bill to establish a Commission on Fuels and Energy "to recommend programs and policies intended to insure that U.S. requirements for low-cost energy will be met and to reconcile environmental quality requirements with future energy needs." Senator RANDOLPH has been joined by 52 coauthors of the proposed legislation, of which the junior Senator from Oklahoma is one.

Mr. President, while I believe there is much merit in S. 4092, I have since reached the conclusion that it does not go far enough.

At this crucial time, the Nation needs a congressional forum where issues relating to energy problems can be publicly raised and debated before vitally important legislative or administrative actions are taken. Public discussion will serve to inform and educate both citizens and Government officials so that decisions once reached can be better understood and more widely supported.

Mr. President, it is my intention to introduce legislation creating a Joint Committee on Energy made up of Members of both Houses of Congress as quickly as possible after the 92d Congress convenes.

There are too many unfounded charges relating to the Nation's energy condition. There is too much uncertainty, too few facts, too little knowledge, too much political haymaking on both sides of the energy issue. In addition, the gnomes at the White House who seem to do their work in secret and apparently in the dark, so far as accurate information is concerned, could be greatly helped toward sound conclusions by a thorough and continuing congressional review of the Nation's energy condition.

The issue which must be decided by Congress and the citizens of this country is whether the United States shall remain self-sufficient in the production of energy fuels to meet its basic requirements. I submit that the best interests of the consumers of the country, as well as interests of national security, would be served by an energy policy which fosters the development of domestic sources of energy up to this level with a reserve available for contingencies.

Mr. President, according to the best information available the President's action can possibly result in an increased production of up to 300,000 barrels per day from the Outer Continental Shelf. Whether or not this increase is realized depends upon many factors, including the capacity of the pipelines to move the crude once it comes out of the ground.

Estimates are that demands for crude in this country will increase by almost 800,000 barrels per day during 1971. In that case the increase from the Outer Continental Shelf will be absorbed by May 15.

And indeed, Mr. President, why should not foreign nations be paid a fair price for the crude oil and natural gas they produce. A look at economic and social conditions in most of the oil exporting countries will show that the citizens of these nations are desperately in need of improved health facilities, greater educational opportunities, better food, more adequate transportation, and greater industrial opportunities.

Mr. President, I believe that President Nixon has had some bad advice on this subject. I believe it is incumbent upon Congress to take steps to see that the facts obtained by the executive branch and Congress are based upon the finest information available. I believe that the creation of a joint committee of Members of both Houses will be the best way to secure such information.

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

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

Mr. BELLMON. Mr. President, I ask unanimous consent that I may have an additional 5 minutes.

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

Mr. BELLMON. Mr. President, I am pleased to yield to the Senator from Wyoming.

Mr. HANSEN. Mr. President, I compliment the distinguished Senator from Oklahoma for the highly enlightening address he has just made. I share his concern.

I have the greatest respect for the sincerity of the President in taking the action he did, but I think he took action which was ill advised, because those who are close to him and who advise him in these matters have heeded the wrong counsel of too many people.

With respect to the concluding statement just made by the Senator from Oklahoma, I may say that his views are shared by the distinguished Senator from West Virginia (Mr. RANDOLPH), who said, in speaking to the American petroleum institute:

> We recognize that, to start again in the new Congress next year, after it goes through the pangs of organization, et cetera, will be to lose many valuable months. We could not be sure we could persuade the Administration to accept the partnership concept for making fuels and energy studies and for developing national policy guidelines. Hence, I would be agreeable if, before the 91st Congress adjourns, the Senate Committee on Interior and Insular Affairs were to empower itself to make a detailed fuels and energy study and report its recommendations during the two-year life of the next Congress.

I think that is essentially what the distinguished Senator from Oklahoma was saying. I certainly do believe that that is the course of action that should be taken. Only by holding hearings and looking into the critical matters can we be certain that we are proceeding in a manner which will best assure the success and adequacy of our fuels energy in this country, and at the same time provide for us a national security that would otherwise be placed in real jeopardy by our becoming increasingly dependent on foreign sources of supply.

Mr. President, the action just announced by President Nixon is another step toward the eventual decimation of the domestic petroleum industry. I cannot believe that the President, if he realized the full implications of his proposals to further increase imports of Canadian oil and capacity production from Federal offshore leases, would approve such measures.

Mr. President, this action is apparently aimed at the major oil companies who recently posted price increases for domestic crude and oil products. As I told the President in a telegram Friday, I believe such increases were justified.

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

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

DECEMBER 4, 1970.

The PRESIDENT,
The White House,
Washington, D.C.:

May I beseech you to carefully consider the following before approving any such drastic actions toward the petroleum industry as demanded by Senators Proxmire, Kennedy and Hart.

(1) A fair and impartial investigation will undoubtedly support the basic necessity of recent crude and gasoline price increases.

(2) The increases were minimal as well as overdue and must be sustained if the industry is to invest the billions of dollars necessary to insure long-term U.S. energy needs.

(3) Compared with other prices, crude, home heating oil, gasoline and natural gas has not reflected the inflationary trend nearly as much as other products and the industry has absorbed a large part of its higher labor, steel, machinery and other costs in an effort to avoid price increases.

(4) A Price Waterhouse study just completed of 38 of the larger oil companies producing 56 per cent of U.S. crude shows the total inputed industry effect from the Tax Reform Act of 1969 as $658 million on 1968 earnings and will be more for 1969 and 1970.

(5) The study also shows that despite a 7.9 per cent increase in revenues by the group in 1969 over 1968 net income fell 1.6 per cent. On domestic operations the rate of return declined from 12.2 per cent in 1968 to 11.0 per cent in 1969 and the rate of return was significantly below the average return of 11.7 per cent reported for all industries.

(6) The report also indicated a decided shift in the group's sources of capital funds. In 1959 cash earnings represented 91.3 per cent of the source of funds: the comparable figure for 1969 was 76.4.

Increases in heavy fuel oil prices are mainly because of excessive dependence on imports. Any relaxation of present quotas or changes in domestic production patterns or procedures should, in my opinion, be carefully weighed against the overall long term effects on the ability of the domestic industry to develop and produce the rapidly accelerating energy demands of the nation.

CLIFF HANSEN,
U.S. Senator.

Mr. HANSEN. Mr. President, I cannot understand why some of the President's advisers considered such arbitrary, precipitate, and drastic action necessary after previously announcing that there would be an investigation of the price increase and inviting comment from the industry by formal notice in the Federal Register.

The industry did comment but was not given the benefit of an open hearing or even prior notice of the proposed action announced by President Nixon Friday evening in New York.

Mr. President, the action to produce adjacent Federal offshore leases at capacity would not only violate sound conservation practices but would also force the State with adjacent leases to overproduce their own leases to protect correlative rights.

The same thing would apply should the provisions of the Connally Hot Oil Act be suspended and each State and each lease owner should be forced into a wasteful production race which would actually be in violation of State laws that have been upheld by the Supreme Court.

Those who advise the President in oil matters obviously do not know the history or background of the State conservation and proration laws that brought order out of chaos almost 40 years ago when overproduction and waste had almost wrecked the oil industry and gas was flared into the air or often not flared at all but just vented in order to produce more oil.

These conservation and orderly production laws have saved inestimable billions of barrels of oil and trillions of cubic feet of natural gas that would otherwise have been wasted or never recovered.

Mr. President, the 12.2-percent figure we see used for the rate of oil imports is absolutely meaningless. During the past few days the Washington Post has repeatedly referred to oil imports as 1,300,000 barrels daily. Not once to my knowledge has the Post mentioned the fact that refined products are coming in at the rate of more than 2 million barrels per day. This is mostly residual, the price of which has almost doubled during the present energy crunch and which is almost all imported—more than 90 percent of all east coast needs.

And after the domestic industry, by Federal request and at considerable expense, converted refinery capacity to make up a shortage of residual because of a worldwide shortage and after the States, particularly Texas and Louisiana, had increased production to make up a shortage of foreign crude oil, what thanks does the industry get?

Mr. President, if the President's oil advisers have no more concern for the Nation's most important energy industry nor the future energy requirements of this country than to take such action, then I believe it is high time that Congress acted to save the President from those who have such little understanding of the real economics or national security aspects of the oil and gas industry in the national energy picture.

Those who profess to help the consumer by condemning the industry for price increases that will only give it a fair return on its investment are actually playing a cruel hoax on the American public because we would be left at the tender mercies of Middle East and North African oil producing countries when we lose our self-sufficiency in oil and gas production.

The protectors of the public are already protesting proposed well-head increases in the price of gas but are saying nothing of proposals to import gas from Canada and Algeria at rates up to more than double the price of domestic gas delivered to the east coast. What kind of consumerism is that?

Those who continue to cry for more Canadian imports fail to mention the fact that Canada imports more than half of her own needs while exporting more than half of her production to the United States. Who would have priority over that Canadian oil should Canada's own imports be disrupted?

Mr. President, the following is what Glenn Nielson, chairman of the board of Husky Oil, a company that operates in both Canada and the United States, has to say about oil imports from Canada:

Nielson spoke in October, to a Canada-United States Joint Chamber of Commerce Committee in Toronto:

To assure the utmost security of North America, it appears that it would be in the best interests of both Canada and the United States to develop policies which will minimize the dependency of both countries on insecure sources of imported oil.

Let me remind you that 21% of the petroleum requirements for the United States are supplied from imported crude, fuel oil and other petroleum products. More than 50% of Canada's requirements are imported mainly from overseas. More than 40% of Canada's population are not even served by a pipeline, and 50% of her industrial capacity are dependent on this unstable source of supply. This over-dependence must be changed if we are to have security in North America.

The United States should continue to control its volume of imports through a quota system providing if possible for a lesser ratio of imports to domestic demand. If the United States producing capacity cannot meet her share of the requirements, only then should imports be increased with preferential treatment being accorded Canadian production.

Canada should develop an import control system which, over a period of time, will reduce its current level of dependency on overseas imports. Under such a program the short-fall between demand and imports would then be satisfied by use of Canadian oil. At the present time this would require pipelines for the transportation of western crudes to Eastern Canada.

Perhaps the most important factor can be termed the "Political Climate." Both the United States and the Canadian governments should foster governmental regulations and policies that will create an atmosphere of confidence to attract the fluid capital that can flow any place in the world. Only through this means can we hope to compete for the sorely needed capital to supply our needs for energy, the life blood of our economy.

For years I have firmly believed that the long-range answer for North America is closer cooperation and planning between our countries. With respect to the mutual benefits that could accrue to our citizens, I find myself repeating these words from "The Line That Joins":

"Canada, with her super-abundance of natural resources, and the United States, with her large and growing markets, have a most logical basis for integrated and cooperative programs. With minimum cooperation, these two countries already lead the world in gross national product per capita. With full cooperation, and the increasing use and need for energy and natural resources, there would be no limit to their combined potential.

"Canada and the United States would make ideal partners for integrated market programs. No other two countries in the world today are as closely related or have such similar economic climates. There are no language barriers. Education, compensation, and the standard of living are almost equal. Both nations are rich in human and natural resources. Both have freedom of enterprise, speech and worship, which I hope and pray we will never lose."

So, Mr. President, if those who advise President Nixon refuse to recognize these fundamentals of the oil import program and the vital necessity of a healthy and viable domestic petroleum industry, then I believe it is high time the Congress acted and acted quickly.

I propose to ask the chairman of the Interior Committee of the Senate to instigate an investigation into the U.S. fuels and energy situation as quickly as possible.

I ask unanimous consent that certain excerpts from the Chase Manhattan Bank's letter of October 1970 labeled "The Petroleum Situation," be printed in the RECORD at this point.

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

THE PETROLEUM SITUATION

WORLDWIDE OIL

The Free World's demand for oil appears almost insatiable. During the first nine months of this year it exceeded 40 million barrels a day. The task of handling this huge quantity of oil, and seeing it through from the production stage to refining, and then to marketing, calls for expertise of the highest order. A minor disruption in this complex logistical system immediately becomes front page news. It is worth reflecting, however, that almost every day of the year the world's total oil requirements are safely delivered to consumers.

The growth of demand is as impressive as the volume. Thus far in 1970 it has exceeded 9 percent. This represents an increase of nearly 3½ million barrels a day—an amount equal to the entire output of a major producing nation such as Libya, Iran or Venezuela. Within the United States the January through September demand for oil recorded a 5 percent increase over the year-earlier level. In the rest of the Free World, the rate of demand growth was more than twice as great—almost 12 percent. Historically, gasoline and jet fuels have been the fastest growing products in the United States, while fuel oils have been the market leaders in Europe and Japan. But in 1970, fuel oils have been the fastest growing products in the United States also.

Throughout the Free World, the demand for fuel oil has grown more rapidly than could have been forecast earlier in the year. In one nation after another traditional consumers of coal are switching to oil in an effort to solve local air pollution problems. In addition, the increased demands in the Persian Gulf, stemming from the rupture of the Trans-Arabian pipeline, and the production cutbacks in Libya, have increased the demand for fuel oil for use as ships bunkers.

Year by year, the United States buys more and more of its fuel oil needs in foreign markets. In the past, this has been advantageous to the consumer, since foreign prices were lower than domestic prices. However, 1970 is different. The potential demand is outstripping the available supply on a worldwide basis, and the United States is obliged to outbid other nations if it wishes to satisfy the demand for fuel oil.

THE VITAL ROLE OF PROFITS

In the third quarter of 1970, petroleum industry earnings began to exhibit some signs of recovery. The combined net income of the 26 companies comprising the group this Bank has under continuous survey was approximately one-half of 1 percent higher than in the same period a year earlier. It was the first gain the group has been able to achieve in the past 5 consecutive quarters. Not all of the companies experienced an increase, however; in fact, half of them suffered a decline instead.

Despite the somewhat better results in the third quarter, the group's net earnings for the year to date were 4.5 percent smaller than in 1969. And, if the net income for the entire year were to equal that of last year, a gain of 14 percent in the fourth quarter would be necessary—an unlikely prospect.

But merely matching last year's earnings is not good enough. As the worldwide needs for petroleum continue to grow, so must the petroleum industry's net income. Otherwise, the industry cannot make the capital investment required to satisfy the market demand. Within the past decade the Free World's oil needs have doubled. And within that period the petroleum industry has had to double the capacity of its refineries, tankers, pipelines, and the vast array of marketing facilities. In addition, it has had to maintain a continuous, expensive, and often fruitless search for new sources of petroleum. All of this has cost enormous sums of money. And much larger amounts will be needed in the decade ahead. But that is not all; approximately 50 percent more money will be required for repayment of debt, enlarged working capital, and dividend payments.

The industry has three sources of funds to accommodate its needs: net earnings, the various provisions for capital recovery, and borrowed capital. Of the three, borrowed capital is the smallest source. And the amount of borrowed capital available to the petroleum industry is limited by the over-all availability of money in the capital markets and the degree of competition for such funds. The amount of money that can be obtained from the provisions for capital recovery is also restricted—by the size of capital investment in the past and by law. As readers will recall, this source of capital funds was sharply reduced by the Tax Reform Act of 1969. Consequently, net income must of necessity assume a greater role in the process of capital formation.

If net income is to assume that role, the petroleum industry's pricing mechanism must be sufficiently free to respond to all economic forces. But such is not the case. The current lack of earnings growth is clear-cut evidence that petroleum prices are too low relative to costs. And even though the industry's earnings over the past decade grew at what appeared to be a healthy rate, the expansion nevertheless was not large enough to generate all the capital funds required. Consequently, capital spending—particularly that devoted to the search for new reserves of oil and gas—was less than adequate. And the current shortages of both oil and gas in the United States can be traced directly to that development. Intense competition of the type that prevails in the petroleum industry always imposes a ceiling upon price. But restraints of various forms applied by government have constituted a much stronger and unnatural force.

As stated earlier, the petroleum industry's financial needs for capital expenditures and other essential purposes in the Seventies will be very much larger than in the Sixties. A realistic projection of the industry's cash flow, based upon the existing price structure, indicates it will fall far short of generating the funds required. Without any form of relief, the industry will be unable to satisfy all market needs. And a shortage of petroleum would cripple economic activity. That, in turn, would surely trigger political repercussions.

The hour is late. And the time for correction is immediate. Clearly, the petroleum industry's net earnings must grow at a substantially faster rate in the decade ahead. That can happen, of course, only if prices are brought into realistic alignment with costs. There is a need to adjust prices, not only in the United States, but abroad as well. And, because of the complex structure of the industry, numerous adjustments are necessary. There are both independent and integrated producers, refiners, transporters, and marketers. And all have growing needs for capital funds. Therefore, the price of crude oil, natural gas and all refined products must be high enough to generate sufficient funds for capital investment and other essential purposes. And they must also be high enough to encourage reinvestment. The competition for capital funds is intense and there are many opportunities for alternative investment.

No consumer welcomes higher prices of any kind. But, in the case of petroleum, consumers have been getting a great bargain relative to the cost of other essentials. And over the past decade, the cost of petroleum has risen far less than that of other essentials As the current shortage of natural gas has progressively developed, consumers have left no doubt that they consider price very much secondary to availability

As problems worsen, forces of correction are a normal result. And recently announced increases in the price of crude oil and some refined products are examples of that process. Unfortunately, the advance triggered a certain amount of criticism, particularly on the part of government. In view of the nation's vital needs for petroleum, the developing shortages, the petroleum industry's record of inadequate earnings reduced capital recovery as a result of the Tax Reform Act of 1969 and the rapidly growing capital requirements the criticism appeared very much out of order. And it doubtless worsened the climate for investment at a time when the reverse is very much needed. The nation would be far better served by positive constructive actions designed to assure an adequate supply of petroleum in the future for all consumers.

Mr. HANSEN. I also ask unanimous consent that a letter from the president of the Independent Petroleum Association of America, addressed to the President of the United States, with a copy to me, be printed in the RECORD.

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

INDEPENDENT PETROLEUM
ASSOCIATION OF AMERICA,
Dallas, Tex., December 7, 1970.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: This is to convey to you our deep concern about your actions to rollback the recent increases in the price of crude oil and gasoline.

I most respectfully submit that your actions are based on misinformation and are not justified by the facts. The price of crude oil before the increase was 4 percent above the 1957–59 base period and with the increase it would be only 11 percent above the base period as compared with the cost of living which is up more than 37 percent; industry hourly wages up 53 percent; wholesale prices up to 18 percent; other crude minerals up 45 percent; and during the past 12 months alone the increase in hourly wage for the private nonfarm sector was 7 percent. In the light of these simple facts and by singling out one industry, your actions against the 8 percent increase in crude oil prices can only appear to us to be discriminatory and therefore punitive. We are also dismayed that you would condemn this 8 percent increase while it is under study by the Director of the Office of Emergency Preparedness.

Also, analysis of the history of the state conservation laws will show that you have been misinformed in your statement that such laws "interfere with the freedom of our domestic market system." There is no evidence to support this statement or the inference that as a result of the conservation laws consumers have paid higher prices. The long history shows that crude oil prices have been stabilized at declining levels under state conservation laws. For 40 years prior to these state laws the average price in constant 1958

dollars was $2.88 per barrel; for the first 25 years under these laws the average was $2.67; and for the past 11 years the average has been $2.63. The state laws are administered by personnel with much expertise and long experience and their replacement with less experienced federal employees involves training and added expenditures at a time when you are striving for a reduction of deficit spending.

Your actions condemn consumers of gasoline and home heating oil to the same ill-fate and hardships now being experienced by consumers of residual fuel oil on the East Coast who are faced with shortage and substantial increases in prices. Residual fuel oil is the only product that is not under the Mandatory Oil Import Program and as a result the East Coast has become 95 percent dependent on imports. Your actions will ordain that consumers of all other oil products will become increasingly dependent on imports and the accompanying uncertainties of supply and price. A shortage of domestic production can be predicted because already the cash flow of the industry is inadequate to do the necessary exploration to meet growing demands. The 25 cent increase in crude oil prices perhaps will not even offset the 20 cents per barrel of additional tax imposed on the industry by the 1969 Tax Act. If the crude price increase is not permitted to stand, the impact will be primarily on independent producers who do most of the exploratory drilling because they are dependent substantially on internally generated funds. Furthermore, consumers are already faced with shortages of natural gas. This is widely recognized as being caused by the unrealistically low prices set by the Federal Power Commission. Your actions on crude oil will aggravate the natural gas shortage because the exploration of oil and gas are inseparable.

We are confident if you will order a reevaluation of the facts, you will find them as we have outlined. In the interest of protecting U.S. consumers from shortages and inordinate price increases for both oil products and natural gas, and so as to provide assurance of the availability at all times of oil for the security of the Nation, we respectfully and earnestly appeal to you to do so and to reconsider the actions you have taken.

Respectfully yours,

ROBERT E. MEAD.

Mr. HANSEN. I thank my distinguished colleague.

Mr. BELLMON. I thank my colleague from Wyoming. He has long been one of the leaders in attempting to call the attention of the Senate and the citizens of the country to the energy crisis we have in the United States, and I greatly appreciate his comments.

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

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

Mr. BELLMON. I yield to the Senator from Montana.

Mr. MANSFIELD. I must apologize for not being present to hear what the distinguished Senator from Oklahoma said, because of a commitment of an emergency nature which suddenly arose. But I do look upon him, upon the distinguished Senator from Wyoming who has just spoken, and upon the distinguished Senator from Kansas (Mr. DOLE) as leaders in the field and champions of the domestic oil industry.

May I say that I was interested in what the President said Friday before the National Association of Manufacturers. I was somewhat disturbed, however, that he selected only the oil industry and the construction industry. Considering the shape of the whole economy, I think they are being unduly and very likely unfairly singled out—at least that is true as far as the oil industry is concerned.

I would hope that the President would look at the whole picture, recognizing the whole situation in which our economy now finds itself. In that way our most difficult economic situation could be faced up to. This is not a partisan matter. The previous Democratic administration has to take its share of the burden of responsibility, because, while inflation, unemployment, high interest rates, and the like have increased dramatically in the 2-year period since it went out of office, at least some of the elements in the foundation were laid before that time.

But I do wish to compliment the distinguished Senator from Oklahoma for speaking on a subject which he knows very well, and to assure him that I shall look into the RECORD with interest tomorrow, and read with interest, as I always do, what he has had to say on this most important subject. The Senator from Oklahoma speaks rarely, but when he does, he usually has something important and interesting to say.

The ACTING PRESIDENT pro tempore. The Senator's additional time has expired.

Mr. MANSFIELD. I ask unanimous consent that the Senator from Oklahoma may have 5 additional minutes.

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

Mr. BELLMON. Mr. President, I thank the majority leader for his contribution. He has established himself as a national leader who speaks clearly and without partisanship on these matters of great importance to our country, and I appreciate his contribution this morning.

In line with what the majority leader has said, I call attention to the fact that for the year 1969, profits in the petroleum industry in the United States amounted to 11 percent, based on the stockholders' equity; and there are many industries, including tobacco, furniture, electrical manufacturing, motor vehicles and equipment, and several others that had a higher profit ratio as far as stockholders' equity was concerned. I am at a loss to see why the President chose to single out the oil industry and the construction industry in the fashion which he did.

Mr. MANSFIELD. Will the Senator yield?

Mr. BELLMON. I yield.

Mr. MANSFIELD. Is that 11 percent net or gross?

Mr. BELLMON. The figure I have is identified as a percentage of stockholders' equity. I assume it is a gross figure.

There was a great deal in President Nixon's speech that I thought was very helpful: the fact that the country has changed from an inflationary period——

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

Mr. BELLMON. Let me finish my sentence.

The change from a period of inflation to one of more price stability is certainly one that we need to take note of, but I regret that he chose to chastise two of our important industries in this fashion.

I yield to the Senator from Massachusetts.

Mr. KENNEDY. Notwithstanding what the Senator has said, the fact remains that there has been an extraordinary increase in the cost of oil and oil products to the consumers. I think this is serious most particularly, in the light of the problems that the consumers are facing, up in the New England area, where we have seen, for example, residual oil, the heavy oil used in hospitals and educational institutions, increase in price up to 100 percent; and home heating oil has increased anywhere from 20 percent to 35 percent.

I feel that many of the suggestions included in the NAM speech were arrived at as a result of the findings of the President's own committee charged with investigating the whole oil import issue.

I would be interested if the Senator from Oklahoma could elaborate a little bit on some of the problems the oil industry is facing in terms of meeting these kinds of needs; because, as I understand, as recently as a couple of months ago, crude oil down in Aruba was being bought at $1.60 to $1.80 a barrel. It costs approximately 35 to 60 cents a barrel to process it and ship it up to Boston, and then it was being sold in Boston at about $4.15 a barrel, which represented about a 100-percent profit, or perhaps half a million dollars of profit on each tanker coming up from Aruba, and that profit was being extracted from the consumers of New England.

I know it is difficult to isolate different parts of the oil industry, and I know that the Senator from Oklahoma is speaking in the aggregate of the problems the industry faces; but I can only say that, in terms of a particular part of the country and the problems that New England is facing because of increases in the cost of oil products, it has been one of the most inflationary developments that we have seen. I would be interested in any reaction or response that my good friend from Oklahoma may care to make.

Mr. BELLMON. Mr. President, I appreciate the contribution of the Senator from Massachusetts, and I can appreciate his concern for the New England area. But I believe if he will check the record, he will find that the products he has mentioned, the price of which has admittedly gone up rapidly, are imported products, the increase in cost of which has been due to development in the Middle East and elsewhere. The fact that New England has become dependent upon imported fuel oil and residual oil has meant that the ability to produce those products domestically from American crudes does not exist in this country any longer.

The thing that is happening currently in New England is a situation that could develop nationwide, if this Nation ever becomes completely dependent on foreign sources for the crude oil and the products that we depend on to fuel our factories and heat our homes.

Mr. HANSEN. Mr. President, will the Senator yield at that point?

Mr. BELLMON. I yield.

Mr. HANSEN. I call attention also to the fact, Mr. President, that there have been no import restrictions on residual fuel oil for the east coast for 5 years. This problem, which rightly concerns the distinguished Senator from Massachusetts, cannot be laid at the door of the domestic oil industry. There have been no restrictions on the importation of residual fuel oil, and the very program that he and others have been calling for in the United States is the one that has brought about this drastic and sharp increase in the price of these fuels that are so essential to the east coast.

The solution to the problem really lies, not in giving further encouragement to a policy which places greater dependency upon foreign sources of supply, but rather to encourage a program which takes into account the fact that the only way we can be self-sufficient in this country is to encourage a domestic oil industry that will be able to provide the necessary supplies, so that we will not be subject to the whims of foreign dictators who, one moment say, "We will export tremendous supplies of oil," and then turn around, on the other hand, and with a snap of their fingers sever the Syrian pipeline or shut it off completely. That is exactly what brings about the problem that concerns our good friend, the Senator from Massachusetts.

Mr. BELLMON. Mr. President, I ask unanimous consent to have printed in the RECORD a table showing annual increases in the cost of regular gasoline, which is one of the products most in demand in this country.

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

ANNUAL AVERAGE—55 KEY U.S. CITIES FOR REGULAR GASOLINE

	Retail price of regular grade gasoline			Average hourly earnings, all manufacturing (dollars per hour)	Gallons of gasoline which 1 hours wage will buy	
	Excluding tax	State and Federal tax	Including tax		Excluding tax	Including tax
1926	20.97	2.41	23.38	.542	2.6	2.3
1927	18.28	2.81	21.09	.544	3.0	2.6
1928	17.90	3.04	20.94	.556	3.1	2.7
1929	17.92	3.50	21.42	.560	3.1	2.6
1930	16.16	3.79	19.95	.546	3.4	2.7
1931	12.98	4.00	16.98	.509	3.9	3.0
1932	13.30	4.63	17.93	.441	3.3	2.5
1933	12.41	5.41	17.82	.437	3.5	2.5
1934	13.64	5.21	18.85	.526	3.9	2.8
1935	13.55	5.29	18.84	.544	4.0	2.9
1936	14.10	5.35	19.45	.550	3.9	2.8
1937	14.59	5.40	19.99	.617	4.2	3.1
1938	14.07	5.44	19.51	.620	4.4	3.2
1939	13.31	5.44	18.75	.627	4.7	3.3
1940	12.75	5.66	18.41	.655	5.1	3.6
1941	13.30	5.93	19.23	.726	5.5	3.8
1942	14.46	5.97	20.43	.851	5.9	4.2
1943	14.56	5.97	20.53	.957	6.6	4.7
1944	14.62	5.97	20.59	1.011	6.9	4.9
1945	14.48	6.02	20.50	1.016	7.0	5.0
1946	14.69	6.08	20.77	1.075	7.3	5.3
1947	16.93	6.18	23.11	1.217	7.2	5.3
1948	19.54	6.34	25.88	1.328	6.8	5.1
1949	20.27	6.52	26.79	1.378	6.8	5.1
1950	20.08	6.68	26.76	1.440	7.2	5.4
1951	20.31	6.84	27.15	1.56	7.7	5.7
1952	20.24	7.32	27.56	1.65	8.2	6.0
1953	21.28	7.41	28.69	1.74	8.2	6.1
1954	21.56	7.48	29.04	1.78	8.3	6.1
1955	21.42	7.65	29.07	1.86	8.7	6.4
1956	21.57	8.36	29.93	1.95	9.0	6.5
1957	22.11	8.85	30.96	2.05	9.3	6.6
1958	21.47	8.91	30.38	2.11	9.8	6.9
1959	21.18	9.31	30.49	2.19	10.3	7.2
1960	20.99	10.14	31.13	2.26	10.8	7.3
1961	20.53	10.23	30.76	2.32	11.3	7.5
1962	20.36	10.28	30.64	2.39	11.7	7.8
1963	20.11	10.31	30.42	2.46	12.2	8.1
1964	19.98	10.37	30.35	2.53	12.7	8.3
1965	20.71	10.46	31.17	2.61	12.6	8.4
1966	21.57	10.51	32.08	2.72	12.6	8.5
1967	22.55	10.60	33.15	2.83	12.5	8.5
1968	22.93	10.78	33.71	3.01	13.1	8.9
1969	23.85	10.99	34.84	3.19	13.4	9.2
1970 [1]	24.37	11.14	35.51	3.35	13.7	9.4

[1] 11 months average. Imported products.

RETAIL PRICE—REGULAR GRADE GASOLINE POSTED FROM PLATT'S OIL GRAM

[Index numbers—1957–59=100]

1970	Retail gasoline price			Retail gasoline	
	Excluding tax	Tax	Including tax	Excluding tax	Including tax
January	23.95	11.13	35.08	110.9	114.6
February	22.88	11.13	34.01	106.0	111.1
March	23.74	11.13	34.87	110.0	113.9
April	25.62	11.14	36.76	118.7	120.1
May	24.84	11.14	35.98	115.1	117.5
June	24.89	11.14	36.03	115.3	117.7
July	25.62	11.14	36.76	118.7	120.1
August	23.81	11.14	34.95	110.3	114.2
September	24.49	11.14	35.63	113.4	116.4
October	24.60	11.14	35.74	114.0	116.8
November	23.71	11.14	34.85	109.8	113.9
December					
August (11 months)	24.37	11.14	35.51		

Mr. BELLMON. This chart shows that the cost of regular gasoline has gone up very little during the period of 1950 to 1970. In fact, the income from 1 hour of labor would have brought 5.4 gallons of regular gas in 1950; and in 1970, the same hour of labor will buy 9.4 gallons, which shows that, from the working man's viewpoint, gasoline is still a very good buy and one that is getting better all the time.

The ACTING PRESIDENT pro tempore. The Senator's additional time has expired.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senator may have 5 additional minutes.

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

Mr. KENNEDY. I say to my good friend, the Senator from Wyoming, that I suppose we will be talking about this matter in some detail when the time comes for the proposed trade legislation.

This argument about national security has always amazed me. We in New England always "import" our oil; even when it comes from Texas, it is shipped "overseas." It goes by sea down to Florida and up the eastern seaboard to Boston, and that is supposed to be secure nationally even though it is by ship all the way. But when we want to import oil from Venezuela over almost the same route, we cannot do it, because there is supposed to be a threat of interruptions on the sealanes by foreign submarines.

Of course, a tanker that goes around the coast of Florida, as we saw in the Second World War, is going to be just as vulnerable to any kind of submarine attack as tankers that would be bringing oil from Venezuela. The argument is made about the unpredictability of the dictators or other governments of these foreign countries. Take Venezuela, for example. The practical political fact is that every major political segment in Venezuela is committed to exporting oil to the United States to the greatest degree possible. And the President's own task force report points out that Western Hemisphere oil is so secure that we should make arrangements for increased imports.

So the instability argument is a phony argument that is made, and I know it is well intentioned; it applies, perhaps, to some extent in terms of the Middle East on a scattered and short-term basis. But it is completely inapplicable in terms of the Western Hemisphere situation.

The reason why there is so little domestic residual oil supply at the present time is that the oil companies, quite frankly, find it is more profitable to refine and make higher grade oil products which are protected by the price floor of the import barrier program.

The oil companies are given extraordinary kinds of privileges and protections have been built into the

system by law and executive action. They therefore have an important responsibility to the public not to overreach in taking advantage of their special position. We are one nation, and the workers in the shoe factories and the textile mills of Massachusetts need heating oil in order to heat their homes. They should not have to pay what amounts to a discriminatory tax just to enrich the oil companies.

We cannot get around the fact that the President's own task force report suggested that one of the best ways to reduce the cost to consumers is to strike down the oil import program. The President made at least some move in his NAM speech in the direction of trying to free up the supplies of oil products—and it was an encouraging move as far as it went. But it really was extremely limited and more symbolic than substantive, compared to the power that the President actually has in this field. Nevertheless, already we hear the trumpet sound for retreat.

It is exceedingly difficult for some of us to understand. New England has 6 percent of the population in this country and consumes 22 percent of the home heating oil in the country, and we have just seen the cost of it rise at an extraordinary rate—5 percent in the last few months, a rise which cost New England consumers $45 million in added fuel this winter on No. 2 oil alone. They are asking these questions of their Representatives, and they are asking questions of me and of my Republican colleagues.

When the President talks about making some kinds of adjustments even following along the recommendations of his own task force report, I feel that we ought to be able to give him some support in terms of this, and this is really why I raised this point with my good friends, the Senator from Wyoming and the Senator from Oklahoma.

Mr. HANSEN. Mr. President, let me just make this observation: The President's task force report has been discredited. It has been discredited for very good reasons.

In the first place, some of the assumptions that were made in their report which were accepted as fact have been disproved by——

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

Mr. HANSEN. May I finish this one point?

There was great talk about how much money was going to be saved by importing oil. What are the facts? The fact is that there is not any cheap oil, and the Senator from Massachusetts has already underscored that fact when he spoke about how much the cost of residual fuel oil has been raised in the East. It is not cheap any more.

Mr. KENNEDY. Mr. President, will the Senator yield at that point?

Mr. HANSEN. I yield.

Mr. KENNEDY. The reason is that the oil companies have doubled the price. It costs them as little as $1.60 at Aruba; as little as 35 cents to process and transport a barrel of oil to Massachusetts. But they sell it at $4.15. Why is the cost going up? Because the oil companies have increased it. It is not very complicated. Certainly the cost has gone up, and they are the ones who have increased it.

I remind my friend, the Senator from Wyoming, with reference to discrediting the President's task force report, that the President appointed the task force. The President appointed the task force to study this matter. The President made all this information available. The President asked that this task force report be issued. We know all the efforts that were made to bury this task force report, to discredit it before it came out. But it was the President's task force report, and the recommendations were valid, and I believe three-fourths of the members of the task force supported them. Now we hear from those who wanted it in the first place that the report is being discredited and that the recommendations are not really valid. The President appointed the task force, it completed a comprehensive study, and the committee made its recommendations, and the recommendations have not been followed. As a result, the consumers in the eastern part of this country and the Middle Atlantic States and the farm States in the Great Lakes areas are paying increased prices for home heating oil. It is as plain and simple as that.

Mr. HANSEN. I take it that the point the distinguished Senator from Massachusetts is attempting to make is that this task force was appointed by President Nixon, and that is very true. Let me observe, however, that what has happened is not necessarily that the oil companies have raised the price of oil in Aruba, but it is not coming to the United States as easily and cheaply as it once did. It is not coming to New England as it used to come. It has to come clear around the tip of Africa. The oil line across Syria has been severed, and there has been a disruption in those supplies. This is the very thing we have been pointing out and saying should not be permitted to exist, because it does threaten——

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

Mr. HANSEN. No, I will not yield. I have tried to be courteous, listening carefully to the Senator from Massachusetts, and now if I may take a moment, I would like to say this:

The fact is that the world tanker price has gone up for deliveries to many of the free world nations, because it is a much longer route than it used to be. This is exactly why we are concerned about having a domestic supply which can be depended upon and can be counted upon.

I am perfectly aware of the fact that the price of residual oil has gone up in New England. But I say again, Mr. President, that it will not solve our problems of shortages and rising prices simply to strike down the mandatory oil import program and to depend upon foreign supplies as New England was forced to do until the domestic oil industry increased its production to meet the need.

The domestic oil industry profits are far lower than profits in practically any other area of manufacturing. The thrust of the letter that came from the Chase Manhattan Bank underscores that point. If we want to have that kind of drilling and exploration activity continue which will make certain that we have enough oil supplies in this country, then we must see to it that the industry becomes more profitable.

Those people familiar with the facts on the energy situation tell me that in the gulf coast area, which is counted upon now to fill the breach, they are producing practically the maximum amount down there right now.

The oil industry uses the term "maximum efficiency rate." That means that if we want to get all of the oil and gas out of the ground that we can, that is the level beyond which we should not go.

The Senator from Oklahoma was talking about that this morning.

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

Mr. BELLMON. Mr. President, I ask unanimous consent to proceed for 5 additional minutes.

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

Mr. HANSEN. Mr. President, I was saying that this is one of the points the distinguished Senator from Oklahoma was trying to make, that it does not serve national policy very well to go beyond that point. If we are interested in the economics of the oil business and in the maximum recovery of oil and gas, then we have to listen to the geologists and the engineers.

Mr. BELLMON. Mr. President, the fact is that if the oil reserves are drawn down too rapidly, a very high oil and gas ratio develops, and the gas production, in this way, has to be cleared and the pressure reduced, which means that much of it will be left in the ground.

Regarding the comments of the Senator from Massachusetts (Mr. KENNEDY) as to the wisdom of holding oil prices up, I am sure that he is aware of the fact that most of the countries who produce oil for export, such as the Middle Eastern countries, Latin America, and Indonesia, have low per capita incomes, very low life expectancies, and many other serious social problems.

For instance, in Indonesia, the life expectancy is 48 years; in Nigeria, it is 46 years, and in Libya, it is 50 years.

The literacy rate in Indonesia is 60 percent; in Nigeria it is 32 percent; in Libya, 30 percent.

In Indonesia the gross national product is $100; in Nigeria $80; and in some of the other countries, not much better.

I attended the Interparliamentary Union meeting at The Hague in October of this year, and one of the charges made by spokesmen for some of these countries, as well as other countries, was that this country and other industrialized and well-developed countries are practicing a policy of neocolonialism by taking from the underdeveloped countries their natural resources at bargain basement prices.

It seems ridiculous to me that we in the Senate who have been trying hard to help other countries improve themselves, have them turn around and say that we are trying to take from them the one commodity they have to keep their countries going. That seems to me to be totally inconsistent, and I am curious as to whether the Senator from Massachusetts would agree with me on that.

Mr. KENNEDY. The point the Senator from Oklahoma is making is extremely important, insofar as the relationship between the more industrialized countries of the world and those who are exporting or attempting to export raw materials, in many instances in the "third world," who produce only a single commodity. I think this whole relationship between the rich and the poor nations is something which is going to be, and should be, the basis of foreign policy discussions, and will be a key issue over the period of the 1970's in terms of foreign policy.

The fears and frustration and sense of hopelessness which we saw within the major cities of this country when they exploded during 1967, can very well be the pattern that may be followed by the third world, if they see their opportunities for exporting virtually eliminated because of different barriers erected by various protectionist bills which may be passed or considered in the Senate.

The Senator's point is therefore well taken in these general terms, although I would have doubts about the specific conclusion.

Mr. BELLMON. May I ask the Senator one additional question? I believe the Senator was not in the Chamber when I proposed that we create a joint committee of Congress to look into this whole energy situation, because there are too many charges and too much misinformation going around and we do not know the facts. It seems to me, therefore, that if Congress would undertake to develop those facts in a responsible way, we will know what action to take; and I am wondering whether the Senator from Massachusetts would join me in sponsoring such a piece of legislation so that we can get all the facts we need.

Mr. KENNEDY. The approach is certainly worth considering; but I am not familiar generally with the specifics of the proposal or how this would be set up and then achieved. I do agree that if we were able to get such a report on national energy policy, and really let the chips fall where they may, it would be of great value.

However, I feel that so much information has been obtained and collected already that has not been acted upon. With the greatest of respect for my good friend from Oklahoma, the oil industry generally has interfered directly with the successful implementation of some of the comprehensive and persuasive reports and studies which have been made in the past. Therefore, it is with some hesitancy that a Senator from New England would become involved in another study of this kind, unless we are able to get some very clear indication that the results of the previous studies will first be followed up and implemented. We have had so many of them in the past and so little to show for them.

Let me just say that I would welcome the opportunity to review this matter with the able Senator from Oklahoma—and as our majority leader has stated all of us have deep respect for him and the sincerity of his endeavor. So I would want to make every effort to work with him in this endeavor.

Mr. BELLMON. I thank the Senator from Massachusetts.

Mr. KENNEDY. If I could briefly say to my good friend from Wyoming—I do not know where we are in terms of who has the floor.

Mr. BELLMON. I have the floor, and I am happy to yield further to the Senator from Massachusetts.

Mr. KENNEDY. Let me say to my good friend from Wyoming that when we talk about a 11-percent return for the oil industry, that would indeed be a fair and reasonable return on an investment for a number of other industries in the older parts of the country, especially in New England, in terms of its shoes and textiles which virtually have today a return of not even 3 percent.

Therefore, using the criteria of return upon an investment, and using the figures that were given here, and considering wage increases and rising costs, 11 percent is extremely good. We in New England, particularly in shoes and textiles, have traditionally obtained a return on the investment from 2 to 3 percent. Some of them do not even have even that much and they are two of our oldest and traditional industries—the mainstays of New England.

An 11-percent return on an investment is three and a half times the return on an investment in terms of our industries in New England. So when we see prices going up and oil company profits going up, people in New England ask why.

I want also to say to my good friend from Wyoming that as for exploration and drilling, we should try to work out some kind of arrangement to encourage the smaller, independent companies, by giving them the full depletion allowance, so that they can go and do this exploration. It seems to me that we can work this out. I am sure that my good friend from Wyoming and those from other oil-producing States could make recommendations and suggestions on how we can continue to provide for these advantages to small and independent companies.

But I think the question that really concerns us is why we ought to be providing these kinds of tremendous tax advantages for the majors who are already immensely profitable.

Finally, let me say on this matter—and the Senator from Oklahoma has been kind and generous with his time—that in terms of an increase in the cost of oil, we have a number of tankers in the United States that are mothballed. I do not see why we should be reluctant to permit the U.S. Navy to make contracts with private industry on a contract basis and let those tankers start moving into the trade field rather than having these tankers in mothballs. Why should these tankers not be made available to private industry for the transportation of oil so that hopefully we might bring the price of oil down? Certainly we ought to be able to hold it where it is—but what equity requires is that it be brought down.

We in New England are looking for initiative, creativity, and sensitivity with respect to the problems we are facing. As I mentioned earlier, the consumers in that part of the country have really experienced some of the cruel results of these extraordinary increases in the cost of oil.

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

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senator from Oklahoma be permitted to continue for an additional 5 minutes.

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

Mr. BELLMON. Mr. President, I yield now to the Senator from Wyoming.

Mr. HANSEN. Mr. President, if I may respond to the Senator from Massachusetts, let me say that his suggestion about exploring the use of Navy tankers may have merit. I have no objection to it at all. I simply observe that the responsibility for doing this and for not having used these tankers previously cannot be laid at the door of the oil industry.

The point that I wanted to make—and I hope that I have made it—with respect to the foreign situation, is that many influences have been at work. It cannot fairly be charged that the events that brought about the increase in the price of imported crude from the Mideast was the result of the insatiable appetite of the American oil companies for profit.

Foreign governments are taking a bigger share of the profit, and they will keep on taking a bigger share. They are doing everything they can to see that they get everything possible out of oil produced in their countries.

Mr. BELLMON. Mr. President, as a former Governor of the State of Woming I am sure that the Senator shares my feelings. I do not blame those countries which have oil resources—the only resource they have—for seeing that those resources bring the highest price they can obtain. If they allow those resources to be mined and exhausted without improving the living conditions of their people, they will then be in a position where there will no longer be income from them. Once those wells are dry, there is no more oil or gas.

If the foreign countries do not make an improvement in the lot of their citizens, they will then be in a terrible situation.

This country is wrong in trying to force down the prices to bargain basement levels. We ought to be fair with those countries.

The charts that I have seen show that the production of oil in this country may go up 14 percent and that the level of the imports may come up 18 percent. The problem is that we cannot open up the market so rapidly that we destroy the domestic industry and become totally dependent on the foreign market which is most undependable, as I am sure the Senator agrees.

Mr. HANSEN. Mr. President, the Senator from Oklahoma has underscored one of the fallacies in the President's task force study. They assumed that the price of foreign oil was going to stay just where it was, at a low price. They assumed that we could not only import oil, but could also levy a tax on that oil. To show how far out the task force was, they said that we would not only save the American consumers $5 billion, but that we could replenish the American treasury by adding on a tax. How wrong they

were. The price of foreign crude delivered to American shores has increased two, three, or four times.

Mr. BELLMON. Mr. President, if we were to bring in all of our oil that we use from foreign sources, it would cost the American consumers about $11 billion more than if we were to use domestic sources.

Mr. HANSEN. It would not save anything.

Mr. BELLMON. The Senator is correct. That argument is totally without foundation.

I might also say that my reason for having concern for the foreign governments is because my State has been depleted of petroleum for the benefit of other parts of the country. Some of those who were once rich are now impoverished.

Seminole County, which has produced several billions of barrels of oil over the years, has many of its citizens now on welfare.

It seems to me that the countries having these resources are irresponsible unless they do use them to the best advantage of their citizens.

Mr. HANSEN. Mr. President, I thank my colleague.

Mr. BELLMON. Mr. President, I now yield to the Senator.

Mr. DOLE. Mr. President, I support the suggestion made by the Senator from Oklahoma for the creation of a Joint Committee on Energy. I recognize the very difficult problem faced by the President and the very difficult problem faced by those of us who represent oil-producing States. Therefore, I believe that the creation of such a committee, not just for another study, but for basic suggestions on the entire question of imports and prices, would be of great benefit.

I might say that the independent oil industry in Kansas, Wyoming, Oklahoma, and other States would welcome the creation of such a committee.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, a statement I submitted to the Office of Emergency Preparedness to be considered in their investigation of the recent increases in crude oil prices.

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

STATEMENT OF SENATOR BOB DOLE

Pursuant to notification published in the Federal Register for November 17, 1970, the purpose of this statement is to set forth views with respect to the announced investigation of increased crude oil and petroleum product prices initiated by Gulf Oil Corporation on November 11.

This investigation fulfills the legal obligation of the Office of Emergency Preparedness under Section 232 of the Trade Expansion Act of 1962, which requires "surveillance" of prices for any item subjected to import controls under that section.

The purpose of the surveillance requirement is to establish whether price increases are necessary to accomplish the security objectives of Section 232. This being the primary question, my statement will be concerned first, with the vital necessity of permitting an economic climate in which adequate petroleum fuels (oil and natural gas) will be found and developed, and secondly, with the depressed conditions of the petroleum producing industry in my State of Kansas.

THE ISSUE: ECONOMIC INCENTIVE

The issue involved in this investigation is best described by a brief excerpt from testimony before the Mines and Mining Subcommittee of the House Interior and Insular Affairs Committee, by the Honorable Hollis Dole, Assistant Secretary of Interior for Minerals:

"I have (tried to) emphasize a crucial point: namely that unless we take prompt and substantial action, we shall pass from a period of energy sufficiency into a period of general energy insufficiency. There is a general recognition among knowledgeable people that at presently indicated rates of discovery, it is highly unlikely that our gas supply will be able to keep up with the demand over the next several years. But it is not only gas that is in dwindling supply: in five years out of the past nine, we have failed to replace as much oil as we withdrew from our proved reserves. We are uncomfortably close to the limits of our capacity to produce electricity.

"For the past two years, we have consumed and exported more coal than we mined, with the result that electric power plants are now operating with a 70-day supply of coal instead of the 90-day supply they customarily maintain.

"Yet the impending reductions in energy supply is an *economic condition*, not a physical one. The fact is that we have enormous resources of hydrocarbon fuels—solid, liquid and gaseous—that are available to us any time we care to undertake the cost and effort to find, extract and produce them."

The critical decline in petroleum exploration, drilling, reserves and producing capacity can be attributed—as Secretary Dole made clear in this statement—to insufficient economic incentive. Investment incentive in a high-cost, high-risk activity such as petroleum exploration within our economic system results from one primary consideration: reasonable expectation that successful ventures will result in an economic return that justifies the investments. It is all too apparent that incentives have not only been inadequate but have been declining since the mid-1950's. As a result, domestic exploration and drilling is now in its 14th year of decline and the United States faces the prospect of real and critical shortages in essential energy supplies. Should the nation be confronted with irreversible shortages, it clearly will be a result of the short-sighted policies of the Federal Government.

These adverse policies, I am convinced, include the unrealistic federal regulation of natural gas prices since 1954, an oil import policy characterized by almost constant uncertainty, and singling out of crude oil price increases as inflationary.

PERTINENT QUESTIONS

In assessing the security justification for improved economic conditions based upon the price function, the government should carefully weigh these very pertinent questions:

1. Are the announced price adjustments reasonable in relation to petroleum exploration and drilling costs and in relation to other wholesale raw materials prices?

2. Under federal policies that seek to depress prices with the result of further undermining domestic exploration and development, what will be the prices for alternative supplies?

3. If the national security requires reasonable self-sufficiency in essential fuels, a basic assumption of federal policies for many years, what alternative energy sources hold promise of lower cost than our conventional oil and gas resources?

Some provide an almost automatic but highly questionable answer to the first question, by asserting that any increase in domestic fuel prices is unjustified irrespective of supply and demand conditions, costs, or any other factor that normally is given weight in economic decision-making. To this school, the answer is very simple, if both impractical and dangerous: remove import controls, or outlaw state conservation practices, or both.

These apparently simple solutions, coupled with promises of great "savings," have great appeal for the consumer. Unfortunately, they ignore the basic issue of how and whether the United States is to revitalize the petroleum industry in order to insure reasonable self-sufficiency.

The question boils down, very simply, to this: do we as a nation want an adequate supply of oil and gas within our own control? If so, are we willing to pay the price that will encourage the investment of necessary capital and technology?

DOMESTIC CRUDE OIL PRICES

Dr. James McKie, the chief economist for President Nixon's Cabinet Task Force on Oil Import Controls commented in the OIL DAILY on August 7, 1970, that "If a U.S. real base price of $4 or more per barrel were necessary to guarantee minimum 'secure' coverage of U.S. (oil) needs, that result would then be consistent with the objectives of the recommended import policy."

It is clear from this assessment that Dr. McKie believes the nation's vital interest lies in maintaining "secure" petroleum supplies, even at real U.S. prices of $4 per barrel or more.

The statement by Dr. McKie was made in June, 1970, although not published until August. It was well before the publicity about $3-a-barrel tanker rates which resulted from the rupture of the Trans-Arabian Pipeline and oil production curbs in Libya. It was also before the pressure in the world markets which led to a doubling, almost overnight, in the prices for residual fuel oil. These events nevertheless reinforced the wisdom of Dr. McKie's statement.

Cheap foreign oil, it is clear, will be cheap only until we cannot do without it. This fact now has been made abundantly clear by the overnight increase in residual fuel prices for our industrialized East Coast, which is more than 90 percent dependent for this fuel on foreign countries. The situation with respect to residual fuel which enters this country under an "open door" policy is a clear forewarning of what we can expect as to all our petroleum products if we choose deliberately to pursue policies of increased dependency on foreign supplies. One proposed means of forcing down domestic crude oil prices, removing oil import controls, would be self-defeating. It would, at this time, get no more foreign oil. It would further depress the domestic industry and we would get far less domestic oil.

The dollar received from crude oil and natural gas at the wellhead is the primary source of funds for exploration and development of both oil and gas. Since my state of Kansas contributes significantly to the nation's gas supplies, I believe it is important to recognize that government actions to control or limit prices of either oil or gas results in less supply of both. With natural gas shortages already a fact, particularly for industrial uses, the impact of inadequate crude oil prices on future gas supplies is a consideration of vital importance.

CONSUMER INTEREST

The question of the consumer's interest in sufficient gas supplies at reasonable prices, is, therefore, much involved in the question at issue here. What are the alternative costs confronting consumers as domestic gas supplies dwindle and our dependence for this vital energy source is shifted to sources other than domestic supplies?

One alternative to expanded domestic gas supplies would be liquefied natural gas, im-

ported from North Africa. The price of this imported gas for the Northeast, it is estimated, would be $1.70—more than a dollar per MCF higher than delivered domestic supplies.

Both the risks and costs of foreign supplies of oil and natural gas add up to a highly questionable alternative for U.S. consumers. Domestic prices adjusted upward to assure increased domestic supplies would be in the long-range best interest of the consuming public. In fact, changes in consumer prices for petroleum have been infrequent and moderate. They have lagged far behind the rising costs of exploration, drilling and development and have reflected a stability that has been common to few other major commodities under the inflationary conditions of the past decade.

COST-PRICE SQUEEZE

In addition, crude oil prices have trailed far behind the major items of cost involved in domestic oil and gas exploration and development. In 1969, for example, the average U.S. crude price was less than four percent above the government's base years for measuring price behavior, 1957–59, while oilfield wages were up more than 40 percent and oilfield machinery almost 24 percent in the same period. In contrast to the insignificant rise in crude prices, the wholesale price for all commodities rose 13 percent from the 57–59 base years to 1969.

Because domestic exploration takes place in remote areas and drilling must be deeper than in the past, this further contributes to the cost-price squeeze.

If adequate domestic fuels are important in a security sense, then this cost-price squeeze is germane to our defense policies. But a dependable energy supply goes beyond the military requirements in a war situation, as we have learned only too well with respect to residual fuel oil.

Security against getting cold is important to the American people. Security against losing a job in a plant that is idled for want of fuel is equally important. The best and cheapest security is the domestic petroleum industry—but we must recognize that domestic supplies of oil and gas cannot be found and developed at 1970 costs, and sold at less than 1960 prices.

My principal concern is that this government not discourage reasonable price changes for fuels that will further aggravate the drift toward "general energy insufficiency" alluded to in Assistant Secretary Dole's statement. It is clear that our great need is to reverse the decline in petroleum exploration and development, not to aggravate that decline.

KANSAS OIL AND GAS PRODUCTION

Aside from the broad question of maintaining secure supplies of essential fuels for the nation as a whole, I am deeply concerned about the impact of inadequate economic incentives on the oil and gas producing industry in Kansas. Petroleum is the second most important industry in our state, exceeded only by agriculture.

Kansas is the province of the small, independent producer. Two-thirds of our production is in the "stripper" class, producing 10 barrels or less per day. Some 35 percent of this marginal production comes from secondary recovery projects, such as waterfloods, installed at great cost.

An adequate price for crude oil not only would stimulate new exploration activity in deeper and still unexplored areas, but would assure recovery of hundreds of millions of barrels of oil obtainable only through costly secondary recovery techniques. Government actions that singled out the oil producing industry to prohibit nominal price increases that are overdue by every reasonable economic standard would have a devastating, demoralizing effect on this essential industry. Even worse, it would hasten the day of artificial, unnecessary and perhaps irreversible shortages of oil and gas. I urge that these factors be carefully weighed in the government's deliberations.

Mr. BELLMON. Mr. President, I yield the floor.

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, without amendment, the following bills and joint resolution of the Senate:

S. 336. An act to amend section 3(b) of the Securities Act of 1933 to permit the exemption of security issues, not exceeding $500,000 in aggregate amount, from the provisions of such act;

S. 1079. An act consenting to the Susquehanna River Basin compact, enacting the same into law thereby making the United States a signatory party; making certain reservations on behalf of the United States, and for related purposes;

S. 4187. An act to authorize the Secretary of the Army to convey certain lands at Fort Ruger Military Reservation, Hawaii, to the State of Hawaii in exchange for certain other lands; and

S.J. Res. 230. Joint resolution extending the duration of copyright protection in certain cases.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 1. An act to provide for uniform and equitable treatment of persons displaced from their homes, businesses, or farms by Federal and federally assisted programs and to establish uniform and equitable land acquisition policies for Federal and federally assisted programs;

S. 437. An act to amend chapter 83 of title 5, United States Code, relating to survivor annuities under the civil service retirement program, and for other purposes; and

S. 4083. An act 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 message further announced that the House had passed the bill (S. 3431) to amend sections 13(d), 13(e), 14(d), and 14(e) of the Securities Exchange Act of 1934 in order to provide additional protection for investors, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 2) authorizing acceptance for the National Statuary Collection of a statue of the late Senator E. L. Bartlett, presented by the State of Alaska.

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

H.R. 15188. An act to amend the Fish and Wildlife Act of 1956 to provide a criminal penalty for shooting at certain birds, fish, and other animals from an aircraft;

H.R. 16498. An act to permit the sale of the passenger vessel *Atlantic* to an alien, and for other purposes;

H.R. 17582. An act to amend the peanut marketing quota provisions to make permanent certain provisions thereunder;

H.R. 18012. An act to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations;

H.R. 19401. An act to extend for one additional year the authorization for programs under the Vocational Rehabilitation Act;

H.R. 19402. An act to authorize the Secretary of Agriculture to receive gifts for the benefit of the National Agricultural Library;

H.R. 19576. An act to establish the National Advisory Committee on the Oceans and Atmosphere;

H.R. 19846. An act to amend the act of August 24, 1966, relating to the care of certain animals used for purposes of research, experimentation, exhibition, or held for sale as pets; and

H.R. 19877. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

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

H.R. 1160. An act to amend the act of April 22, 1960, providing for the establishment of the Wilson's Creek Battlefield National Park;

H.R. 2876. An act for the relief of the Beasley Engineering Company, Inc.;

H.R. 3328. An act to authorize the Secretary of the Interior to approve an agreement entered into by the Soboba Band of Mission Indians releasing a claim against the Metropolitan Water District of Southern California and Eastern Municipal Water District, Calif., and to provide for construction of a water distribution system and a water supply for the Soboba Indian Reservation; and to authorize long-term leases of land on the reservation;

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

H.R. 12958. An act for the relief of Central Gulf Steamship Corp.;

H.R. 13934. An act to amend the Act of September 21, 1959 (73 Stat. 590), to authorize the Secretary of the Interior to revise the boundaries of Minute Man National Historical Park, and for other purposes;

H.R. 15770. An act to provide for conserving surface waters; to preserve and improve habitat for migratory waterfowl and other wildlife resources; to reduce runoff, soil and wind erosion, and contribute to flood control; and for other purposes;

H.R. 18679. An act to amend the Atomic Energy Act of 1954, as amended, to eliminate the requirement for a finding of practical value, and for other purposes;

H.R. 19000. An act to amend the act of April 24, 1961, authorizing the use of judgment funds of the Nez Perce Tribe;

H.J. Res. 1077. Joint resolution to amend the joint resolution authorizing appropriations for the payment by the United States of its share of the expenses of the Pan American Railways Congress Association; and

H.J. Res. 1411. Joint resolution correcting certain printing and clerical errors in the Legislative Reorganization Act of 1970.

HOUSE BILLS REFERRED OR PLACED ON THE CALENDAR

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

H.R. 15188. An act to amend the Fish and Wildlife Act of 1956 to provide a criminal penalty for shooting at certain birds, fish, and other animals from an aircraft; and

H.R. 19576. An act to establish the National Advisory Committee on the Oceans and Atmosphere; to the Committee on Commerce.

H.R. 18012. An act to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations; to the Committee on Foreign Relations.

H.R. 19401. An act to extend for 1 additional year the authorizaton for programs under the Vocational Rehabilitation Act; to the Committee on Labor and Public Welfare.

H.R. 19402. An act to authorize the Secretary of Agriculture to receive gifts for the benefit of the National Agricultural Library; to the Committee on Agriculture and Forestry.

H.R. 19877. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; placed on the calendar.

TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER (Mr. McGOVERN). Under the previous order, there will now be a brief period for the transaction of routine morning business with the statements therein limited to 3 minutes.

EMERGENCY STRIKE LEGISLATION

Mr. GRIFFIN. Mr. President, it has become necessary for President Nixon to request special legislation to extend until January 23, 1971, the legal prohibition against a national rail strike.

The unions involved have announced their intention to strike at 12:01 a.m., Thursday, December 10, 1970.

It seems obvious that once again Congress finds itself in a situation where it has no realistic choice except to approve special emergency legislation, if we are to avert a national disaster.

However, this occasion should not pass without pointing again to the failure of Congress to face up to the need for general legislative reform in the labor management area and, particularly, the failure of Congress even to consider the legislative recommendations advanced by President Nixon with reference to national strikes in the transportation industry.

It will be recalled that early this year, on February 27, President Nixon sent to Congress proposed legislation directed toward this goal.

Since then, the Nation has witnessed four different crises in the railroad industry which have dramatically underscored the urgent need to enact legislation such as President Nixon proposed early this year.

The first a strike threat similar to the one we face now—came to a head only 4 days after the President proposed—and the junior Senator from Michigan introduced—the Emergency Public Interest Protection Act of 1970. At that point, in order to give Congress adequate time to consider general legislation, the President asked Congress for special limited emergency legislation to deal with the specific nationwide rail shutdown then threatened.

At that time the administration had already exhausted the emergency strike procedures of the Railway Labor Act, the law which regulates labor-management relations of railroads and airlines.

Under that existing law, the President can delay for 60 days a rail or airlines strike or lockout which threatens to halt essential transportation services. He does this by appointing an Emergency Board to study the positions of both parties and to recommend a settlement. With the existing law, if the 60-day period ends without a settlement, the President has no options available except to let a strike occur or to request special legislation from Congress.

Subsequently, on July 7, the President was forced to invoke the 60-day delay in order to prevent a nationwide rail stoppage revolving around an 11-year-old dispute concerning railway firemen.

No settlement was reached during the 60-day period, but under Government urging, the parties to that dispute extended their negotiations voluntarily. Another crisis developed when the no-strike prohibition expired on Thursday, September 24. At that time, a strike was again narrowly averted with a last minute 2-week extension.

Labor Secretary Hodgson has announced renewed mediation to resolve the issue. But, if a strike or lockout should occur, we will have no legislative machinery left to deal with it. The only recourse will again be congressional action.

The third crisis occurred 2 months ago when the President again delayed a rail strike by invoking the 60-day emergency provisions. Although Federal mediators worked long hours to help the parties reach a settlement, their efforts were fruitless. Reluctantly, the President was forced then to intercede to protect the national welfare.

The fourth event or crisis faces us now. The 60-day period is about to elapse and the President once again has been forced to ask Congress for special legislation to avoid a nationwide emergency strike.

Thus, in the short space of 9 months, the Government has had to intervene four times in rail disputes in order to avert disastrous rail strikes. This is a shocking record. Unfortunately, however, this record was altogether predictable. The history of America's railroad labor-management relations is filled with similar instances of breakdowns in collective bargaining.

Since the passage of the Railway Labor Act 45 years ago, the law's emergency provisions have been invoked an average of four times a year. Work stoppages at the end of the 60-day cooling-off period have occurred at the rate of more than one a year since 1947. Three times—in 1963, 1967, and earlier this year—Congress has been faced with the urgent necessity of passing special legislation to avert a damaging strike. Today we are called upon to do it again.

What has prompted these dismal developments? Why have negotiators in the railroad industry so often been unable to solve their own differences without Government intervention?

The President answered these questions when he proposed the Emergency Public Interest Protection Act. As he pointed out, the Railway Labor Act actually discourages genuine collective bargaining.

Existing procedures for the establishment of an Emergency Board when a strike is threatened have operated too often to give both sides a chance to unload their responsibility for hard bargaining.

Under existing law, the parties know they can bargain halfheartedly until the strike deadline. They can almost count on the appointment of an Emergency Board to take over, and each side then nurtures the hope that the recommendations of the Board will strengthen its own bargaining position.

As the President has noted, emergency procedures which were originally designed to be a last resort have now become almost a first resort.

This fundamental flaw in our railroad industry collective bargaining machinery must be corrected. Otherwise, the old pattern will continue—crisis will follow crisis, in each the negotiators will be unable to reach a settlement, the Nation will be brought to the brink of a crippling strike, and the President and Congress will be forced to intervene.

The President's proposed Emergency Public Interest Protection Act of 1970 is grounded on two of this Nation's most important labor-management ideals.

The first is that bargaining should be as free as possible from Government interference. This philosophy is based both on democratic principle and on pragmatic considerations of how the collective bargaining system works best.

The second ideal underlying this proposal is the firm belief that America's citizens must be protected from widespread damaging work stoppages that would imperil their health and safety as well as the well-being of the Nation.

It is clear that these two ideals can conflict—that intervention may be necessary in order to protect the public interest. But this proposal is structured to provide maximum public protection with minimum Government interference in emergency disputes in our vital transportation industries.

The proposal would cover emergency disputes in the railroad, airline, trucking, maritime, and longshore industries. I have already cited the urgent need for improving dispute machinery under the Railway Labor Act which applies to the airlines and railroads. There are also flaws in the existing law as it applies to disputes in the maritime, longshore, and trucking industries.

Disputes in the maritime, longshore, and trucking industries are now covered by the emergency provisions of the Taft-Hartley Act, under which dangerous strikes or lockouts can be enjoined for an 80-day cooling-off period.

Since this law was passed in 1947, the emergency provisions have been invoked 29 times. In more than a fourth of these cases, eight of the 29, a strike or lockout occurred after the 80-day cooling-off pe-

riod. All of these stoppages were in transportation industries.

The proposed Emergency Public Interest Protection Act would make all transportation industries subject to the Taft-Hartley Act—a law which, though imperfect, has been far more successful than the Railway Labor Act.

The administration's proposal would also broaden and strengthen the Taft-Hartley Act by giving the President three new options for dealing with transportation disputes in cases where no settlement is reached and where the national health and safety is again threatened after the 80-day cooling-off period.

The first option would allow the President to extend the cooling-off period for as long as 30 days. This would be an especially attractive alternative if the dispute appeared to be close to settlement.

The second option would permit partial operation of the affected industry. In such a case the strike or lockout could continue in part, but danger to the national welfare would be minimized by keeping essential segments of the industry in operation for up to 6 months.

The third option would involve the process of "final offer selection." Under this alternative, each of the parties would be given 3 days to submit one or two final offers. The parties would then have an additional 5 days to bargain concerning these offers. If no agreement were reached, a panel of three neutral members would, after formal hearings, choose one of the final offers as the binding settlement.

This option would guarantee a conclusive settlement without a work stoppage. Such a procedure would provide a strong incentive for labor and management to reach an agreement. Neither side could afford to hold to an extreme position, since such a stand would almost force the panel to accept the offer of the other side.

I believe that the Emergency Public Interest Protection Act is a sound proposal. It is based on democratic and pragmatic beliefs which lie at the root of our Nation's collective bargaining system. It would eliminate the Railroad Labor Act which has proven ineffective time and time again. It would encourage bargaining responsibility in our vital transportation industries. And it would provide enough options to deal effectively with emergency disputes.

Despite the soundness of this proposal, however, it has languished in the committees of Congress. And as it lies neglected, our newspapers and news programs continue to report new rail strike threats, new negotiation deadlocks, and new emergency boards.

Mr. President, in my remarks I have tried to outline and detail the various crises which have occurred since President Nixon advanced his legislative proposal to provide more effective tools in dealing with situations such as the one that confronts the Nation now. Whatever those in Congress may think of the merits of President Nixon's proposal, I think there has been an unanswerable and inexcusable failure on the part of Congress and its committees even to consider and to hold hearings on such an important legislative proposal by the President of the United States.

Somehow or other the committees of Congress having jurisdiction seem to find time to deal with other pressing problems facing the Nation. But when it comes to the need for updating, revising, and streamlining the procedures and tools available for dealing with national emergency strikes, the committees appear to have turned their heads—at least so far as this session of Congress is concerned.

As the sponsor of the administration's proposed legislation in the Senate, and particularly in light of the crisis the Nation faces now, I call once again upon the Senate's Committee on Labor and Public Welfare to deal expeditiously not only with the emergency request which President Nixon now places before us, but to resolve to consider as early as possible in the next session the President's proposals in this important field.

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

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

Mr. GRIFFIN. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

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

Mr. GRIFFIN. I yield to the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, the Senator, I think, has quite legitimately pointed out the responsibilities of Congress in directing its attention to this problem of national emergency strikes involving railroads and other means of transportation.

I wonder if my friend and colleague feels that there is a role for the executive branch at this time, as well, to utilize its own good offices under the leadership of the White House, to represent the overriding national interest, and to exercise the great majesty and power of the office of the President in attempting to cope with this immediate problem.

I wonder if my friend and colleague from Michigan feels that there is some occasion at this time for such action by the President?

Mr. GRIFFIN. Of course, I am not familiar with every action and every detail of the efforts made on the part of the administration in connection with these negotiations, but it is my impression from everything I do know that the President and the administration have worked very diligently and very hard. In particular, the Secretary of Labor has burned the midnight oil working with the parties involved and he has done everything within his power in a realistic way to try to bring about a settlement.

I do not know if there is any more that can be done. If so, I would join in the suggestion of the Senator from Massachusetts.

We have seen this kind of a situation before—not only under this administration but under previous administrations as well—where everything possible had been done and the position of the parties is adamant. We have been confronted on other occasions in the past where there was no choice except to enact special legislation.

It appears to be that kind of a situation again—no choice, other than to pass the emergency special legislation request which, of course, only serves to put off the problem.

Mr. KENNEDY. As I recall President Johnson himself brought the parties to the White House on a number of occasions in such situations. I also remember he asked the labor committees of the House and the Senate to discuss the airline strike with him 4 years ago.

In the President's message of December 7, he refers to existing Government procedures being used to bring about a settlement of this dispute. He states that the negotiations between the parties have failed to show any progress, and he refers to the imminence of the railroad strike. There is very little in the statement to indicate the personal kind of intervention which I think can be of importance and significance in a situation like this.

I do not by any means suggest that the President should become the final arbiter in every strike situation. The Senator from Michigan has pointed out the responsibility of Congress to address itself to this matter. But in terms of the immediate problem with which we are confronted, I gather from the response of my friend, the Senator from Michigan, that he feels every effort should be made by the President, as well, in terms of the President's personal intervention to bring the parties together and the use of the full resources of his office in attempting to reach a settlement.

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

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

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

Mr. GRIFFIN. Mr. President, if I may respond, I think the suggestion of the distinguished majority whip is quite clear. He suggests that the President have the parties to the White House. That may or may not be a good suggestion, or useful advice. I am sure that would be a suggestion for the White House to respond to rather than the junior Senator from Michigan.

There are times and circumstances when such intervention might be appropriate and useful; and I believe the President, with the advice of the Secretary of Labor, will have to make that judgment.

Certainly, as the Senator from Massachusetts has pointed out, the President cannot be the final arbiter or mediator in every labor dispute.

Several Senators addressed the Chair.

Mr. KENNEDY. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Michigan has the floor.

Mr. GRIFFIN. Mr. President, I yield to the Senator from Florida.

Mr. GURNEY. Mr. President, I have followed the colloquy with interest. I do not know any better than the distinguished Senator from Michigan what the White House has in mind so far as

personal intervention is concerned. I wish to point out that in a previous crisis when I served in the House of Representatives under the previous administration, all kinds of personal intervention on the part of the President of the United States in connection with a rail crisis similar to the one we have now did no good at all and at the last minute Congress had to provide national rail legislation.

Perhaps partially in answer to the Senator from Massachusetts it might be suggested that the President incumbent does not want to move in that direction because it has failed in the past.

I believe another observation should be made. Certainly the work done by the Department of Labor in these various disputes in this administration has been extremely important. What this administration is trying to do is to work quietly behind the scenes, if one wishes to call it that, through its Department of Labor, to deal with strikes.

I know of two instances in my State. We had an airline strike last year involving National Airlines, and the dispute involving the power and light company. The Labor Department worked day in and day out, week in and week out, in an attempt to help out in bringing the parties together and eventually they did. This is the way the administration is working; so, indeed, the executive department is not saying, "Hands off. We are not trying to help in all these big labor disputes." They are trying to help but through the departments and agencies of Government that are designed to be of assistance in labor crises; that is, the Department of Labor.

I wish to say to the distinguished Senator from Michigan that I agree the time is long past when the committees of Congress must share their responsibility in connection with the executive branch of Government.

We ought to try to come to grips with the highly unsatisfactory labor strife in this country. It has always been a mystery to me why our great industrial Nation has not been able to dispose of some of the labor problems and disastrous confrontations like the one we are faced with and like the General Motors strike of a short time ago. We ought by now to have grown up and have become matured enough to come to grips with such matters, so that our great Nation can have a more stable labor and economic policy. Certainly we as legislators have a responsibility in this respect. I am glad that the Senator from Michigan (Mr. GRIFFIN) has reminded us of it.

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

Mr. GRIFFIN. Mr. President, I ask unanimous consent that I may have 3 additional minutes.

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

Mr. GRIFFIN. I now yield to the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I think that two facts remain clear from this exchange. One is that Congress obviously bears a responsibility in providing some kind of procedure to deal with national emergencies of this nature. Second, and what remains equally clear, is that we do not really know what the administration or the President has done personally to utilize his offices to meet this crisis. The distinguished Senator from Florida is uncertain whether the administration is doing something or is not doing something. My friend from Michigan is equally uncertain, as I am, and as I think most Americans are.

Whether or not President Johnson was successful at the time he brought in the union leaders and the railroad officials, when previous railroad strikes were imminent, the fact remains that by bringing them into the White House he highlighted the problem and pointed out what was in the national interest. That was important and useful in terms of clarifying the situation.

I must say that I share fully what I think was the splendid statement that was made by the majority leader only yesterday, when he said that obviously—and I am paraphrasing his comment—Congress will meet its responsibilities, but that we would certainly hope during this period that the President would meet his. If he does not want to intervene in this dispute personally, but wants to place the burden completely on Congress, we ought to know that, and the American people ought to know it. Obviously, we will meet our responsibilities. But I share the view that the President bears a responsibility in this area and that he has the great resources of public opinion that can be marshaled in looking out for the national interest. I join the majority leader in urging the President to do so.

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

Mr. GRIFFIN. Mr. President, I know that the distinguished Senator from New York is eager to address himself to the same subject, so I shall yield the floor and let him obtain the floor in his own right.

ORDER OF BUSINESS

Mr. JAVITS obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from New York allow me to have the Senate proceed to pass some unobjected-to items on the Calendar? I have been waiting patiently for an opportunity to do so.

Mr. JAVITS. Even if the majority leader had been waiting impatiently, I should be pleased to yield to him for that purpose.

AMENDMENT OF THE EXPEDITING ACT

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 12807.

The PRESIDING OFFICER (Mr. MCGOVERN) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 12807) to amend the act of February 11, 1903, commonly known as the Expediting Act, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MANSFIELD. I move that the Senate insist upon its amendments and agree to the request of the House for a conference on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HART, Mr. ERVIN, and Mr. HRUSKA conferees on the part of the Senate.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 1417, 1418, 1421, 1422, 1423, 1424, and 1425, in that order.

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

COMDR. JOHN N. GREEN

The bill (H.R. 2477) for the relief of Comdr. John N. Green, U.S. Navy, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–1405), explaining the purposes of the measure.

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

PURPOSE

The purpose of the proposed legislation is to relieve Comdr. John N. Green, U.S. Navy, of Santa Barbara, Calif., of all liability to repay to the United States the sum of $8,079.55, representing overpayments of active duty compensation received by him for the period from June 1, 1951, through June 30, 1957, while he was serving as a member of U.S. Navy, which were made through administrative error in overcrediting service to him for pay purposes.

STATEMENT

The House of Representatives in its favorable report on H.R. 2477 relates the following:

The Department of the Navy in its report to the committee on a similar bill in the 90th Congress stated that it had no objection to the enactment of the bill.

Comdr. John N. Green had enlisted service in the U.S. Navy from July 14, 1944, to June 21, 1946. He then enlisted in the U.S. Naval Reserve on June 22, 1946, and served until June 11, 1947, when he entered the U.S. Naval Academy as a midshipman. Commander Green graduated from the Naval Academy and was commissioned as an ensign on May 31, 1951. Shortly after his entry on active duty as a commissioned officer, the Bureau of Naval Personnel erroneously credited Commander Green with prior enlisted services from July 14, 1944, until May 31, 1951. His pay entry base date was established at July 14, 1944. This overcredit of service apparently was due solely to an administrative error committed by the Bureau of Naval Personnel.

Because of a discovery that a number of officers in the past had been erroneously credited with longevity for their time spent as midshipmen at the Naval Academy, the Bureau of Naval Personnel in the past year conducted a check to verify the pay entry base date in the records of captains and senior commanders. As a result of this check the error in Commander Green's record was discovered. Following the discovery of the error, Commander Green's pay entry base date was correctly reestablished as July 4, 1948.

The overpayment in this case apparently resulted from Commander Green's mistaken belief that he was entitled to credit for pay purposes for his Naval Academy time. There is no reason to believe other than that Commander Green was acting in good faith. For this reason, the Department of the Navy has no objection to the enactment of the proposed legislation relieving him of liability to the United States.

The committee has carefully considered this matter and secured additional information concerning the circumstances of the crediting of prior service in this instance. As has been noted, this officer had had prior active duty as an enlisted man in World War II. Following the war he enlisted in the Naval Reserve. This time was properly creditable for longevity purposes. The case is not merely one in which Academy time was alone involved. It was a question of crediting all prior service. As was indicated in the Navy Department report, the investigation by the Navy disclosed there was no evidence of bad faith on Commander Green's part. The committee is satisfied that the officer was not aware of the error, and its discovery after a 16-year interval has obviously imposed an unfair burden on him.

The Navy report suggests the addition of another individual to the bill so as to grant relief in a similar case. However, the committee has not had an opportunity to review the circumstances of that particular case, and therefore has decided not to make the amendment.

The committee after a review of the foregoing concurs in the action taken by the House of Representatives and recommends that the bill, H.R. 2477, be considered favorably.

LAWRENCE BRINK AND VIOLET NITSCHKE

The bill (H.R. 4634) for the relief of Lawrence Brink and Violet Nitschke, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–1406), explaining the purposes of the measure.

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

PURPOSE

The purpose of the proposed legislation is to pay Violet Nitschke the balance of the amount owing on a $6,700 judgment against Lawrence Brink, an Army Department employee, in full satisfaction of her claims against the employee and against the United States in full satisfaction of the judgment. The bill provides that the amount paid to Violet Nitschke shall be reduced by any amounts paid on the judgment by Lawrence Brink and that he be paid an amount equal to the amount he has paid on the judgment.

STATEMENT

The House in its favorable report on H.R. 4634 relates the following:

"The Department of the Army in a report to the committee on a similar bill in the 90th Congress indicated that it favored enactment of the bill. The bill in the current Congress, H.R. 4634, embodies the suggestion of the Army report that Mr. Brink be paid an amount equal to the sum he has paid on the judgment and that a provision be included reducing the amount to be paid to Mrs. Nitschke.

"On the morning of June 9, 1959, while driving a Government truck on official Government business, Mr. Brink struck a car driven by a Mr. James E. Srstka, Jr., causing it to collide with Mrs. Nitschke's car. At the time of the accident, Mrs. Nitschke had stopped to make a left turn into a motel. Mr. Srstka had stopped behind her.

Mr. Srstka filed a claim with the Omaha District, Corps of Engineers, in the amount of $415.47. This claim was administratively settled under the Federal Tort Claims Act upon a determination that Mr. Brink was negligent, that his negligent act was the proximate cause of the damage suffered by Mr. Srstka and that at the time of the accident, Mr. Brink was a Government employee acting within the scope of his employment.

As is noted in the Army report, Mrs. Nitschke could have sued the United States under the provisions of the Federal Tort Claims Act for the damages she suffered in the accident. She could not, however, today since her claim is barred by the statute of limitations. Any judgment she might have recovered in such an action would have been paid by the United States which would have had no right of indemnification therefor against Mr. Brink. In addition, such a judgment would have been a complete bar to any other action by Mrs. Nitschke against Mr. Brink based on the accident. Accordingly, if Mrs. Nitschke had proceeded under the Federal Tort Claims Act, Mr. Brink would have been relieved of all financial liability arising out of the accident.

Mrs. Nitschke did not, however, proceed under the Federal Tort Claims Act either administratively or by suit, although it was apparently suggested to her that she do so. Instead, she sued Mr. Brink in a State court and was apparently awarded a judgment against him in the amount of $6,700. Mr. Brink bore the cost of defending this suit and the burden of satisfying the judgment rests upon him and not upon the United States. The Army specifically noted in its report that as a result simply of the choice of a forum, over which he had no control, Mr. Brink suffered a heavy financial blow.

Subsection (c) of section 1 of the bill provides 25 percent for attorney's fees for the amount paid under the authority of that section. This is the same percentage fixed in section 2678 of title 28 of the United States Code which applies to attorney's fees in connection with judgments in tort claims actions against the United States.

The Federal Tort Claims Act was amended in 1962 to remedy this situation. But Public Law 87–258, Federal district courts were made the exclusive forum for suits growing out of motor vehicle accidents involving Federal employees acting within the scope of their employment, and a suit against the Government was made the only available remedy. Mr. Brink, however, did not benefit from this amendment since section 2 of the act provides that any rights or liabilities existing at the time the act became effective were not to be affected. Mr. Brink is currently employed by the U.S. Army Engineer District, Omaha, as a maintenance foreman. Since the accident, which is the subject matter of this bill, he has not been involved in any accident.

As was observed, the Department of the Army has indicated that it favors enactment of a bill for Mr. Brink's relief in view of the facts outlined above. The committee feels that the language contained in the present bill will effectuate the suggestions of the Army regarding recognition of amounts paid in partial satisfaction of the judgment. The committee agrees that relief in this instance is consistent with the purposes and policies of the 1962 amendments to the Federal Tort Claims provisions of title 28 of the United States Code which were intended to protect Government drivers such as Mr. Brink.

The committee after a review of all the foregoing concurs in the action taken by the House of Representatives and recommends that the bill, H.R. 4634 be considered favorably.

MRS. RUTH BRUNNER

The bill (H.R. 9488) for the relief of Mrs. Ruth Brunner, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1409), explaining the purposes of the measure.

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

PURPOSE

The purpose of the proposed legislation is to provide that a claim filed by Ruth Brunner in 1959, shortly after the death of her husband, the late Harry Brunner, also known as Henry Bruner, is to be recognized as a valid and timely claim by the widow for benefits under the veterans' laws.

STATEMENT

In its favorable report on the proposed legislation, the House Judiciary Committee set forth the facts in the case as follows:

"In November of 1959, Mrs. Ruth Brunner filed a claim for widow's benefits under the veterans' laws. In connection with her claim, she filed a copy of a death certificate, a child's birth certificate, and other related papers. As is outlined in the Veterans' Administration report, the problem encountered by Mrs. Brunner was that he had served in the military service under the name of 'Henry Bruner.' The Veterans' Administration, as is noted in the second paragraph of this report, has taken the position that she failed 'to make a timely complete application.' The information submitted to the committee indicates that Mrs. Brunner's late husband used the name 'Harry' and she married him under that name. Furthermore, the death certificate issued following his death was issued in the name of 'Harry Brunner.' The Veterans' Administration report itself indicates that the name 'Harry Brunner' was adopted by the veteran upon moving from Pennsylvania to Georgia in the 1920's. When he and Mrs. Brunner were married on March 10, 1947, as has been noted, he was using the name 'Harry Brunner.'

"On this state of facts the committee has concluded that the widow has been unfairly denied veterans' benefits through circumstances beyond her control. She made a timely application and the confusion as to the name has served to bar benefits to her for an extended period.

"When it is considered that the benefits provided in the law to widows are intended for individuals such as Mrs. Brunner, to conclude on this state of facts that somehow she is responsible for her failure to receive these benefits seems to be unfair. The committee feels that the relief extended by this bill would merely be consistent with the purpose of the law in that it would merely authorize the Veterans' Administration to pay the widow the benefits which would have been available to her had there not been this difficulty concerning the name of the veteran.

"Accordingly, it is recommended that the bill be considered favorably."

The committee, after a review of the foregoing, concurs in the action taken by the House of Representatives and accordingly recommends favorable consideration of H.R. 9488, without amendment.

FRANCES VON WEDEL

The bill (H.R. 10153) for the relief of Frances von Wedel, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–1403), explaining the purposes of the measure.

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

PURPOSE

The purpose of the proposed legislation is to pay the sum of $35,625.11 to Frances von Wedel, of Staten Island, N.Y., in accordance with the opinion rendered in the congressional reference case, *Frances von Wedel* v. *The United States*, No. 1–67, filed on January 6, 1969, by the Chief Commissioner of the Court of Claims. This amount is to be paid in full settlement of the claims of Frances von Wedel against the United States for the return of money and proceeds of securities vested in, and transferred to, the Attorney General of the United States pursuant to Vesting Order No. 10108 dated November 13, 1947, issued under the authority of the Trading With the Enemy Act, as amended.

STATEMENT

The proposed legislation was passed by the House of Representatives May 23, 1969. The facts of the case as stated in the accompanying House Report No. 91–207 are as follows:

The bill, H.R. 10153, was introduced to provide for payment to Frances von Wedel of the amount recommended in a congressional reference case. The matter was referred to the Chief Commissioner of the U.S. Court of Claims by House Resolution 508 approved September 11, 1967. That resolution provided for the reference of a bill, H.R. 1734, of the 90th Congress to the Chief Commissioner in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code. The report of the Review Panel was made to the Speaker of the House of Representatives by the Chief Commissioner on January 6, 1969. The communication of the Chief Commissioner and the report of the Review Panel are set out as a part of this report.

The report of the Review Panel in the opinion delivered by William E. Day, Presiding Commissioner, recommended that the Congress authorize and direct a payment of $35,625.11 to Frances von Wedel in full settlement of her equitable claim against the United States. It was further determined that Mrs. von Wedel's claim was an equitable claim based on principles of equity and justice in accordance with the standards of the case of *Burkhardt, et al.* v. *United States*, 113 Ct. Cl. 658 (1949).

The facts upon which the determination was made are summarized in the opinion. Mrs. von Wedel, an American citizen, was married in 1931 to Carl von Wedel, a German national living in the United States. In July 1939, they went to Europe because of the illness of his mother. Mrs. von Wedel returned to the United States in December 1939, but he remained in Germany, serving as an officer in the German Army for the duration of the war. Thereafter, he returned to the United States and, reunited with his wife, lived with her until his death in 1952.

In June 1939, before leaving the United States, Mr. and Mrs. von Wedel operated a joint securities account in New York in an amount slightly in excess of $24,000. At about the same time, Mr. von Wedel executed and delivered a power of attorney to a lawyer who was also a personal friend, authorizing the attorney in fact to do for the principal whatever the principal might do for himself. Mr. von Wedel had property other than the joint securities account, and Mrs. von Wedel then (or later) had some property of her own, including a separate bank account.

In 1940, the attorney in fact transferred the joint securities account to the sole name of Mrs. von Wedel, and she made some small additions to the account.

In 1947, the Attorney General of the United States, as successor to the Alien Property Custodian, issued a vesting order taking over Von Wedel property of the value, in liquidation, in excess of $108,000. The vesting included the joint securities account and Mrs. von Wedel's personal bank account.

The opinion of the review panel noted that Mrs. von Wedel filed a suit in the District Court of New Jersey to reclaim the vested property including that which had been given to her by the attorney in fact. The court in that proceeding dismissed the complaint on the ground that it failed to state a claim on which relief could be granted. The findings of fact set out following this report summarize the opinion of the district court and of the court of appeals in that case. It should further be noted that the commission's panel made the express finding that there was no legal claim against the United States. This, of course, is consistent with the previous court determination which, in effect, made a similar finding. The committee was aware of these decisions when the reference was originally made to the Chief Commissioner. The original bill could be regarded as a petition for equitable relief, and the reference in this instance was made to provide a full examination of the case to determine the basis for such relief.

In the congressional reference case proceedings, the opinion notes that the attorneys for the parties agreed as to the portions of the property to which Mrs. von Wedel had an equitable claim. The parties in a stipulation identified these assets and this list is set out in finding No. 5. The items in the list are those which Mrs. von Wedel owned or contributed directly to the accounts actually vested. The list set forth in finding No. 5 is as follows:

1. One-half of the initial investment in the joint securities account	$12,126.88
2. Two contributions made by Mrs. von Wedel directly to the securities account	2,550.00
3. Mrs. von Wedel's proportionate share in the securities account when vested	[1] 15,229.53
4. Money in her personal checking account	3,718.70
Total	35,625.11

[1] The committee has been advised that this figure represents the share of Mrs. von Wedel in the appreciation or increased value of the account at the time of vesting. This figure does not include her share of the initial investment which is set out as item No. 1.

It should be noted that in House Report 591 of the 90th Congress, first session, which accompanied House Resolution 508 of that Congress, it was indicated that the committee desired a full investigation concerning the portion of vested assets which represented the personal earnings of Mrs. von Wedel, the funds in her personal checking account and the proceeds from a joint securities account. The total of these amounts is $35,625.11, the amount stated in the bill. As has been noted, the opinion of the Panel of Commissioners has recommended that Mrs. von Wedel be paid this amount in full settlement of her equitable claim against the defendant. It is recommended that the bill be considered favorably.

The bill contains the customary language limiting the amount of attorneys fees. The amount of the limitation in this case is 20 percent. The committee approves this limitation and notes that this is the limit fixed in the Federal Tort Claims provisions of title 28 of the United States Code. Section 2678 of that title fixes the limit for tort cases going to judgment at 25 percent of the amount of a judgment and for cases involving an administrative settlement, the limit of attorneys fees is fixed at 20 percent. In view of the fact that this matter was the subject of a congressional reference proceeding, the committee has concluded that it is appropriate to fix the limitation at 20 percent.

In agreement with the conclusion of the Chief Commissioner of the Court of Claims and the subsequent action of the House of Representatives, the committee recommends the bill favorably.

STATE OF HAWAII

The bill (H.R. 14684) for the relief of the State of Hawaii was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–1410), explaining the purposes of the measure.

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

PURPOSE

The proposed legislation would waive applicable limitations of the Suits in Admiralty Act as well as any prior judgment or the bar of laches to permit the State of Hawaii to bring an action against the United States for damage to a State pier caused by the Bureau of Commercial Fisheries vessel in 1964.

STATEMENT

The facts of the case as contained in the House report (No. 91–1542) are as follows:

The Department of the Interior, in its report to the committee on the bill, stated it has no objection to its enactment. The Department of Justice also stated it has no objection to the bill and further indicated its approval of the provisions of H.R. 14684 to effectuate the purpose of granting to the State of Hawaii the opportunity of presenting its case in court.

On July 15, 1964, because of a failure in the propulsion system, the Bureau of Commercial Fisheries vessel *Townsend Cromwell* collided with another vessel and the State owned pier was damaged. The other vessel was the MV *Neptune* and it was docked alongside berth 104 in the Kewalo Basin. The collision forced the *Neptune* into the catwalk of berth 104, causing it to collapse. The committee has been advised that, because the damage was substantial, it was not feasible to repair the catwalk.

After the collision, on the basis of information from the U.S. Bureau of Commercial Fisheries, officials of the Harbor's Division of the Hawaii State Department of Transportation were led to believe that the claim could be settled by the United States under the Federal tort claims provisions of title 28. In reliance on this advice, the legal section of the Hawaii Department of Transportation filed a claim for $6,597 under the Tort Claims Act. The claim was led on a form supplied by the U.S. Bureau of Commercial Fisheries within the 2-year period of limitations. Eleven months after the claim had been filed and after the 2-year period of limitations for filing suit under the Suits in Admiralty Act had expired, the State was advised that the United States could not settle the case administratively under the Tort Claims Act, because it was an admiralty matter.

The reports of the Departments of Interior and Justice refer to the above facts, and agree that the State was misled as to its rights to assert its claim under the particular circumstances of the matter. The Department of Justice noted that the Federal Tort Claims Act expressly excludes claims against the United States for which a remedy is provided by the Suits in Admiralty Act, 46 U.S.C. 741 et seq. (28 U.S.C. 2680(d)).

The committee has concluded that in view of the particular circumstances of this case that the State of Hawaii merits the relief provided in this bill. It is clear that the State was diligent in its efforts to assert its claim. It is also evident that the State relied on misleading advice given by Federal personnel with the result that the claim could not be considered on its merits. The State

should have the opportunity for a full and fair consideration of its claim. It is recommended that the bill be considered favorably.

In agreement with the views of the House, the committee recommends the bill favorably.

CERTAIN POSTAL EMPLOYEES

The bill (S. 1035) for the relief of certain postal employees at the Elmhurst, Ill., Post Office was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1035

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Louis H. Linneweh, Howard D. Slavik, Edith J. Fainter, Henry H. Higgins, and Thomas Newett are relieved of all liability for the repayment to the United States of money or other property in their custody as postal employees, which was lost as a result of the burglary of the Elmhurst, Illinois, Post Office on February 21, 1965. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each person named in the first section of this Act an amount equal to the aggregate of any amounts which have been paid by such person to the United States, or withheld from amounts due such person from the United States, on account of the liability for which relief is granted by this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–1411), explaining the purposes of the measure.

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

PURPOSE

The purpose of the proposed legislation is to relieve Clerks Louis Linneweh, Howard D. Slavik, Edith J. Fainter, William H. Higgins (reported in S. 1035 as Henry H. Higgins), and Thomas J. Newett of liability to the United States for amounts stolen from their individual fixed credits during a burglary of the Elmhurst, Ill., Post Office.

STATEMENT

The facts of the case contained in the report from the Post Office Department are as follows:

The main post office at Elmhurst was burglarized sometime between 8 p.m. Saturday, February 20, and 4:40 a.m. Sunday, February 21, 1965. Investigation disclosed that the entire amount of the Government loss was obtained by the burglars from one four-drawer steel letter-size file cabinet and from wood screenline drawers containing the fixed credits (funds and stamp stock) of the clerks. The post office has two vaults which are adequate for the needs of the office. However, the vaults were not utilized by the employees for overnight storage of their fixed credits. Of the total loss amounting to $10,874.87, the sum of $9,338.75 was disallowed because of negligence in protecting stamp stock and funds.

In a letter dated November 6, 1967, the General Accounting Office held deceased former Postmaster Joseph J. Holloway and retired Assistant Postmaster Roger Olson jointly and severally liable for the loss of $9,338.75 in funds and stamp stock because they failed to ascertain that the regulations for safeguarding stamps and funds were not being followed. The GAO further held that the clerks were each liable for the amounts stolen from their individual fixed credits because they had failed to place their stamps and funds in vaults or safes after their tour of duty ended, as required by section 321.2, Postal Manual. Losses experienced by the individual clerks for which they have been determined to be liable are:

Mr. Louis H. Linneweh	$3,525.00
Mr. Howard D. Slavik	2,085.00
Mrs. Edith J. Fainter	2,147.00
Mr. William W. Higgins	1,351.75
Mr. Thomas Newett	230.00
Total	9,338.75

Under existing law the Department has no alternative but to charge losses of this character to the postmaster and other employees whose negligence contributed to the loss. This practice is not in accord with current viewpoints of enlightened personnel management. Although liability is expressed in terms of compensating the Government for its loss, it must be looked upon realistically as a punishment and its enforcement as a deterrent against future negligence. The assessment of liability as punishment is capricious. This is illustrated by this case in which the liability of the clerks varies from $3,525 to $230 although their fault was the same. Other equitable consideration likewise cannot be evaluated under current law.

We believe some relief should be granted to these employees. However, consideration should also be given to the fact that the employees were negligent. For the foregoing reason, we believe the bill should be amended to provide that the Postmaster General, upon a determination that it is appropriate to do so, is authorized to relieve the employees named on such terms as the Postmaster General deems just and expedient of liability in whole or in part with respect to the transaction involved.

The committee is of the opinion that hardship cases such as this should be handled by general legislation. However, the committee also feels that these claimants should not be penalized for the lack of such general legislation. Nor does the committee believe that the bill should be amended to handle this situation in a piecemeal fashion. Accordingly, it is recommended that the bill be passed in its existing state.

DANIEL H. ROBBINS

The bill (S. 3168) for the relief of Daniel H. Robbins was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3168

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 151, title 35, United States Code, or any other provision of law, the Commissioner of Patents is authorized and directed to accept delayed payment of the final fee (prescribed in section 41(a), title 35, United States Code) in the application for United States Letters Patent of Daniel H. Robbins of Rochester, New York, serial number 475,638, filed July 29, 1965, and allowed July 24, 1968, for a Graphic Printer, assigned to Itek Corporation, Lexington, Massachusetts, as though no abandonment or lapse had ever occurred, if such final fee is paid within three months after the date of enactment of this Act. Upon payment of such fee, the Commissioner is authorized to issue to the said Daniel H. Robbins the patent for which application was so made. No patent granted on said application shall be held invalid on the ground that the final fee was not paid within the period specified in title 35, United States Code.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–1412), explaining the purposes of the measure.

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

PURPOSE

The purpose of the proposed legislation is to authorize and direct the Commissioner of Patents to accept late payment of the final issue fee in the application for U.S. Letters Patent of Daniel H. Robbins, serial No. 475,638, filed July 29, 1965, and allowed July 24, 1968, for a graphic printer, as though no abandonment or lapse had occurred, and to authorize the Commissioner to issue the patent if such fee is paid within 3 months from the date this legislation is enacted.

STATEMENT

Information submitted to the committee indicates that on July 29, 1965, David H. Robbins filed a patent application relating to a graphic printer. The application was assigned to the Itek Corp. On June 18, 1968, the Patent Office mailed a "Notice of Allowability" and on July 24, 1968, a formal "Notice of Allowance" was mailed.

Information furnished to the committee further indicates that on December 20, 1968, there was received in the Patent Office a letter from the Itek Corp. inquiring as to the status of the application. The Patent Office failed to make any reply to this communication. On March 4, 1969, the Patent Office mailed to Itek a notice that the application had become abandoned for failure to pay the issue fee. The Itek Patent Department, without referring to the March 4 notice, again inquired about the status of the patent application in correspondence received by the Patent Office on June 27, 1969. The Patent Office replied on July 29 that the application was abandoned.

On August 4, 1969, Itek filed a petition to revive the abandoned application. The petition was denied by the Patent Office because of the limited authority of the Patent Office to accept late payment of the issue fee. The only statutory authorization for the acceptance of such a late payment is contained in section 151 of title 35 which permits the Commissioner to accept a late payment of the fee only if it is submitted within 6 months from the Notice of Allowance.

Itek's first inquiry concerning the status of the application, to which the Patent Office did not reply, was received slightly less than 5 months after the formal Notice of Allowance was mailed. The committee is satisfied that the Itek Corp. had proper procedures for the processing of mail relating to patent applications and that apparently the Itek Corp. did not receive either the Notice of Allowance or the Notice of Abandonment.

The Department of Commerce has advised the committee that "the abandonment appears to have resulted from a series of unfortunate and regrettable circumstances." The committee has been further advised that as to those circumstances "for which the Patent Office was responsible, appropriate procedures have been instituted to prevent reoccurrence."

As a general rule the committee is opposed to special legislation providing for private relief from the general revisions of the patent law. However, this committee and the Congress have approved such relief when unusual circumstances have been established, such as Private Law 90–211 for the relief of Jack L. Good. In that instance the Congress approved a private bill to authorize the Commissioner of Patents to accept late payment of the issue fee because of the presence of extraordinary circumstances.

Likewise, the committee feels that the information submitted in connection with this legislation justifies a special exception to the time limit established by 35 U.S.C. 151.

The Department of Commerce in its report on this legislation states that it has no objection to its enactment.

ORDER FOR RECOGNITION OF SENATOR MONDALE TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that after approval of the Journal, and the consideration of unobjected to measures on the Calendar tomorrow, the distinguished junior Senator from Minnesota (Mr. MONDALE) be recognized for not to exceed 1 hour.

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

SENATE JOINT RESOLUTION 246—INTRODUCTION OF A JOINT RESOLUTION RELATING TO EMERGENCY STRIKE LEGISLATION

Mr. MANSFIELD. Mr. President, may I say, before the Senator from New York embarks upon what I think will be the introduction of a resolution, that in my opinion, the administration has done almost all that it could do to bring to a head the present labor difficulty which confronts Congress. The exception that I think the President ought to give serious consideration to would be the placing of his personal prestige on the line, so to speak, to see if at all possible this strike, which is scheduled to begin at 12:01 a.m. on Thursday morning next, 1 minute after midnight, could possibly be averted.

May I say further that any recommendation by the administration should be given prompt and expeditious consideration by the Senate, so that we can face up to our responsibilities in this most important matter, and decide one way or the other what should be done.

Mr. JAVITS. Mr. President, if the Senator will remain——

Mr. MANSFIELD. The Senator has the floor.

Mr. JAVITS. I know, but if the Senator from Montana will remain, I would like him to hear what I have to say.

First, Mr. President, I must do my duty; and so, by request, I introduce for appropriate reference a joint resolution to avert the immediate taking effect of the announced strike, by deferring the period called for as a standstill by the Railway Labor Act for a period of 45 days, until January 23, 1971.

Mr. President, I point out that we have done this before in a similar crisis with respect to the railroads in 1967, and again in the shop craft dispute in 1970. As the ranking minority member of the Labor committee, it is my duty, on the part of the administration, and I therefore introduce by request, the resolution to accomplish that.

Also, Mr. President, the minority members of the Committee on Labor and Public Welfare, which has jurisdiction of this general subject, have today, at this very moment, requested an immediate hearing upon the resolution now being introduced, before the Committee on Labor and Public Welfare. The request is signed by the members of the committee with the exception of Senator DOMINICK, who is unreachable at this time, being away at a place in the southern part of the world where he cannot be reached.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 246) to provide for a temporary prohibition of strikes or lockouts with respect to the current railway labor-management dispute, introduced by Mr. JAVITS, by request, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. JAVITS. I ask unanimous consent that the letter to which I have referred, together with the letter of transmittal from the Secretary of Labor be printed in the RECORD.

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

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, D.C.

Honorable SPIRO T. AGNEW,
President of the Senate,
Washington, D.C.

DEAR MR. SPEAKER: I am transmitting herewith draft legislation to carry out the President's recommendation for averting the threatened Nationwide rail dispute.

The draft legislation provides an extension for an additional period of 45 days of the prohibition against strikes or lockouts in this dispute.

This situation demonstrates forcibly once again that we must have permanent effective procedures for solving labor disputes of this nature. Last February the President proposed the enactment of an Emergency Public Interest Protection Act to provide such procedures for the transportation industry.

However, as such legislation has not yet been enacted and, in view of the urgency of the present situation, I recommend that the legislation I am transmitting be given immediate and favorable consideration.

Sincerely,

SECRETARY OF LABOR.

Enclosure

U.S. SENATE,
COMMITTEE ON LABOR AND
PUBLIC WELFARE,
Washington, D.C., December 8, 1970.

Hon. RALPH YARBOROUGH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR YARBOROUGH: As you know, the President has requested Congress by extension of the appropriate provision of the Railway Labor Act to take immediate action to avert for 45 days a nationwide railroad strike announced to begin at 12:01 a.m. December 10, 1970. The President has asked the Congress for timely action to avoid a national emergency as the Administration finds that the consequences of such a strike even for a limited period of time would be catastrophic to the nation.

Accordingly, the national interest requires immediate consideration of this legislation and we request that the Labor and Public Welfare Committee commence immediate hearings on the President's resolution.

Sincerely,

JACOB K. JAVITS,
WINSTON L. PROUTY,
GEORGE MURPHY,
RICHARD S. SCHWEIKER,
WILLIAM R. SAXBE.

Mr. JAVITS. Mr. President, addressing myself to the position taken by the majority leader, I see nothing whatever inconsistent between his suggestion—which personally I endorse—and the action which I have taken in introducing the resolution.

We have about 36 hours, Mr. President. These two matters must proceed on parallel tracks. The President, I am convinced, wishes collective bargaining to work; and if he can, by his personal intercession, assist it to work, then there is no question about the fact that the suggestion made by the majority leader is a perfectly valid one.

The President may decide that he cannot, by his personal intercession, assist it to work, in which case I am sure he will be heard from. The majority leader's voice, and perhaps even mine, are important enough to warrant the President's being heard on that subject. But I see no conflict whatsoever between the parallel tracks of responsibility of the administration and of Congress; and the majority leader was very gracious about that, in saying that he thought the Secretary and other people in the administration had done everything they could up to now, but he did think the President himself might yet be able to do something.

If that hope could be realized, no one would be happier than I, and I am sure every one else in Congress. At the same time, Mr. President, if we allow the strike to go on, and the men actually go out, some would argue that, "Well, this is a way to compel people to collectively bargain," but at the expense of the country suffering so catastrophic a blow, I doubt very much that that is a price we all wish to pay.

I point out that once they are out, if we do not act in time to avert this awful decree, the situation will get confused and it will be very difficult to bring them back, and will undoubtedly involve some delay. Indeed, we had testimony—I am speaking now strictly as a matter of fact—from the railroads the last time we faced this problem. We had the testimony of the railroad managements that they simply could not be responsible for what would happen if there was any suspension at all, no matter how short, and that things would get so fouled up that it would take weeks to rearrange them.

I will say, in deference to the unions, that this time they have done what last time they did only at the hearings: They have offered to move defense material or material required for health—what they call "essential shipments"—and to continue all passenger services. This involves, really, the reason for a hearing, I might tell my colleagues, because the managements firmly maintain that they simply cannot run the railroads that way. It presents critical problems in determining what is and what is not essential, disagreements on that score, the impacts on enormous backups in freight yards of cars full of material which is not going to be permitted to move, and to screen out of that what is going to be permitted to move. They claim—and that is all I can tell Congress—that such problems would present them with a practical impossibility.

This is something we will simply have to make up our minds about. We may say we do not know who is right, but we do not want a strike for x days, to avail ourselves of the opportunity to find

out who is right through necessary hearings.

I would represent to my colleagues, particularly consistent with the majority leader's view, with which I agree, that we still have to face up to our problem here in Congress. The time is unbelievably short.

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

Mr. JAVITS. I ask unanimous consent to proceed for 2 additional minutes.

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

Mr. JAVITS. I would hope that, without in any way compromising his strongly held view—which is unnecessary; he does not have to compromise—the majority leader, with his prestige, would make it possible for us to get a very prompt hearing, so that if Congress feels it desirable to act, it will, without in any way impairing the feeling that the President, as the majority leader has said, should do everything he can, with his personal prestige, to try to make collective bargaining work.

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

Mr. JAVITS. I yield.

Mr. MANSFIELD. I agree with what the distinguished senior Senator from New York has said. He is the ranking member of the Committee on Labor and Public Welfare. I would personally suggest that as soon as the resolution is introduced, he get together with the chairman of the committee, and that hearings start immediately.

Mr. JAVITS. I thank my colleague very much. His graciousness is typical of him, and I shall do exactly that.

The resolution has been submitted. I will see Senator YARBOROUGH at once.

Mr. President, I yield the floor.

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business?

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMERICAN PRISONERS OF WAR

Mr. GURNEY. Mr. President, the Book of Common Prayer says that man that is born of a woman hath but a short time to live, and is full of misery. It says:

He cometh up, and is cut down, like a flower; he fleeth as it were a shadow, and never continueth in one stay.

Today, over 1,400 American men languish in Communist prison camps, and they know misery. They sit in these camps in full violation of the Geneva Convention; alone, suffering, shut off from normal communication, while their families here at home try desperately to gain knowledge of their condition, indeed their existence.

Let none forget, Mr. President, that these are our men, and that we shall not now nor ever cease our attempts to bring them forth from the misery of brutal captivity.

ORDER OF BUSINESS

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. 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.

AN EFFORT TO LIBERATE AMERICAN PRISONERS OF WAR HELD CAPTIVE BY NORTH VIETNAM

Mr. DOLE. Mr. President, I move that the Senate proceed to the consideration of Senate Resolution 486.

The PRESIDING OFFICER (Mr. MCGOVERN). The resolution will be stated by title.

The legislative clerk read as follows:

A resolution (S. Res. 486) relating to the joint Army-Air Force effort to liberate American prisoners of war held captive by North Vietnam.

The PRESIDING OFFICER. The motion is not debatable. The question is on agreeing to the motion.

The motion was agreed to and the Senate proceeded to consider the resolution.

Mr. FULBRIGHT. Mr. President, I have discussed this matter with the distinguished Senator from Kansas. I am agreeable to having the resolution go to the Committee on Foreign Relations under an arrangement to report it back to the Senate within 10 days. This will give the committee an opportunity to review the resolution in the light of some of the information which has been developed since the resolution was originally offered.

Serious questions about the incident were raised in several articles which I inserted in the RECORD on December 4. They contain a great deal of information, including an interview with General Manor. One article indicated that perhaps some officials knew that no prisoners were there but that the action had purposes other than the rescue of prisoners.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the morning hour be extended for 3 minutes.

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

Mr. FULBRIGHT. With respect to all resolutions, not just this one, I think that, as a matter of proper procedure, the relevant committees should have an opportunity to review the resolutions and request full information from the officials and other sources before the Senate is asked to take action. Serious question has been raised as to what the real purpose was, and I would not like to see the Senate commit itself without more knowledge as to what really was the background. I do not wish to sidetrack the resolution altogether. I think it is significant, and I would undertake to report it back to the Senate within 10 days.

Mr. DOLE. As the Senator from Arkansas has pointed out, we have discussed Senate Resolution 486 and some of the questions raised by the Senator from Arkansas. As I indicated to him, my purpose and my hope is that the entire Senate will have the opportunity to express its will on the resolution. I have no objection to its going to the committee to be reported back prior to adjournment, with the understanding that the Senator from Kansas believes we will be here 10 more days. For that reason, I have no objection to the Senator's request.

Mr. FULBRIGHT. Mr. President, I move that the pending resolution be referred to the Committee on Foreign Relations with instructions to report it back within 10 days.

The PRESIDING OFFICER (Mr. BYRD of Virginia). 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:

UNITED STATES AIR FORCE FLYING PAY REPORT

A letter from the Secretary, Department of the Air Force, transmitting, pursuant to law, the Air Force flying pay report as of October 31, 1970 (with an accompanying report); to the Committee on Armed Services.

PROPOSED LEGISLATION FOR AVERTING THE THREATENED NATIONWIDE RAIL DISPUTE

A letter from the Secretary of Labor, transmitting a draft of proposed legislation to provide for a temporary prohibition of strikes or lockouts with respect to the current railway labor-management dispute (with an accompanying paper); to the Committee on Labor and Public Welfare.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, with an amendment:

S. 4. A bill to establish the Big Thicket National Park in Texas (Rept. No. 91–1415).

By Mr. HART, from the Committee on the Judiciary, without amendment:

S. 2299. A bill granting jurisdiction to the Court of Claims to render judgment on certain claims of the Algonac Manufacturing Company and John A. Maxwell against the United States (91–1416).

By Mrs. SMITH, from the Committee on Armed Services, without amendment:

H.R. 8663. An act to amend the Act of September 20, 1968 (Public Law 90–502), to provide relief to certain former officers of the Supply Corps and Civil Engineer Corps of the Navy (Rept. No. 91–1417).

By Mr. CHURCH, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 14421. An act to provide for the conveyance of certain property of the United States located in Lawrence County, S. Dak., to John and Ruth Rachetto (Rept. No. 91–1418).

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without amendment:

H.R. 18012. An act to amend the Foreign Service Building Act, 1929, to authorize additional appropriations (Rept. No. 91-1420).

AMENDMENT OF CENTRAL INTELLIGENCE AGENCY RETIREMENT ACT OF 1964 FOR CERTAIN EMPLOYEES—REPORT OF A COMMITTEE (S. REPT. NO. 91-1419)

Mr. STENNIS, from the Committee on Armed Services, reported an original bill (S. 4571) to amend the Central Intelligence Agency Retirement Act of 1964 for certain employees, as amended, and for other purposes, and submitted a report thereon, which bill was placed on the calendar, and the report was ordered to be printed.

THE FEDERAL INSURANCE GUARANTY AGENCY ACT—REPORT OF A COMMITTEE—MINORITY AND SUPPLEMENTAL VIEWS (S. REPT. NO. 91-1421)

Mr. MAGNUSON. Mr. President, from the Committee on Commerce, I report favorably, with amendments, the bill (S. 2236) to create a Federal Insurance Guaranty Corp., to protect the American public against certain insurance company insolvencies. I ask unanimous consent that the report be printed, together with minority and supplemental views.

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

OMNIBUS RIVERS AND HARBORS AND FLOOD CONTROL BILL OF 1970—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 91-1422)

Mr. BYRD of West Virginia. Mr. President, at the request of my senior colleague (Mr. RANDOLPH), and on behalf of the senior Senator from Ohio (Mr. YOUNG), from the Committee on Public Works, I report favorably an original bill (S. 4572) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes. I ask unanimous consent that the report be printed, together with the individual views of the Senator from Kansas (Mr. DOLE), and the individual views of the Senator from Delaware (Mr. BOGGS).

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

EXECUTIVE REPORTS OF COMMITTEES

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

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Robert O. Blake, of California, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Republic of Mali; and

John A. McKesson 3d, of the District of Columbia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Gabon Republic.

Mrs. SMITH. Mr. President, from the Committee on Armed Services, I report favorably on the nomination of eight flag and general officers in the Army and Marine Corps. I ask that these names be placed on the Executive Calendar.

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

The nominations, ordered placed on the Executive Calendar, are as follows:

Maj. Gen. William Charles Gribble, Jr., U.S. Army, to be assigned to a position of importance and responsibility designated by the President, in the grade of lieutenant general;

Lt. Gen. Henry Augustine Miley, Jr., Army of the United States (major general, U.S. Army), to be assigned to positions of importance and responsibility designated by the President, in the grade of general;

Maj. Gen. Woodrow Wilson Vaughan, U.S. Army, to be assigned to positions of importance and responsibility designated by the President, in the grade of lieutenant general;

Maj. Gen. Robert Ray Williams, U.S. Army, to be assigned to a position of importance and responsibility designated by the President, in the grade of lieutenant general;

Maj. Gens. Hugh M. Elwood and Donn J. Robertson, U.S. Marine Corps, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade of lieutenant general while so serving;

Lt. Gen. Keith B. McCutcheon, U.S. Marine Corps, for appointment to the grade of general while serving as Assistant Commandant of the Marine Corps;

Gen. Lewis W. Walt, U.S. Marine Corps, when retired, to be placed on the retired list in the grade of general; and

Lt. Gen. William J. Van Ryzin, U.S. Marine Corps, when retired, to be placed on the retired list in the grade of lieutenant general.

Mrs. SMITH. Mr. President, in addition I report favorably 225 appointments in the Regular Army in the grade of major and below. Since these names have already been printed in the CONGRESSIONAL RECORD, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

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

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

Edward A. Fedok, and sundry other persons, for appointment in the Regular Army.

GENOCIDE CONVENTION—EXECUTIVE REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (EXECUTIVE REPT. NO. 91-25)

Mr. CHURCH. Mr. President, from the Committee on Foreign Relations, I report favorably, with understandings and a declaration, the genocide convention, executive office, 81st Congress, first session. I ask unanimous consent that the report be printed, together with the individual views of the senior Senator from New York (Mr. JAVITS).

The PRESIDING OFFICER (Mr. SPONG). The report will be received, and the convention will be placed on the Executive Calendar; and without objection, the report will be printed, as requested by the Senator from Idaho.

BILLS AND JOINT RESOLUTIONS INTRODUCED OR REPORTED

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

By Mr. MONDALE:

S. 4569. A bill for the relief of Freny Rustom Irani; to the Committee on the Judiciary.

By Mr. HART:

S. 4570. A bill to amend the Wild and Scenic Rivers Act by designating certain rivers in the State of Michigan for potential additions to the National Wild and Scenic River Systems; to the Committee on Interior and Insular Affairs.

(The remarks of Mr. HART when he introduced the bill appear below under the appropriate heading.)

By Mr. STENNIS:

S. 4571. A bill to amend the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as amended, and for other purposes; placed on the calendar.

(Reference is made to the bill when reported by Mr. STENNIS, which appears earlier in the RECORD under the heading "Reports of Committees".)

By Mr. BYRD of West Virginia (for Mr. YOUNG of Ohio):

S. 4572. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; placed on the calendar.

(Reference is made to the bill when reported by Mr. BYRD of West Virginia, which appears earlier in the RECORD under the heading "Reports of Committees.")

By Mr. JAVITS (by request):

S.J. Res. 246. Joint resolution to provide for a temporary prohibition of strikes or lockouts with respect to the current railway labor-management dispute; to the Committee on Labor and Public Welfare.

(The remarks of Mr. JAVITS when he introduced the joint resolution appear earlier in the RECORD under the appropriate heading.)

By Mr. RANDOLPH:

S.J. Res. 247. Joint resolution expressing the support of the Congress that the United States should convene in 1971 an International Conference on Ocean Dumping; to the Committee on Foreign Relations.

S. 4570—INTRODUCTION OF A BILL TO AMEND THE WILD AND SCENIC RIVERS ACT

Mr. HART. Mr. President, I am introducing a bill designed to stop development temporarily on scenic sections of Michigan's Au Sable and Manistee Rivers. The bill would add those sections to the list of 27 rivers under study for possible addition to the National Wild and Scenic Rivers system.

The sections affected by this legislation would be: the Au Sable, downstream from Foot Dam to Oscoda and upstream from Loud Reservoir to the source of the river, including the principal tributaries but excluding Mio and Bamfield Reservoirs; and the Manistee, upstream from Manistee Lake to the river's source, including its principal tributaries but excluding Tippy and Hodenpyl Reservoirs.

These rivers and wildlands through which they pass are great resources for the people of Michigan and the Nation. They are, however, greatly endangered by the all-too-common threat of developments that would mar their scenic beauty and dilute their wild character. Much of the land along the Au Sable and the Manistee—including its tributary, the Pine River—is owned by the Consumers Power Co. They have in the past leased some of these lands for private development. Proposals for further leasing this spring focused widespread attention on the endangered future of these river lands. To its credit, the power company has delayed its leasing plans for the moment.

Nevertheless, the threatened future of these rivers is clear. We must move rapidly to forestall that threat, and I am most eager, as are Michigan's conservation-minded citizens, to cooperate in this endeavor.

Development is prohibited while a river is under study. If it is determined that a river should be protected permanently, additional legislation is required to add it to the wild rivers system.

The Departments of Interior and Agriculture, which administer the wild rivers program, have indicated interest in the Michigan rivers.

I am introducing the legislation at this time, not expecting that it will be passed in the few remaining days of this session, but in hopes that it will afford the rivers some degree of protection and will encourage the Consumers Power Co., to discontinue further leasing of its lands and perhaps gradually to phase out existing leases.

The Manistee and Au Sable Rivers have long been recognized as among the outstanding recreational rivers in the Midwest. At the national level, the Manistee River was recognized in the 1963–64 wild river study conducted by the U.S. Department of Interior and Agriculture as meeting national criteria, and the wild and scenic rivers bills introduced in Congress by the administration in 1967 and 1968 included the Manistee in the study category on rivers.

At the State level, both the Au Sable and Manistee were recognized in a 1965 Michigan Department of Natural Resources report to have natural and recreational values of major significance, and it was recommended that several stretches of riverfront be kept free of development. Again, in the foreword to a Department of Natural Resources Bulletin entitled, "Michigan's Au Sable River: Today and Tomorrow," written by G. E. Hendrickson and published in 1966, Gerald E. Eddy, then Chairman of the Michigan Water Resources Commission, stated:

> . . . the Au Sable is perhaps enjoyed and cherished by more people than any other Michigan river. Cool clean flowing water, natural cover, and gravel spawning beds make it an outstanding trout stream. Its natural beauty attracts canoeists, campers, and cabin dwellers. The kind of excellence typified by the Au Sable, however, is fragile and can easily deteriorate through neglect, mismanagement, and apathy.

Once again, in March of this year, in its response to Michigan House Concurrent Resolution 356, the Michigan Department of Natural Resources reiterated its previously stated recommendation that substantial sections of the Au Sable and Manistee riverfronts be left undeveloped. Specifically, the DNR response indicated that the lands consumers proposed to lease fell within the sections DNR had recommended for preservation.

Early in the new Congress, I will introduce similar legislation and will urge early consideration of it.

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

The bill (S. 4570) to amend the Wild and Scenic Rivers Act by designating certain rivers in the State of Michigan for potential additions to the National Wild and Scenic River Systems, introduced by Mr. HART, was received, read twice by its title and referred to the Committee on Interior and Insular Affairs.

ADDITIONAL COSPONSOR OF A BILL

S. 4238

At the request of the Senator from Hawaii (Mr. INOUYE), the Senator from New Jersey (Mr. WILLIAMS) was added as a cosponsor of S. 4238, the Universal Enrollment Act.

ESTABLISHMENT OF A FEDERAL BROKER-DEALER INSURANCE CORPORATION—AMENDMENT

AMENDMENT NO. 1095

Mr. BROOKE. Mr. President, I rise today to discuss matters of utmost importance to all Americans—the health and stability of our national securities markets and investor confidence in these institutions.

In recent years, the number of Americans owning securities has grown significantly to the point where more than 30 million Americans presently own shares in U.S. industry including 1,214,000 citizens of my own State. This growth has been possible because of the trust and confidence investors have placed in our national securities markets, the brokers and dealers who represent them, and the regulatory bodies which protect the public interests. Congress has contributed to this confidence by its belief that industry self-regulation, coupled with oversight by the Securities and Exchange Commission produces an effective regulatory structure.

Events have taken place in recent months involving the failure of a number of larger brokerage firms—as well as the "shotgun marriages" of still others—which have, however, weakened investor confidence and cast a cloud on industry self-regulation as a viable concept. An estimated 150 brokerage firms have entered into liquidation. Hundreds of others have had to merge or cut back operations. As a result, thousands of investors have found their cash and securities in brokerage accounts frozen pending the settlement of bankruptcy suits or other court actions. What the dollar loss to individual investors will be, no one can now predict.

The Senate will shortly begin debate on Senate bill 2348 which is designed to establish a Federal broker-dealer insurance corporation. Senator MUSKIE has introduced this measure which will protect investors' funds and securities and will, in my opinion, do much to restore consumer confidence in the investment industry. But I believe Senate bill 2348 should be further strengthened.

Accordingly, I am submitting an amendment which is designed to eliminate certain practices by brokers and dealers which subject investors' cash and securities to unreasonable risks. Specifically, the amendment I propose to section 15 of the Securities Exchange Act of 1934 would provide that broker-dealers must segregate from their own funds and securities both cash and securities entrusted to them by investors for safekeeping. There would be an absolute prohibition on the use of customers' property for the broker-dealer's own purposes.

New York Stock Exchange members alone now hold approximately $2.2 billion of customers' cash, commonly referred to as "free credit balances." They also hold approximately $47 billion of customers' securities. These free credit balances are accumulated, typically, after the sale of securities and are retained by the broker-dealers for safekeeping until the customer decides to purchase other securities or withdraw the funds from his account. It is also commonplace for fully paid customers' securities to be held by broker-dealers for safekeeping—both for convenience sake and because the practice facilitates additional transactions.

In reliance on the existing regulatory structure, investors have maintained large cash balances at brokerage houses and have entrusted their securities to broker-dealers for safekeeping. There may or may not be a correlation between the stability of broker-dealers and the stability of our national financial markets. But the public thinks there is. The mail which my office and others have received concerning the failure of a number of broker-dealers betrays a growing lack of confidence in our financial markets generally.

In my judgment Congress must act to afford the American public maximum protection. We cannot permit practices on the part of broker-dealers which undermine the public's confidence in our financial markets. The very stability of our economy and the ability of American business to raise vast sums of capital from large and small investors alike warrants constructive, responsible measures to correct what has become a serious situation.

The amendment which I offer today makes broker-dealers fiduciaries with regard to the safekeeping of both cash and securities entrusted to them by the investing public. And that is as it should be.

It has been suggested by some that such a provision is unnecessary because the commingling of customer and brokerage firm property has been commonplace for years. If that has been the case, it is time that Congress acts to put a stop to such practices.

It is an unfortunate fact that, if a firm which has failed to adequately segregate the investing public's property should go into bankruptcy, the trustee in bankruptcy can tie up these assets for an indefinite period. The innocent investor could lose all or most of his cash or securities.

If this proposed amendment becomes law, investor losses will be limited to those cases where fraud or outright violations of this provision occur, in which case the insurance provisions of S. 2348 will come into play.

It is also argued that many broker-dealers use free credit balances as their operating capital and that to require segregation of such funds would further undermine the stability of broker-dealers generally. I cannot accept and I hope Congress will not accept that argument. Why should customers' cash and securities be used to satisfy broker-dealer capital needs? To ask the question is, I suggest, to answer it.

The amendment which I propose would take effect pursuant to regulations promulgated by the SEC. In no event, however, would the effective date of this provision be delayed more than 1 year beyond the effective date of the new bill. This should give broker-dealers sufficient time to alter their capital structures in a manner consistent with their fiduciary obligations to the investing public. Once the law takes effect investors will no longer bear the risks I have cited. They will be fully protected and indeed could possibly even earn a return on free credit balances maintained with broker-dealers.

Mr. President, this amendment would plug a gaping loophole in the Securities Exchange Act. This amendment will offer maximum protection to the public, and its enactment will restore and build public confidence in our national securities institution.

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

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

The amendment (No. 1095) is as follows:

AMENDMENT NO. 1095

On page 73, line 7, insert the following:

"SEC. 4. Section 15 (c) of the Securities Exchange Act of 1934 is amended by adding the following:

"'(6) (A) No broker or dealer or member of a national securities exchange shall hold in custody or under a lien any money, security or other property received from or on behalf of any customer, except that such broker may hold in custody or under a lien or may lend or pledge an amount of such securities that is fair and reasonable in view of the indebtedness of said customer to said member, broker or dealer and in compliance with such rules and regulations as the Commission may prescribe for the protection of investors.

"'(B) When a broker or dealer or member receives or holds securities that are fully paid for or in excess of the amount which can be held in custody or under a lien or under a loan or pledge under this section or receives any monies or other property from or on behalf of any customer, except in the ordinary course of business to complete a transaction for such customer, such member, broker or dealer shall—

"'(i) promptly deliver such securities, money or other property to such customer, or

"'(ii) upon the written consent of such customer, place or maintain such securities, money, or other property in the custody of either a bank which has at all times an aggregate capital, surplus and undivided profits of such specified minimum amount as may from time to time be prescribed by the Commission, or of a clearing corporation, central depository, or similar facility subject to such qualifications as the rules and regulations of the Commission may prescribe in the public interest and for the protection of investors. Such securities, money or other property shall not be removed by the broker or dealer from such bank, clearing corporation, central depository or similar facility, except upon the specific authorization of such customer to complete a transaction for the account of such customer or for delivery to such customer or his designee and subject to such rules and regulations as the Commission may prescribe in the public interest and for the protection of investors.

"'(C) This subsection shall become effective pursuant to regulations promulgated by the Commission. In no event, however, shall the effective date of this subsection be later than one year from the date of enactment of this Act.'"

On page 73, strike lines 8 and 9, and insert in lieu thereof the following:

"SEC. 5. The amendments made by this Act shall take effect upon the date of enactment of this Act, unless otherwise specified herein."

NOTICE OF HEARINGS ON THE NOMINATION OF JEREMIAH COLWELL WATERMAN TO BE A MEMBER OF THE PUBLIC SERVICE COMMISSION

Mr. KENNEDY. Mr. President, on behalf of the Senator from Maryland (Mr. TYDINGS), I ask unanimous consent to have printed in the RECORD a notice of hearings.

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

NOTICE OF HEARINGS ON THE NOMINATION OF JEREMIAH COLWELL WATERMAN TO BE A MEMBER OF THE PUBLIC SERVICE COMMISSION

Mr. TYDINGS. Mr. President, as Chairman of the Senate Committee on the District of Columbia, I wish to give notice that a hearing on the nomination of Jeremiah Colwell Waterman to be a member of the Public Service Commission will be held on Thursday, December 10, 1970. The hearing will begin at 10:00 A.M. in Room 6226 of the New Senate Office Building.

Individuals and representatives of organizations who wish to testify at the hearing should notify Mr. Vaughn Williams at 225–4161, prior to December 9, 1970.

Written statements, in lieu of personal appearance, are welcomed and may be submitted to the Staff Director, Room 6218, New Senate Office Building, Washington, D.C. 20510, for inclusion in the hearing record.

ADDITIONAL STATEMENTS OF SENATORS

"SPARE THE THINNING THICKET" BY DOROTHIE ERWIN IN THE DALLAS NEWS—THE CASE FOR THE BIG THICKET NATIONAL PARK

Mr. YARBOROUGH. Mr. President, Southwest Scene, the Sunday magazine of the Dallas Morning News for September 27, 1970, contains an excellent article by Dorothie Erwin concerning the plight of the beautiful Big Thicket area of southeast Texas. The article points out that at one time the Big Thicket consisted of more than 3½ million acres; however, due to unregulated practices this ecological wonderland has now been reduced to approximately 300,000 acres.

Unless prompt action is taken by the Federal Government to preserve this unique area, one of the last great wilderness areas in America will be sacrificed unnecessarily to the chainsaw and bulldozer. Since 1966 I have fought for the creation of a Big Thicket National Park of not less than 100,000 acres. During this session of Congress, significant progress has been made toward obtaining this goal. Today, the Committee on Interior and Insular Affairs has filed its report on my bill, S. 4, to create a Big Thicket National Park. By taking this action, the Senate Interior Committee has reaffirmed its commitment to saving our ecological wonderlands. I commend the distinguished chairman of the committee, the Senator from Washington (Mr. JACKSON), and the distinguished chairman of the Parks and Recreation Subcommittee, the Senator from Nevada (Mr. BIBLE), for their vision and their diligent work in this important area. I recommend the article by Dorothie Erwin in the Dallas Morning News to the Senate because of its penetrating discussion of the problems involved in saving the Big Thicket.

Mr. President, I ask unanimous consent that the article, entitled "Spare the Thinning Thicket," be printed in the RECORD.

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

SPARE THE THINNING THICKET

(By Dorothie Erwin)

Nature made the Big Thicket a biology laboratory, one that man couldn't duplicate if he tried.

But if that makes it sound like a place only a botanist could love, I should find another metaphor. It has been trouble enough already for scientists and other conservationists to persuade politicians that a thicket, even this unique biological area, deserves to be a national park.

A thicket hasn't the public image for a popular park. It lacks the grandeur of a waterfall, the majesty of a peak. A family certainly can't take it all home in a snapshot with the kids lined up squinting in front of it.

Yet the storied Big Thicket, Southeast Texas' wet woodlot northwest of Beaumont, has been appreciated for the most unscientific reasons. If its last remaining rich little parts are saved now and only minimally developed for the public's use—a few interpretive exhibits to explain the ecology, a few trails cleared and marked—then its recreational potential will be as uncommon as its botany.

Organized preservation efforts began as far back as the 1930s but they were ineffective. Intermittent attempts to promote a state park in the thicket, culminating in the early 1960s, always got somehow lost in the woods. Only this year has the preservation of some part of Texas' peculiar little wilderness, in the national park system, seemed really possible. A combination of factors accounts for the change: A coalition of national and regional conservationist or-

ganizations publicizing the thicket and supporting the park idea, a growing environmental awareness among laymen, and some pragmatic election-year politicking.

It will be a nonesuch park if it is a park.

Science and local tradition differ in their mapping of it. The thicket of lore and legend is a small area, roughly the watershed of Pine Island Bayou and its Little Pine Island tributary in Hardin and Polk counties. Local people call the densest parts "tight-eye" thicket. A characteristic example of it is in the triangle that has the towns of Kountze, Saratoga and Sour Lake at its tips.

But defined according to its geology and biology, the thicket region comprises several counties between the Neches and San Jacinto rivers and about 3½ million acres—the figure that's often cited now by conservationists as the Big Thicket that used to be. It was reduced and fragmented by logging, farming, oil drilling, pipelines and residential development. The consensus estimate is that about 300,000 acres of it remains.

Diversity of flora and fauna is the thicket's peculiar charm. The region is characterized by mild temperatures and deep, pervious soils that retain the plentiful moisture from numerous springs and 60 inches of rainfall a year. A National Park Service study found the thicket to contain "elements common to the Florida Everglades, the Okefenokee swamp, the Appalachian region, the Piedmont forests and the open woodlands of the coastal plains."

Subtropical and temperate zone vegetations overlap. Environmental ecology students may observe most of the plant communities of the continental United States in a single day in this compact area.

Dr. C. L. Lundell, Texas Research Foundation director, says the thicket contains more soil types and more plant and animal species than any area of comparable size in the United States.

Present, but in diminishing numbers, are the primitive soil-building plants of the sphagnum bog community that are fascinating to laymen and vital to botanical study. Twenty-one species of wild orchids have been found in the thicket, and 25 varieties of ferns. In a few acres of privately owned botanical preserve near Silsbee, representations of the rare species are carefully coddled—the tiny orchids, the insect-eating plants (there are five species known in America, four of them in the thicket) and other oddities. They are dying out elsewhere as their areas are drained for timber cultivation, and this unearthly little garden could soon be their only Texas habitat.

To zoologist Dr. Daniel Willard of The University of Texas, one of many scientists who testified at a Senate hearing on a park bill this summer, such areas as the thicket are valued as "controls" for experiments in environmental manipulation.

The weight of scientific testimony was that the thicket's biology has not been fully studied; that there is much to learn from the interrelationsips of life forms and the soil-building processes at work. The concern is that it will not be learned if the climax forests—the relatively stable natural areas in which plants and animals have adjusted to their environment—are skinned off and replaced by sanitized, cultivated pine plantations.

No part of the remaining thicket is large enough to be a certified "wilderness" under the national legislation that applies. Pipelines and other man-made incursions disqualify the Saratoga triangle and other sizable contiguous areas for park consideration. But isolated natural areas remain. Eight of these—the "string of pearls," they were called—are proposed for protection in the National Park Service studies that were made in 1967 and 1968.

Four bills have been introduced in Congress to make the pearls into parks that would total from 35,500 acres to 185,000 acres. The larger acreages would include some combination of protected corridors along the streams and roads that connect the natural ecological areas.

The allied conservationist organizations, about 20 of them, which are represented in the Big Thicket Coordinating Committee have insisted on addition of the corridors as the "string" for the pearls. They say the natural areas cannot survive in isolation without their waterways protected, and that preservation of the natural streamways for hiking, canoeing and primitive camping will add a recreational dimension to the park.

All the land in question is privately owned, most of it by large lumber companies. The Texas timber industry, through its organizations and individual spokesmen, is on record in favor of a 35,500-acre park. But it has vigorously opposed any expansion of that acreage.

There is considerable opposition to the large-park plan, too, among thicket area residents, who fear that it would raise their taxes or harm the wood products industries on which the Southeast Texas economy is heavily dependent.

The Big Thicket Association, which was formed in 1964 to revive the preservation effort, has found that converting thicket-area residents to the park idea has been among its toughest tasks. With meager resources (only $1,857 in dues last year), the association has printed literature, hosted visitors, created publicity and kept the park idea alive. The American Heritage Society this year gave the group a $10,000 award for conservation activity, the first real money ever available for the cause.

Others have given impetus to the movement. Sen. Ralph Yarborough has led the effort for national park legislation. The coordinating committee has helped draw the park partisans into harmony, though not unanimity, in their efforts this year. Supreme Court Justice William O. Douglas' description of the thinning thicket in his book, "Farewell to Texas," helped draw national attention to the park idea. The Audubon Society magazine hit a lick in 1967 with John V. Dennis' announcement that the ivorybilled woodpecker, long thought to be extinct, still lives in the thicket. Many other names have figured in the save-the-thicket effort.

As the warmish quarrel continues between the timber industry and the allied conservationists, the thicket itself seems to need interpreting for the uncommitted outsider.

Its character is not apparent to the casual viewer. It hides, especially from the motorist. Close to paved roads, but invisible to passerby and difficult to reach, are places of serene beauty and fantastic foliage.

The part easiest to see is the Alabama-Coushatta Indian Reservation, at the northwestern corner of the proposed park area, where guided tours are offered. The Indians have a fine and beautiful forest, with numerous champion trees. But this is only one facet of the Big Thicket and it offers no glimpse of the typical "tight-eye."

The impassable wall of roadside vegetation that the motorist sees in the heart of the traditional thicket (for example, along FM 770 between Kountze and Saratoga) is misleading, for it is unnatural thicket that results from the removal of the forest's crown canopy for highway construction. Plants respond to the increase of light with a burst of growth, matted and jungly and formidable to the eye. But just behind this screen, in many areas, is beautiful open forest. Stream banks are often open enough for hiking with only minimal clearing.

For a thicket timber industry leader to say, as one did say to a visiting newsman recently, that the heat, snakes and insects make the place "uninviting" as a recreational site is to miss the whole point that conservationists have tried to make: Some mud, mosquitoes and moccasins come with the territory, as part of a complex biological community sustained by a unique environment. Of course nature has the bark on in the thicket, and that is the justification for its preservation.

No one claims the thicket offers recreation for the masses. But it attracts quite a few. Amateur naturalists are numerous and their legions are increasing. The thicket is for them, as well as for the professional scholars. The lower thicket is birdwatchers' bliss, especially in winter. Three hundred bird species live in the wilderness area.

Not every outdoorsman wants a marina and an ice dock handy. The canoeist wants a quiet, natural stream, the hiker a quiet, natural trail. In the mild coastal climate they could have them almost the year around.

All concerned agree there should be no improved campsites in the park's natural areas. Camping would be at the several nearby lakes.

Mass traffic would soon destroy the pearls. Wide roads would alter them seriously. The thicket would not—should not—be a tamed and sterilized extension of the urban backyard.

The thicket was never one vast solid mass of impenetrable vegetation, although early immigrants formed that impression of it when it blocked their paths. It was and is, in large part, open forest with many baygalls interspersed in it and many streams threading through it.

Baygalls are the shallow seepage bogs, open in the center and surrounded by rings of thicket. White bay and gallberry, the dominant species, give them their name. These dense, vine-tied snarls of holly, myrtle, yaupon, palmetto and titi are the classic thicket—fascinating or sinister depending on whether one is studying it or lost in it.

Naturalist Mrs. Geraldine Watson of Silsbee guided the writer and a photographer for Southwest Scene on a tour that included a splendid specimen of a baygall, very still and eerily yellow-green, early one morning. Pale sunlight filtered through the fringe of trees onto the small ponds and the sphagnum moss that spongily, silently absorbs the footfall. Naturalists treasure these places, so characteristic of the thicket, as laboratories of the land building process—the transition of bog into soil.

The stands of bush palmetto along Pine Island Bayou near Saratoga are dramatically photogenic, too. Here again, lush and exotic settings are near the roadways but hidden from them. If the park materializes, this area will be in public ownership, accessible to hikers. It illustrates the palmetto-cypress-tupelo forest association that is typical of the lower thicket.

There are six other distinct plant associations elsewhere in the thicket, sometimes merging, and the pearls are intended to contion some representation of each.

Few virgin woods remain anywhere in the region. Almost all areas have been cut over, drained, crossed with roads or pipelines or otherwise altered by man. But one of the thicket's traits is rapid growth. The forest will soon return to climax stage if it is not starved for water.

Perhaps some black bears and panthers would reclaim a place, too. They and the alligators, once numerous, have almost disappeared. The ivorybill—the 20-inch-long woodpecker whose gaudy headfeathers used to decorate Indian warbonnets—lives in the thicket if he lives anywhere. The Audubon writer confidently claimed there were "five to 10 pairs" three years ago. I know three truthful birders with good eyesight who declare they've seen the splendid bird since then.

The Indians, the white loners on the frontier, loggers, moonshiners, Confederacy draft-dodgers—all used or abused the woods in some way. The thicket was meat market for a long time, thick with deer and bear. The

Caddoes and Atakaps and the ancestors of the Alabama-Coushattas dined off it.

It turned aside the first streams of white settlers. The thicket got the mavericks—self-sufficient and unsociable. Thicketeers to this day are openly proud of their rough-tough ancestors.

Loggers had eyes on the thicket as early as the 1850s, and floated logs down the Neches and Sabine. The narrow gauge railroad built in the 1870s speeded up the harvest. By the 1890s there was a network of rails and rowdy sawmill towns. In the logging style of that era all over the South, the cutters cut and moved on without looking back or thinking ahead.

Most of the sawmill towns faded into ghostliness when the timber was used up. Farming moved in as the woods receded. Then the oil boom came, further altering the look and the economy of Southeast Texas.

All concerned recognize that present forest management practices are a far cry from the shortsighted cut-and-run methods of 50 years ago. Still, angry charges fly across the communication gap in the park dispute. The park partisans are convinced that some timber men are maliciously destroying attractive areas of the thicket to discourage the park idea because a park would loosen their hold on the area's economy; and that continuation of the present large-scale draining and conversion of the thicket to pine tree cultivation will eliminate all natural forest and the plant and animal communities associated with it.

The timber industry, on the other hand, maintains it is taking good care of the forest resources; that timber lands are inexorably shrinking while population and the need for wood products are growing, and that every available acre of production land is needed.

At the Senate hearing in Beaumont in June, a timber spokesman illustrated the communication gap: "How many acres would you lock up for one species of orchid that is indistinguishable to anyone but an expert botanist?" he asked. From the viewpoint of most of his listeners there, the orchid is locked up now because it is in the possession of an industry that would, quite naturally, rather have pine trees. Putting it into a park would open it up.

Someone—and it will have to be public officials—must strike a balance and decide how many acres for orchids. It is unrealistic to expect timber men—who grow trees and cut wood like fish got to swim, birds got to fly—to take care of some thicket for its scientific, recreational and aesthetic values if they do so at the expense of marketable pine trees.

It is elected officials, not tree owners, who are assigned to look after the public's interest, aesthetic as well as economic. They can't know the long-term ecological consequences of the conversion of vast areas from mixed forest to pine plantations. But they can justify the preservation of some natural area as a merely reasonable and prudent way of aiding ecological research and expanding recreational opportunities.

The thicket would have been under state ownership or protection long ago if those responsible for state parks had rated conservation of natural areas as important as the development of mass-use recreational facilities.

So at last, this year, the Washington route to a thicket park looks far more promising than the Austin route. If an irreplaceable natural resource is finally lost with the thicket now, it will be because too few public officials in either capital could see the forest for the pine trees.

PRESIDENT NIXON'S ADDRESS ON THE ECONOMY

Mr. GRIFFIN. Mr. President, last Friday evening, in New York City, President Nixon delivered a major address before the National Association of Manufacturers on the state of the economy and the administration's strategy for dealing with it.

The President appeared before the NAM, but declared at the outset that he was reporting "to the Nation." Columnist David Lawrence later described it as a "historic address."

The President made it clear that while there will be no letup in the administration's determined efforts to win the battle against inflation, the time has come for a shift in emphasis.

Richard Nixon demonstrated that he is a President who will not be passive about critical problems which attend the difficult shift from a wartime to a peacetime economy.

There have been dislocations—economic pain and suffering borne by labor and management alike—and it is, as the President noted, "the business of Government, business, and labor to help ease that pain as we move ahead."

The time is ripe for Government to stimulate the economy, and President Nixon announced the support of Federal Reserve Chairman Arthur Burns in expanding the money supply. We now have new hope for an upsurge in housing, as well as in State and local government construction.

At the same time, the President made it clear that inflationary contract settlements in the construction industry must not continue. He indicated that he will not hesitate to use the power of his office to bring about reasonable settlements.

It is my hope that both management and labor in the construction industry will read and understand the President's message. Good-faith negotiations in this critical industry can void the necessity for Presidential intervention.

The President's announcement permitting an increase in existing import quotas on Canadian oil is especially welcome. I am hopeful this action will lower the cost to consumers of gasoline and heating fuels.

All in all, I am most encouraged by the President's address. It was in keeping with the efforts of the administration to promote a stable, vigorous economy, while promising no letup in the fight against inflation.

As the President wisely observed:

> Let us recognize that no one industry and no one side of the bargaining table can be made the scapegoat for rising prices. There is enough blame to go around, and the past policies of Government bear their full share of that blame. But recriminations and buck-passing will not help; what is needed now is the firm acceptance of the fact that fighting inflation is everybody's business.

That admonition applies to Congress as well.

NATIONAL SPENDING PRIORITIES

Mr. HART. Mr. President, many of us in Congress have talked a great deal about the importance of changing national spending priorities.

As is often the case in politics and government, it is easier to talk about changing priorities than accomplishing a change.

As is also often the case in this Nation, changes which do occur often go unnoticed because they happen over an extended period of time.

And finally, it sometimes happens that small changes are made to seem large depending on who is using what figures.

The effort to tighten the Pentagon budget and to redirect those savings into domestic programs is an excellent case-in-point.

We have made some progress in reducing the Pentagon budget.

Last year Congress decreased Pentagon money requests from $75.2 billion to $69.6 billion in the defense appropriations bill and from $2 billion to $1.644 billion in the military construction funding bill.

The cuts totaled $6.7 billion.

This year Congress approved a $2.037 billion military construction bill, $97 million less than the Pentagon budget request.

The defense appropriations bill on which we vote today is, as recommended by the Senate Appropriations Committee, $2.3 billion less than the $68.7 billion requested by the administration.

While this figure may well be adjusted upward in conference, I think it safe to predict that when it completes action on this bill, Congress will have reduced the Pentagon budget by more than $2 billion.

To what does this add up? It means that in the last 2 years Congress can take direct credit for an overall reduction in the Pentagon budget of about $10 billion. Congress, I think, can also take indirect credit for the reduced Pentagon appropriations request made by the administration in this year's defense bill, down from last year's $75.2 billion to $68.7 billion.

So some progress has been made, but the battle is far from won.

Already, Pentagon spokesmen have talked about the need to increase their budget next year.

If, indeed, the administration does request increased funds for the Pentagon, so be it. But the administration should not be misled by the fact that attempts are not being made now to cut this bill as approved by the Senate appropriations bill.

The fact that those of us who previously have attempted to reduce on the floor what was approved in committee are not doing that today does not mean we are tiring or relaxing our effort.

To the contrary, we are encouraged by the action of the Senate Appropriations Committee this year, for under its recommendations Congress is approaching the military spending limit of $66 billion which many of us supported earlier this session in an amendment to the military authorization bill.

In short, the Pentagon will have to make a case for any budget increase next year, the same case which will have to be made for increases in any other program.

And let us not be misled by statements made by some administration officials and supporters claiming that our Nation has turned the corner on changing our spending priorities.

These spokesmen would tell us that a breakdown of the administration's budget shows 36 percent will be spent on

defense and 41 percent on human resources.

Those percentages are accurate only if one counts under human resources expenditures from trust funds for social security, medicare, unemployment insurance, and so forth.

However, the fact is that neither Congress nor the administration has any control over these expenditures. The Federal Government is merely a caretaker for these funds and eventually returns them to the source from which collected, such as social security benefits.

If trust funds were separated from the human resources portion of the budget, we would find that the breakdown between domestic and defense expenditures in the administration's budget comes out about $26 billion for the domestic and about 7 billion for defense.

These are the funds over which Congress and an administration can effect control. In the language of the budget planners, they are called controllable outlays.

It is my understanding that under the administration's budget requests, controllable outlays for human resource programs would be increased by only $200 million over last year, hardly sufficient to keep up with rising prices.

Clearly, while we have been making some progress on holding the level on Pentagon spending, we have not turned the corner in reordering our national priorities.

In short, we have been more successful in reducing Pentagon spending than we have been in increasing domestic programs, and the task of changing priorities is a two-step process.

And certainly there are domestic programs which could use these funds.

Many needy children will be without a school lunch this year because of a lack of money. We have no defense for this failure.

Applications for 235 and 236 housing programs are backed up, and Congress will have the authority, when action is completed on the 1970 Housing Act, to increase funds for these programs.

Urban renewal will have a backlog of $3 billion by the end of this fiscal year.

The level of funding for Headstart is still unsettled.

Many of the Nation's educational and health manpower programs could use more money even though we increased budget requests for these activities.

Support for basic and applied research must be increased.

These are just some of the needs.

A reallocation of funds cut from the Pentagon and other programs should not be called inflationary if Congress stays within the overall total of administration budget requests.

More important, it is my understanding that White House economists now agree Federal expenditures should be geared to what Federal revenues would be if the economy were approaching what is considered full employment. Under those guidelines, we could increase Federal expenditures by about $10 billion, and still not add to inflationary pressures.

Mr. President, to sum up, while some progress has been made in cutting Pentagon spending, we have made too little progress, the administration pronouncements notwithstanding, in directing those reductions into important domestic programs.

The difficult effort to make reality out of the easy-to-say phrase "changing national spending priorities" will entail continued vigilance over Pentagon budget requests, increased pressure to direct funds into domestic programs, and new efforts to raise additional revenue by closing tax loopholes.

That is a program for next year, for the next decade.

NEEDED: AN AUTHORITATIVE REPORT ON SIMAS

Mr. BROOKE. Mr. President, I wish to express my continuing deep concern and, indeed, my dismay over the handling of the attempted defection off the coast of Massachusetts nearly 2 weeks ago of a Lithuanian sailor named Simas.

This case has become a cause célèbre and casts a scandalous blot on our country's reputation as a haven for the oppressed of the world. The testimony of Government officials and eyewitnesses alike makes it increasingly clear that the participants in this affair, who should have supported an heroic leap to freedom, instead have brought shame upon the United States of America.

These questions require an immediate answer:

If the Coast Guard knew at 2:30 p.m. on November 23 that there might be a "potential defector," why was guidance not sought immediately?

After informing the State Department about 4 p.m. that "no defection had occurred," why did the Coast Guard neglect to amend and correct that statement when a defection did, in fact, take place an hour later?

Why did the Coast Guard apparently notify the State Department duty officer in Washington, D.C. at 7:45 p.m. that the man had been returned to Soviet custody when, in fact, the return of Simas, carried, bound, and unconscious, to the Soviet ship did not occur until nearly midnight?

Why were Coast Guard officials not familiar with the protocal relating to refugees, which specifically prohibits the expulsion or return of refugees to territories where their lives would be in danger?

Under what circumstances could any officer in the service of the United States think it appropriate to permit personnel of a foreign power to board and forcibly remove any individual?

Unfortunately, these questions have not been addressed in the verbal and written reports which have so far become available.

The President has taken commendable steps to prevent a repetition of this affair. He has expressed his own severe displeasure and has issued instructions that any future cases involving a potential defector must be reported immediately to the White House. The Voice of America has broadcast the message through the world that the Nation which has given shelter to over a million refugees since the Second World War has not closed its doors to human need.

But the peoples of the world need to know all the facts if they are to believe that this case truly involved nothing more than a ridiculous and humiliating bureaucratic misjudgment. Only a full and detailed report, which hopefully will confirm that no high decisions were taken and no high officials consulted, will reassure the world about our Government's policy. It should be forthcoming immediately, for it is needed now if we are to begin the long process of restoring the faith of the disillusioned throughout the world.

SENATOR RANDOLPH URGES PROMPT ACTION ON SENATE JOINT RESOLUTION 74—NATIONAL EMPLOY THE OLDER WORKER WEEK

Mr. RANDOLPH. Mr. President, during the last decade substantial numbers of older Americans have "dropped out" of the labor force—too often unwillingly.

Many need to work to supplement inadequate social security benefits or other retirement income. Others simply want to work part time or full time to remain more active during their later years.

However, recent employment statistics clearly reveal the increasing difficulty elderly persons encounter in finding work.

Since January 1969, unemployment for persons 65 and older has increased by 78 percent. During this same period, their very long term unemployment—27 weeks or longer—has doubled.

There are now 6,017,000 men 65 and older who have withdrawn from the work force, compared with 4,463,000 in 1959. This represents a drop-out rate increase of 34 percent.

Even more disturbing, the number of individuals 65 and older falling below the poverty line has risen by nearly 200,000 since 1968. In sharp contrast, the number of younger persons in poverty has declined by about 1.3 million.

A number of proposals have been advanced to encourage the employment of senior citizens. One such measure is my legislation, Senate Joint Resolution 74, to authorize the President to designate the first full week in May as "National Employ the Older Worker Week."

Since 1959 the American Legion has advanced efforts to designate the first week in May as "Employ the Older Worker Week." This is in recognition of the benefits to be derived from hiring aged individuals.

My resolution—which has received widespread bipartisan support—is directed toward making this meritorious objective a national endeavor by calling upon persons in all walks of life to observe such a week with appropriate ceremonies, activities, and programs.

Unfortunately many employers have false stereotypes about the desirability or feasibility of hiring older persons.

Consequently, informational and educational efforts are needed now to help make prospective employers aware of the many attributes of elderly workers—such as their stability, experience, and dependability.

The designation of such a week can be a constructive force, I strongly believe, in helping to eliminate false impressions and prejudices against aged individuals.

In September this resolution passed the Senate without a dissenting vote. And the measure is now pending before the House Judiciary Committee.

It is my genuine hope—as well as the desires of numerous senior citizens' organizations—that the House act promptly and favorably on this resolution during this session of Congress to focus increased national attention on the advantages of employing older persons.

Another successful approach to encourage employment of senior citizens has been provided under certain title III programs of the Older Americans Act.

For example, a number of projects now provide job placement and referral services for the elderly. One particularly outstanding example is the Retirement Jobs, Inc., program in San Jose, Calif.

This highly successful program has placed more than 1,000 older Americans in a wide variety of jobs.

A recent article by Martin Segal describes this program in greater detail and the benefits for senior citizens.

Mr. President, I commend this article to Senators 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:

3,000 ONCE RETIRED ARE AGAIN PRODUCTIVE

(By Martin E. Segal)

Over 3,000 older men and women have been returned to the mainstream of life as a result of finding new employment through a nonprofit corporation.

The work of Retirement Jobs Inc. of San Jose, Calif., has benefited not only the older folks who have been put to gainful use, but the community as well.

When the corporation was organized in 1967, it had 90 persons signing up for its services. So successful has its operation been that it now has five offices serving the counties of Santa Clara, San Mateo, and Santa Cruz with more than 1,000 members. Expansion into the San Francisco area is planned.

LOW BUDGET

Except for some handicapped persons, Retirement Jobs accepts no members who are not of Social Security retirement age. There are no membership fees for applicants. And once a person signs up and becomes a member he remains a member for life.

Once again, the program serves as an example of how a small federal outlay given to solve the problems of older folks has produced outstanding results. Retirement Jobs has been aided by a grant under the Older Americans Act. The organization operates on a low budget of $33,000 a year. Office space for the five locations is donated. After these federal funds expire, it plans to continue operation with local funding.

Managers of the offices are paid $2 an hour. Clerks get the same amount. However, these people do not exceed the $140 a monthly maximum allowable amount under the Social Security law. Volunteers who are members do the rest of the work.

A 74-year-old retired lawyer, Jules Eshner, and the other officers and directors are not paid. Eshner puts in 50 hours a week on his unpaid job, but reports his compensation comes in the satisfaction he gets in seeing the program work.

Retirement Jobs placed 1,000 persons in 1969 and has a goal of 1,200 placements for this year. During Senior Citizens Month, 100 persons found jobs through the service.

HOUSING STARTS UP

Mr. DOLE. Mr. President, it is gratifying to note that President Nixon is looking for a renewed surge in housing construction as one of the key elements in his plan to revitalize the economy. In his speech to the National Association of Manufacturers on Friday, he pointed out that housing starts have been rising strongly this year and have surged ahead almost 20 percent in the last quarter. The President then pledged that his administration would continue to direct its programs in such a way that the pent-up demand for housing in America will be met.

This is a strong commitment for the relief of the lower- and middle-income wage earners who have been most hurt by the tight money, high interest rates, and slowdown in housing starts. Thankfully, all of these problems are on the way to solution.

As the President noted, housing starts are up dramatically. The Federal Reserve has foreseen an easing of the tight money situation, and the Department of Housing and Urban Development has recently lowered the interest ceiling on VA and FHA mortgages.

All in all, it appears that the housing problem is being turned around and President Nixon deserves much credit for recognizing the overwhelming importance of this problem and taking the necessary steps to correct it.

SKI UTAH

Mr. MOSS. Mr. President, the skiing season has been in progress in Utah, now, for weeks, and it will extend into May. Undoubtedly we have some of the most superb ski country in the world. No one disputes this. And the great thing about it is that one can ski in Utah and still find solitude and beauty.

Bob Redford, who visited most of the fabled European ski areas in filming "Downhill Racer" and who has also skied all over America, finds the Utah ski scene the best in the world.

He says:

It really seems better--it really does.

And to prove he means what he says, he has made his permanent home near Sundance, Utah, a new ski area of which he is a part owner and which is now being developed not far from the location of his film, "Butch Cassidy and the Sundance Kid."

Recently the magazine the American Way published an interview with Bob Redford on "Skiing Utah" in which he predicts that the secret of how great Utah is for skiing cannot be kept much longer. I ask unanimous consent that the Redford interview, which lists key Utah ski areas, be printed in the RECORD.

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

SKI UTAH

Powder is the word to describe skiing in Utah.

The ski season stretches from mid-November into May. Terminal elevations reach 10,550 feet, with vertical drops to 2,500 feet. Average temperatures in mid-season are an ideal, wind-protected 20 to 25 degrees; humidity is less than 10 percent.

Virtually all areas offer the security of packed snow on gentle, well-groomed slopes, as well as the celebrated "Powder Alleys" for the more adventurous, and night skiing is excellent. The abundant snow (average depth at 8,500 feet is about 98 inches) is "dried-out" before falling, because much of the water is drawn off when incoming snow slouds cross the Sierras.

Resorts, restaurants, lodges, lifts and facilities are absolutely first-rate; new developments are sprouting; nightlife is booming, and—very significantly—skiers from across the country are as close as thirty minutes from plane to powder. Yet, until this season, Utah has enjoyed a kind of esoteric or "experts only" reputation in national ski circles. Why?

Among the skiers best equipped to discuss the subject is Robert Redford, star of the widely-acclaimed Downhill Racer, who makes his permanent home near Sundance, a fast-developing new ski resort of which he is part owner, located twelve miles north of Provo, Utah, not far from the location for his film Butch Cassidy and the Sundance Kid.

Here, in an interview with freelance writer John Minahan, Redford discusses why Utah is finally emerging as a major national ski resort.

MINAHAN. Where and when did you start to ski?

REDFORD. I started very late, about '67. Resisted skiing for a long time because I didn't have time for winter sports. I was from California and I was a beach guy, you know, and team sports. I didn't see winter until I went to college. And because it was something that everyone did, I had a resistance. There was everybody going skiing, everybody putting the skis on the rack, everybody dressed alike, looking alike, talking the same way, and everyone had this obsession that lasted about four months. And for some reason, that kind of put me off. I'm sorry, because now I'm so fired on the whole sport. I picked it up rather quickly in Utah and before long I was really going after it.

MINAHAN. Did you ever go to a ski school?

REDFORD. No, I just started skiing with good skiers. I skied with Junior Bounous, who's certainly one of the finest teachers around the west. He's truly an expert on powder technique. I've always learned more from doing thngs with people who were good, who knew what they were doing, rather than listening to it spoken to me. So I then got immensely interested in skiing.

MINAHAN. Bill Levitt of Alta Lodge told me that Utah's snow is the finest for skiing he's seen anywhere in the world. Do you agree?

REDFORD. Yes, I've skied all over the world now, too, I think I've skied in just about all the major areas. And certainly all the top ones in Europe, because we made Downhill Racer at all the major European ski races. So of course I'm familiar with those areas. But Utah, I'd have to say that it does seem better, it really does.

MINAHAN. Because of the powder?

REDFORD. Yes, it's very dry, it's very high and dry. And it's extremely well-protected. A lot of the other areas I've been to are exposed when you get up that high. They're quite exposed and you get the wind, and the cold cuts through you. And, you know, when you're really cold, you can't enjoy skiing. But up here, you get up pretty high but you're still protected by all these surrounding peaks. This applies to the whole compound of resorts in the Wasatch Range, not one exclusive of another.

MINAHAN. A lot of the top skiers know this, they come every year, but for some reason the area hasn't really been "discovered" by large numbers of skiers across the country.

REDFORD. What could be better?

MINAHAN. Yes, but why is this the case?

REDFORD. Because it's never been promoted. You know, I'll be honest with you, it's why I settled here. It's one of the reasons I settled in Utah, because it had not been promoted. It was still a place where you could go and witness what space really was, what the word "space" really meant. And what the word "solitude" meant. And scenic beauty, all thrown into one.

I mean, that's going to change, obviously, it has to. As more people discover the unusual qualities of Utah, the snow and the skiing conditions, it can't be kept a secret too much longer. Colorado always had the reputation of being the western ski outpost, until you got to Tahoe. And people just kind of hopped over Utah without realizing it; so it's enjoyed this kind of esoteric reputation, which is justified.

MINAHAN. You think it's sort of inevitable that you're going to have huge ski crowds in Utah?

REDFORD. Oh, I suppose so, but they're developing it quite rapidly, and if it's done wisely, there won't be huge crowds. There's a way to do it. It's just that most ski resorts have been in such a rush to make a buck that they haven't thought far enough ahead about what to do with crowds when they come. The way we're developing our area, we're taking that into consideration.

MINAHAN. How much emphasis are you giving to nightlife?

REDFORD. Plenty. In the past, Utah had this kind of archaic reputation of being a place that was rather barren, culturally, and wasted, entertainmentwise, which was not true. People thought because it was Mormon country that you couldn't get a drink here; a lot of people thought you couldn't even get gas in the state. So, with that kind of naive opinion floating around, many people simply weren't aware of what Utah had to offer. Truth is, there's a lot of nightlife; certainly in Park City, and in the newer developments like Sundance, there's a big emphasis on nightlife.

MINAHAN. Getting back to skiing, it seems to me there's always wide disagreement about how to handle beginners. How do you do it at Sundance?

REDFORD. I'm a big believer in the whole psychological atmosphere. For example, at our ski school we're developing a special beginner area that's separated from the rest of the skiing on the hill. Junior Bounous manages the school and he agrees with me that a lot of people who're just starting to ski, particularly those who ski late in life, are intimidated by people who ski well. And people who ski well are unmindful of beginners.

As a result, many people don't take up skiing with the enthusiasm that they might have. They don't want to be seen "looking bad"; they don't want to crash in front of somebody who's good. They wouldn't mind at all going off into the boondocks and just crashing all over the place if nobody could see them. So the psychological advantage to having an area that's apart from the rest of the skiing is a good one because it encourages more people to come take a whack at it.

MINAHAN. For intermediate and expert skiers, could you give some idea of the altitudes and vertical drops?

REDFORD. Well, I know round figures. Alta goes from about 8,500 up to 10,500, with vertical drops from around 750 to 2,500. Park City goes from 7,000 to approximately 9,500. At Sundance we're now 6,000 up to 7,400, but we're going up to 10,500 when we complete our new lifts.

About the lowest base I think they have in Utah is around 5,900 or 6,000 feet, I don't think it gets any lower than that. Now, compare that to the east, where some of the *tops* of the mountains aren't even that high. It's ridiculous. In my opinion, you simply can't compare western and eastern skiing, it's just a joke. It's an absolute joke.

MINAHAN. What kind of lift facilities are available in the major areas?

REDFORD. In our area, we have an intermediate total of two double chair lifts and a Poma lift and J-Bar. The Poma is 3,000 feet long and lifts 700 vertical feet. One of the double chair lifts is over a mile in length and has a vertical rise of 1,400 feet. The other is just under a mile long with a 900-foot vertical rise. The lift total is intermediate because in the spring we'll be putting in two new double chair lifts that will open up skiing from the 7,400 to 9,000-foot level and provide five additional miles of runs. Eventually we'll go up to 10,500 with a gondola.

Park City has a gondola that's two-and-a-half miles long, a Prospector D-Chair, a Thaynes D-Chair, and two J-Bars. Park City West, that's a new resort as of last year, I know they have a Tomahawk D-Chair, an Iron Horse D-Chair, a Short Swing D-Chair, and a Tumbleweed D-Chair. They also have a couple of Mighty Mites and a Pathfinder in the beginner's area.

Alta has a Collins S-Chair, Wildcat D-Chair, Germania D-Chair, Albion D-Chair, Sugarloaf D-Chair, and a New D-Chair. The Albion is over a mile in length, and the Sugarloaf is nearly as long, with a vertical rise of around 1,300 feet.

MINAHAN. Is there an average rate for lifts?

REDFORD. It varies. Our area is $4.50 per lift pass, that's for the day. Some areas go up to $6.50. It's still cheaper than the east, or any other place in the states.

MINAHAN. A major consideration for most skiers is the driving time from airports. What are some average driving times from the Salt Lake City Airport to the principal resorts?

REDFORD. To Sundance, it's an hour. To Alta, it's forty minutes; Alta, Solitude and Brighton are about the same. I'd say it's around forty-five minutes to Park City and Park City West. And to Gorgoza, it's only thirty minutes.

MINAHAN. So in contrast to places like Aspen and Sun Valley, the driving time is a real competitive advantage.

REDFORD. A very important advantage. People just don't realize how easy it is to get here to ski. For example, if you live in L.A., you're roughly an hour away by jet. The same from San Francisco. And then you're only about thirty minutes to an hour away from skiing. So it's realistic to say that if you wanted to hang it just right, from the time you left sunny Cal, you could be skiing in about two hours. You just can't do that if you're going skiing, unless you live in the immediate area.

MINAHAN. And you certainly can't do it in the east.

REDFORD. It's easier going by wagon train in the east, it's bumper-to-bumper. Utah is just so accessible. Say you're coming from New York: with the nonstop jets coming out here now, you're only four hours away.

But say you're going from New York to Aspen: you have to fly to Denver, then you have to arrange for a small single-engine or twin-engine connecting flight into Aspen, and the schedules are not that regular; or a train takes seven hours, and driving is six or seven hours. So figure it out—getting there isn't easy at all. Same with points farther west; they're just not that accessible.

MINAHAN. Do most of your resorts provide transportation from the airport?

REDFORD. Most of them, yes, for people booking a reservation. There's also regular bus service to all the areas, taxi service, and of course all the major rent-a-car agencies are right at the airport. There's a good helicopter service, too, connecting to Park City, Alta, Sundance, Solitude, Brighton and Snow Basin.

MINAHAN. What's the situation on equipment rentals?

REDFORD. Alta's excellent, they have four shops now. Park City has two shops. Our area's quite good, a lot of it due to the various tie-ups we had on Downshill Racer. We have a ski rental and repair shop; in fact, we had that before we had a lodge.

Rates are approximately the same in all the areas—by the day, skis are usually four dollars; boots, two dollars; poles, one dollar; all three, seven dollars. Some resorts have special children's rates and weekly rates. A few of them rent things like skibobs and snowmobiles. All the equipment is first-rate, you can get just about anything you want.

MINAHAN. Do you recommend any special equipment for powder skiing?

REDFORD. No, not really. Soft-tip skis seem to give the best results on powder, but they're not necessary.

MINAHAN. Would you say there's one particular time during the season when powder conditions are especially good?

REDFORD. It depends somewhat on where you are in the state, but in most areas the base snow averages from about three feet in mid-November to around fifteen feet by the end of May. My personal preference is March, because the powder at Sundance is usually ideal then.

MINAHAN. How would you describe the Sundance area to someone who hasn't been here?

REDFORD. Well, you've seen it, so you know I'm not exaggerating at all when I say that the area is really unusual. It's just plain unusual. There are some magnificent ski resorts in the United States, some of them are just terrific. But very few have the character that Sundance has. And everybody has the same thing to say about it when they see it.

The road here is a winding mountain trail that cuts through the pines and quaking aspen along the Alpine Loop. You take it way up and then you just come onto the scene. And there it is, like an amphitheater far below, you know, like a little cup down in there. And just our day lodge there now with the restaurant and shops and our riding stables nearby. And behind it, the glacier, way up top, below the peak of Mount Timpanogos. The whole thing is like a tucked-in niche—a huge geological niche.

MINAHAN. Going up the lift I noticed that everything seems to open up as you go higher.

REDFORD. That's the thing I like most. You start at the base in heavy pine, with the stream running right through our development, and as you go up the lift to ski, land becomes revealed all around you, like a flower budding, you know. Until when you get to the very top, you can look for seventy-five miles and see the Colorado border. You can see the Rockies in the distance and the Unita Range.

Then the name really does become significant, because all these peaks, these sharp, jagged peaks, are all around you and it's a true alpine condition. The sun hits the snow-capped peaks and just bounces—I mean the light scenes that go on up there on a clear day are just incredible.

MINAHAN. I know your intention here is to make everything blend into the environment, but it didn't hit home until I saw that big pine tree in the middle of the restaurant.

REDFORD. Oh, the tree, yes, I feel like I'm trying to save somebody's life. It was at my insistence that the room be built around the tree. The architects were saying, "You just can't do it, you know, I mean it's just kind of dumb, you're taking up space, you can put a table there." And I said I'd rather have a tree than a body.

MINAHAN. We watched a Laurel and Hardy movie at dinner the other night, we were roaring. I can't ever remember ever going in a restaurant and seeing something like that.

REDFORD. Well, we felt that it should all be fun, a lot of the young people like it, so

we decided to have a sandwich night on Wednesday nights, and we run old serials—Hoot Gibson and Ken Maynard and all the old boys. Even old Gene Autry and his guitar, and Rin Tin Tin and Laurel and Hardy. All the guys. It's a big hit, everybody loves it. It's prety here in the evenings; the slopes are all well-lighted and night skiing is popular.

MINAHAN. What are your plans for Sundance in the future?

REDFORD. This spring we'll start construction on our new lodge. We're placing it on top of a sheer bluff. And the idea is to have an outdoor funicular like they have in Italy—it's like a gondola that runs along the ground on a rail, up a very steep section. It'll go right up to the new lodge itself. Then on the bluff we'll have slalom races, and the lodge will be perched there overlooking everything.

Then, down below, the "community" will develop along the creek. So that the village, as it starts to come, will follow the waterway going back through the pine trees. And there'll be another lodge built back through there. Then the condominium cluster development which we'll have spotted throughout the entire area. But all separated from each other; no cluster will be near another.

MINAHAN: And your permanent home overlooks the whole area.

REDFORD: Exactly. So, naturally, I feel very strongly about how the area is developed. When I built my home here seven years ago, it was relative wilderness, there was nothing around. That's when I was really in heaven out here. Of course, I knew it couldn't last, somebody would develop it, so we bought the area ourselves, more with the idea of ecology in mind than anything else.

I mean, sure, everybody likes to make money, but that really was not the intent upon buying it. The intent was salvaging more than anything. Because I'd been to many new resorts around the country and studied the operations. And I usually came away quite disappointed because there was such a feeling of the fast-buck thing. It was clear to me that the owners just wouldn't be there the next year; they'd sell out and go on to the next thing. Consequently, the planning had great flaws in most of those areas. They didn't plan for the future, they were ripping out trees in droves, as if they'd somehow replace themselves. And I've always hated to see that.

So when we took over this area, it was with a heavy concentration on ecology in mind. We've kept to that. And I'm very proud of the way it looks and the way it's going to look. After all, I'll have to live with it.

ALTA

Location: 26 miles southeast of Salt Lake City in Little Cottonwood Canyon. (State Highway #210. Area Manager—Charles Morton). For information call (801)649–9751 or write Charles Morton, Alta, Utah 84070.

Altitude: 8,550 ft. to 10,550 ft.

Season: Mid-November into May.

Lifts and Tows: *Collins S-Chair*: 2,750 ft. long with 750 ft. vertical rise; *Wildcat D-Chair*: 4,250 ft. long with 1,250 ft. vertical rise; *Germania D-Chair*: 4,000 ft. long with 1,000 ft. vertical rise; *Albion D-Chair*: 5,200 ft. long with 850 ft. vertical rise; *Sugarloaf D-Chair*: 5,100 ft. long with 1,300 ft. vertical rise; *New D-Chair*: 4,000 ft. long with 730 ft. vertical rise.

Ski Slopes: Unlimited ski runs, vertical drops 750 ft. to 2,500 ft. Distances ¾ mile to 3 miles. 30 expert runs. 9 intermediate runs and 4 novice runs.

Area Features: Power and alpine skiing as well as machine-prepared intermediate runs and 4 novice runs. The old silver mining town of Alta is famous for its alpine runs—Wildcat, Sunspot, High Rustler and Backside which have produced a deep powder technique among its many proponents. Excellent cross-country skiing. Three cross-country skiing shelters. 4- and 6-mile tours. Forest Service snow rangers. Average Temperature 20-25 degrees. This true alpine resort leads sophisticated skiers and novices alike to proclaim Alta the powder paradise of America with the best and most consistent snow conditions in the world—with depths of 15 feet in the spring. Alta has two full-time time ski shops, complete photo service, a state liquor store and The Shallow Shaft—a newly opened night spot.

BEAVER MOUNTAIN

Location: 27 miles east of Logan, Utah on U.S. 89. Area Manager is Ted Seeholzer. For information write 124 North Main Logan, Utah. Phone (801)752–5334 or 563–5773.

Altitude: 7,200 ft. to 8,832 ft.

Season: December 15 to April 15.

Lifts and Tows: Beaver Face double chair, 3,200 ft. long, 1,060 ft. vertical rise. Little Beaver double chair, 1,500 ft. long, 350 ft. vertical rise. Poma, 1,300 ft. long 350 ft. vertical rise. Harry's Dream Lift, a double chair lift which is 4,600 ft. long with 1,600 ft. vertical rise. This lift opens up two-thirds-more skiing area than was previously accessible. It offers enough variety that any skier from novice to expert can find real satisfaction in its runs. Harry's Dream also provides unlimited powder skiing.

Ski Slopes: Slopes with 1,600 ft. drop in 1½ miles. Terrain varies from expert to novice.

Area Features: Trails and open slopes with machine packed runs. An A-frame lodge serves the day skier with a cafeteria, lounge, ski shop, and rentals. Large improved parking facilities adjacent to the area for 200 cars. This fine family-operated resort offers excellent runs for skiers of all abilities and is noted as a tourist stop for skiers enroute between Utah, Idaho and Wyoming resorts. Nearby Logan, with its college atmosphere, provides accommodations. Additional: Shelter Lodge and Forest Service snow rangers.

BLUE MOUNTAIN

Location: 4 miles west of Monticello, Utah. Area Manager: Grant Bronson, Monticello, Utah 84535. Phone (801) 587–2786.

Altitude: 8,700 ft. to 9,500 ft.

Season: December 15 to April 1.

Lifts and Tows: 2,000 ft. Poma Lift with 850 ft. vertical rise.

Ski Slopes: 2,600 ft. to 3,000 ft. runs.

BRIAN HEAD

Location: 30 miles east of Cedar City and 12 miles southeast of Parowan on U143. General Manager: Bill Thompson. Dr. Charles Gunnow, President. Write P.O. Box F, Cedar City, Utah. Phone Brian Head No. 1.

Altitude: 9,700 ft. to 11,300 ft.

Season: Late-November through early-May.

Lifts and Tows: D-Chair: 3,000 ft. long with 700 ft. vertical rise; D-Chair: 5,600 ft. long with 1,200 ft. vertical rise; T-Bar 1,300 ft. long with 350 ft. vertical rise.

Ski Slopes: 12 trails ranging from beginner to advanced. Runs up to 2½ miles.

Area Features: Ski rental, a lodge with restaurant, lounge and ski shop. Future plans include a year-round alpine village and recreational facilities.

BRIGHTON

Location: 25 miles east of Salt Lake City in Big Cottonwood Canyon Area. Operators: Dean and Gilbert Jensen, Zane and Michael Doyle. Write 3535 Hermes Drive, Salt Lake City, Utah. Phone (801) 277–5440 or 277–3963.

Altitude: 8,900 ft. to 10,400 ft.

Season: Mid-November to Mid-May.

Lift and Tows: Millicent S-Chair: 4,200 ft. long with 1,300 ft. vertical rise; Mary D-Chair: 2,450 ft. long with 425 ft. vertical rise; Majestic D-Chair: 3,700 ft. long with 750 ft. vertical rise; Sky Hook T-Bar: 550 ft. long with 225 ft. vertical rise; Evergreen D-Chair: 2,800 ft. long with 660 ft. vertical rise.

Ski Slopes: Unlimited runs, slopes and trails for all skills from beginner to expert.

Area Features: Machine-packed slopes. Shelter and dining facilities located at the base of the lifts. This resort high in Wasatch National Forest is noted for its diversity of terrain and year-round appeal. Brighton carries a long history as one of the first resorts of the West. Additional: cross-country skiing and touring; full-time Forest Service Snow rangers on duty.

GARGOZA

Location: 3 miles east of Parley's Summit on Interstate 80 (13 miles east of Salt Lake City). Write P.O. Box 11277, Salt Lake City, Utah 84111. Phone (801) 359–5452.

Altitude: 6,400 ft. to 6,830 ft.

Season: December 1 to March 15.

Lifts and Tows: Two D-Chairs: 1,200 ft. long with 300 ft. vertical rise. T-Bar: 2,100 ft. long with 300 ft. vertical rise. 1 free Rope Tow. Lifts open 10:00 a.m. to 10:00 p.m. Monday through Saturday, 9:30 a.m. to 5:00 p.m. Sunday.

Ski Slopes: Gradual and "sorta" steep. Perfect for intermediate and beginning skiers—and for confidence building before taking on the big mountains.

Area Features: Complete snack bar and family dining. Tubing-sledding lift. World's longest toboggan chutes (1,100 feet with 600 feet to run-out). Group rates. Live music on weekends, regularly-scheduled live entertainment. Annual Tubing Olympics.

PARK CITY: ACTION COUNTRY

Location: 27 miles east of Salt Lake City, via Interstate 80. Area Manager: Woody Anderson. Write P.O. Box 919, Park City, Utah 84060. Phone (801) 521–2131 or 649–9681.

Altitude: 7,000 ft. to 9,400 ft.

Season: Mid-November to May.

Lifts and Tows: Gondola: 2½ miles long with 2,300 ft. vertical rise. Prospector D-Chair: 6,600 ft. long with 1,000 ft. vertical rise. Thaynes D-Chair: 5,280 ft. long with 1,000 ft. vertical rise. Two J-Bars, each 1,200 ft. long with 100 ft. vertical rise. Lifts open 8:30 a.m. Night skiing 4:30 p.m. to 10:30 p.m.

Ski Slopes: Choose from one of many magnificent ski slopes available. Over 35 miles of groomed ski terrain and 37 separate ski runs for the novice intermediate and expert skier.

Area Features: Park City Resort features well-groomed slopes for skiers of all abilities, the longest aerial tramway in America and a unique mine train museum tour. Cafeteria at base serves skiers' meals as well as gourmet dinners. Lounge, ski shop, rental, repairs and nursery school complete facilities. The Summit House also serves complete chef-prepared foods. Picturesque Park City offers the old Western mining atmosphere with its many shops, restaurants, lounges and hotels.

PARK CITY WEST

Location: 24 miles east of Salt Lake City via Interstate 80. Don Redmon, Area Manager. Write P.O. Box 308, Park City, Utah 84060. Phone (801) 363–6413 or 649–9663.

Altitude: 7,000 ft. to 9,200 ft.

Season: Thanksgiving to May.

Lifts and Tows: Tomahawk D-Chair: 5,000 ft. long with 1,400 ft. vertical rise; Iron Horse D-Chair: 6,640 ft. long with 1,800 ft. vertical rise; Short Swing D-Chair: 3,400 ft. long with 950 ft. vertical rise; Tumbleweed D-Chair: 1,550 ft. long with 340 ft. vertical rise; 2 Mitey-Mite lifts and Pathfinder beginner's area lift.

Ski Slopes: 30 miles of groomed slopes and trails, for the beginner to expert skier.

Area Features: All trails and slopes are machine packed along with precision control of moguls. Park City West conducts a weekly NASTAR race complete with electric timing. The lodge's unique western-styled lounge (The Barn) offers Saturday live evening entertainment and is equipped with a package liquor store. Nursery services for hotel guests are available.

POWDER RIDGE

Location: 16 miles northeast of Ogden, Utah. Write Ronald H. Harrison, 2580 Eccles Ave., Ogden, Utah 84401. Phone (801) 399–9603.

Altitude: 7,200 ft. to 9,422 feet.

Season: Mid-November to May.

Lifts and Tows: 10 double chair lifts scheduled at final completion.

Area Features: Day lodge, warming shelters, overnight accommodations, ski shop, rentals and ski school. Ultimate plans call for an alpine village, heliport and complete summer resort center. 5,000 acres of ski slopes from beginner through expert.

SNOW BASIN

Location: 19 miles east of Ogden on Utah Highway #39 in Ogden Canyon above Pineview Reservoir. Area Manager, Roy C. Newson. Write 4921 Kiwana Drive, Ogden, Utah. Phone (801) 392–9196.

Altitude: 6,600 ft. to 9,200 ft.

Season: Late November through April 10.

Lifts and Tows: *Becker D-Chair:* 2,500 ft. long with 600 ft. vertical rise; *Wildcat D-Chair:* 5,200 ft. long with 1,355 ft. vertical rise; *Wildcat S-Chair:* 5,200 ft. long with 1,355 ft. vertical rise; *Porcupine D-Chair:* 4,300 ft. long with 1,100 ft. vertical rise; *Powder Puff T-Bar:* 1,800 ft. long with 180 ft. vertical rise. Lifts open 9:30 a.m. to 4:30 p.m. weekdays, 9:00 a.m. to 4:30 p.m. weekends.

Ski Slopes: Beginners and novice slopes; open slopes for intermediate and expert.

Area Features: Skiing for the entire family with 32 designated runs. Mt. Ogden is one of the West's great ski mountains and has been the site for many national and international events. A day lodge, cafeteria, ski shop and rental service are all conveniently located at the surfaced parking lot. Snow Basin has been the training ground for many top racers, which speaks for its excellent variety of terrain and ski schools. Full-time snow rangers are added features. Closed Monday.

SNOWBIRD

Location: Peruvian Gulch and Gad Valley at Alta, Utah 84070.

Altitude: 8,000 ft. to 11,000 ft.

Lift and Tows: Jig-back *Aerial Tramway,* 3,000 ft. vertical rise. 3 other lifts in planning, including *Beginners' Lift.*

Ski Slopes: Diverse slopes, beginners through expert. Hotel and day facilities to be located at base, restaurant at top. For full details phone or write Ted Johnson, President, Snowbird Corp. (801) 649–9822, Alta via Sandy, Utah. 84070.

SNOWLAND

Location: 8 miles east of Fairview on Utah Highway #31 near the summit of Fairview Canyon.

Altitude: 8,900 ft.

Season: November through May.

Lifts and Tows: *Mitey-Mite:* 1,000 ft. long with 200 ft. vertical rise. Lifts open 10:30 a.m. to 4:30 p.m. weekends and holidays.

Ski Slopes: 3 ski slopes of varied terrain for beginning and intermediate skiers.

Area Features: Leisure skiing for the entire family on great powder snow. Ski touring in the fabulous Skyline Drive country in Central Utah—unsurpassed scenic beauty. A day lodge and snack bar are located at the area.

SOLITUDE

Location: 23 miles east of Salt Lake City in Big Cottonwood Canyon. Phone (801) 355–6412.

Altitude: 8,200 ft. to 10,200 ft.

Season: Mid-November to April.

Lifts and Tows: *Inspiration D-Chair.* 3,600 ft. long with 1,100 ft. vertical rise; *Powder Horn D-Chair:* 3,600 ft. long with 1,360 ft. vertical rise. *Moonbeam D-Chair:* 2,800 ft. long with 800 ft. vertical rise.

Ski Slopes: Unlimited runs.

Area Features: Solitude features one of the world's largest night skiing areas. Manicured slopes and central lodge facilities accommodate the skier's needs with minimum effort and maximum pleasure. A barshop at mid-way, cafeteria and dining facilities at the terminal serve skiers lunches as well as full meals.

SUNDANCE

Location: On Timpanogos Loop Highway (Utah Highway No. 80) in Provo Canyon. 12 miles northeast of Provo, Utah and 12 miles southwest of Heber, Utah. Write Edward Jones, Sundance, Inc., P.O. Box 837, Provo, Utah 84601. Phone (801) 374–8444.

Altitude: 6,000 ft. to 7,400 ft.

Season: November 20 to April 1.

Lifts and Tows: 2 Double Chairs: 5,500 ft. long with 1,400 ft. vertical rise and 5,000 ft. long with 1,300 ft. vertical rise; Poma Lift: 2,600 ft. long with 700 ft. vertical rise; new 7,400 ft. long Double Chair Lift will be completed for the 1971–72 season.

Ski Slopes: Open slopes—runs vary from novice through expert.

Area Features: Night skiing, ski shop, evening dining and Sunday brunch in the Tree Room. Hole-In-The-Wall Boutique.

SENATOR MILTON R. YOUNG INSTALLED AS PRESIDENT OF U.S. TAE KWON DO ASSOCIATION

Mr. YOUNG of North Dakota. Mr. President, it was a distinct honor for me to have been installed last weekend as president of the U.S. Tae Kwon Do Association, an organization which was founded in America to further the cause of this Korean form of self-defense, an art similar in many respects to karate.

I have been very much interested for several years in the fine and dedicated people who are involved in teaching this art. This is one of the best forms of athletic activities I know of, not only from a physical fitness and personal discipline standpoint, but from the personal satisfaction these trainees get out of learning how to defend themselves.

In fact, Mr. President, I believe the teaching of karate could well be offered in high schools and even colleges. Physical fitness is essential for a happy, productive life, and, invariably, people who are capable of defending themselves are less troublesome and better citizens. People trained in Tae Kwon Do do not resort to the use of knives, guns, or other weapons to protect themselves.

Mr. Jhoon Rhee, a truly great athlete and probably the Nation's most outstanding karate expert, is the founder of the Tae Kwon Do Association in the United States. He is a truly fine citizen, and I am real proud to count him as a very good personal friend. He is president of the Jhoon Rhee Institute of Tae Kwon Do, Inc., and vice president and secretary-general of the association. I was very pleased to become associated with the other outstanding people who also were elected as officers of this association. They include Representative JAMES SYMINGTON, of Missouri, vice president, who is a student of karate and has won a karate belt; Mr. Jack Valenti, president of the Motion Picture Association of America, another vice president of the Tae Kwon Do and also a karate student; and Mr. Ku Kyung Chung, treasurer.

The members of the board of directors of this nonprofit corporation, formed to further the development of this form of Korean art, are: Pat Berleson, 1964 national Tae Kwon Do champion and head of the TKD school in Fort Worth, Tex.; Bradley Coury, Washington, D.C., attorney, Phil Cunningham, 1969 TKD Glabe champion of Philadelphia; Jose Jones, 1967 Metropolitan Washington champion; Young Il Kong, owner, TKD school in Baltimore, Md.; Mahn Suh Park, owner of the TKD school in Philadelphia; Andy Paul, Washington, D.C., businessman; Chae Bok Rhee, Milford TKD, Milford, Conn.; Leonard Sattler, Washington, D.C., attorney; Hyun O. K. Shin, president, TKD school in New York; Pat Worley, 1970 national TKD champion of Washington, D.C.; Fred Wren, 1967 TKD champion of St. Louis, Mo.; and Dong Ja Yang, Howard University physical education instructor. Honorary president is His Excellency Don Jo Kum, Ambassador of the Republic of Korea.

PRESIDENT DECLARES DECEMBER 10 AS "NATIONAL HUMAN RIGHTS DAY"

Mr. PROXMIRE. Mr. President, yesterday Mr. Nixon proclaimed December 10 as Human Rights Day. I am grateful that he has brought attention to this subject, as I believe it is one of the most important issues facing our country and the world.

December 10 is also the 22d anniversary of the United Nations Declaration of Human Rights.

The Senate can demonstrate its concern for, and dedication to, human rights, by ratifying the Genocide Convention of the United Nations. This treaty was just recently reported to the Senate by the Committee on Foreign Relations. No one is for genocide. By ratifying this convention, we could celebrate National Human Rights Day in a way that will long be remembered by the entire family of nations.

Again, I congratulate the President on designating Thursday of this week as National Human Rights Day. I urge the Senate to take action on the Genocide Convention in the near future.

THE UNDEFEATED ARKANSAS STATE UNIVERSITY FOOTBALL TEAM

Mr. FULBRIGHT. Mr. President, I am pleased to be able to pay tribute in the Senate—for the second consecutive year—to the Arkansas State University football team. The undefeated ASU Indians are the national champions of the college division, ranking number one in both the Associated Press and United Press International polls.

Coach Benny Ellender's team has compiled a 10–0 record, winning its third straight Southland Conference championship. On Saturday December 12 ASU will play Central Missouri State in the Pecan Bowl in Arlington, Tex.

I think the Indians have really proven themselves as the number one team because they have ranked first in the AP poll since the first week of the season

and have been able to withstand all the pressure of being on top.

Mr. President, I ask unanimous consent to have articles from the Jonesboro Sun and Arkansas Gazette about the ASU team and Coach Benny Ellender printed in the RECORD.

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

[From the Jonesboro (Ark.) Sun]

A-STATE TAKES NO. 1 SPOT IN BOTH POLLS

Arkansas State University took the mythical national title by finishing first in both the Associated Press and United Press International College Division polls today.

The Indians were ranked first in the Associated Press poll since the start of the season but just moved into first place in the UPI poll this week.

A-State replaced Tampa University, who lost 36–28 to Vanderbilt Saturday, in the UPI poll. The Indians had 17 first place votes in that poll. Tampa finished second and Montana was third.

In the Associated Press poll the Indians had seven first place votes and 245 points. Montana was second with 207 and North Dakota State third with 154.

This is the first time in the history of the school that the Indians have finished ranked first in the nation. Until this year the highest the Indians had ever been in the polls was fifth. Last year, the Indians finished fifth in the UPI poll and seventh in the AP poll.

The Tribe is also the first football team from Arkansas to ever take a unanimous national title. The University of Arkansas took one of three versions of the major college title in 1964.

Arkansas State retained its No. 1 ranking today in the Associated Press college division weekly football poll.

Now 10–0 after finishing its regular season with a 27–3 victory over Southern Illinois last week, State received seven first place ballots and 245 points in the voting by an AP panel of sportswriters and broadcasters.

Montana, which completed its season with a 10–0 mark, was second with three firsts and 207 points.

Arkansas State will play next on Dec. 12 when it plays Central Missouri in the Pecan Bowl at Arlington, Tex.

Tampa's first loss of the season after nine victories, 36–28 against Vanderbilt, dropped the Florida school one notch from fourth to fifth. North Dakota State remained third and Tennessee State, which beat Parsons 21–3, moved up one notch into the No. 4 spot.

Wofford, Texas A&I, Jacksonville State, Alcorn A&M and Southwest Louisiana complete the first 10 teams in that order.

The top twenty teams with first place votes in parentheses and total points on a 20–18–16 through 1 formula:

1.	Arkansas State (7)	245
2.	Montana (3)	207
3.	North Dakota State	154
4.	Tennessee State	149
5.	Tampa (1)	148
6.	Wofford (2)	132
7.	Texas A&I (1)	102
8.	Jacksonville State	94
9.	Alcorn A&M	88
10.	Southwest Louisiana	73
11.	Delaware	58
12.	Western Kentucky	49
13.	Wittenberg	47
14.	Long Beach State	39
15.	Abilene Christian	38
16.	St. Olaf	37
17.	Westminster, Pa	35
18.	Grambling	34
19.	Eastern Michigan	21
20.	Edinboro, Pa	18

ARKANSAS STATE UNIVERSITY FINAL STATISTICS—RECORD: 10–0–0

	ASU	Opponent
Wichita State	53	14
SE Louisiana	12	3
The Citadel	24	7
Trinity	21	14
Louisiana Tech	38	17
Abilene Christian	28	23
Lamar Tech	69	7
North Dakota University	23	18
Texas-Arlington	27	7
Southern Illinois	27	3

[From the Arkansas Gazette]

ELLENDER'S PHILOSOPHY: KEEP IT SIMPLE, LASTING

(By E. Michael Myers)

JONESBORO.—Bennie Ellender, whose Arkansas State University Indians are the No. 1 ranked team in small college football, is a soft-spoken coach who believes in simplicity.

"We place a lot of emphasis on breaking down the elements of success. They are alike in almost everything you do. When we break them down and let our players see how they are related to winning we give them something they can use for the rest of their lives," the 45-year-old coach said.

Ellender has used that philosophy to capture the Southland Conference football title for the third straight year. He takes his Indians to the Pecan Bowl at Arlington, Tex., Dec. 12, again for the third straight year.

But the son of a former Louisiana oil field roughneck believes in more than just championships and bowl berths, although they have their place of importance.

"If I didn't think I was making more of a contribution to my players than just teaching them physical skills, I couldn't justify being a coach," he said.

In eight seasons at Arkansas State Ellender has produced three small college All-America players and a record of 51–20–4. He has a two-year winning streak of 18 games and in the last three seasons his record is 25–4–2.

On and off the field Ellender believes in unity of purpose and dedication. Without it his players would have little to prepare them for life after graduation.

"Whatever will lead to success in our program will also enhance their possibility of meeting with success after graduation. I don't think football is an end in itself; it has to be an integral part of an entire college program," he believes.

"We all know good blocking, tackling are responsible for winning, but preparation, dedication, desire, mental toughness and intelligence and a lot of other basic things are responsible for helping players block and tackle well.

"When they understand this they also understand that it comes to be successful in all their endeavors," the three time Southland Conference coach of the year said.

Ellender, who quarterbacked at Tulane University in the mid 1940s, must compete for his players in a state rabid for Arkansas Razorback football. But he believes he has just as much or more to offer than the big time college football powers.

"We offer a boy an opportunity to play quicker than he can at the larger schools and we offer nearly as much here in academics as any school. The spectator interest isn't as great but there is more opportunity." And he believes the players know it.

"We have a tremendous amount of togetherness and this is good. We strive to make them feel they are part of the organization. We feel like we have good rapport with all our people, that the door is open to them at all times."

U.S. POLICY TOWARD PORTUGUESE AFRICA

Mr. CASE. Mr. President, in light of the present continuing debate in the U.N. Security Council about alleged Portuguese involvement in the invasion of Guinea, I am today releasing the text of correspondence I have had with the State Department on U.S. policy toward Portuguese activities in Africa.

My original inquiry of the State Department was prompted by a letter I received in November from a Maplewood, N.J., high school student, Laurence E. Tobey. At that time I wrote Mr. Tobey that his letter to me "raised some points with which I was not familiar," and I thanked him for what I consider to be "a well thought out and informative letter."

While the State Department reply is not responsive to all the details mentioned by Mr. Tobey, my understanding is that it is probably the most complete public disclosure to date of U.S. policy toward Portugal in Africa.

I ask unanimous consent that the texts of the letters be printed in the RECORD.

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

NOVEMBER 1, 1970.

Hon. CLIFFORD P. CASE,
U.S. Senate,
Washington, D.C.

DEAR SIR: I am a student at Columbia High School and have recently completed a course in African history. One of the major problems under discussion was European colonialism. European oppression has been overthrown throughout Africa, with the major exception of the Portuguese colonies of Angola, Mozambique, and Portuguese Guinea. The Caetano regime which is presently in power in Portugal has maintained repressive colonial wars in each of these colonies since 1961, which the United States and NATO allies have supported with military aid and training. I would like to question this support.

"The United States had supplied the Portuguese Air Force with 50 Thunderjet fighters since 1952, some 30 Cessno training and security planes, (of which Portugal has paid for 12), a large number of Harvard trainers, 18 Lockheed bombers (PV–2 Harpoons) and 12 other Lockheed bombers". (*African Report*, May, 1970). In addition, West Germany has supplied 40 Fiat G–90 fighter-bombers. Germany has also supplied three naval frigates, in addition to two from Britain and four from France. All of this material has been provided ostensibly for NATO use. None of it has been used for that purpose. Portugal has further failed in its NATO commitment by maintaining only one army division for NATO duty, and that at 50% combat strength, while by contrast, the Portuguese maintain 130,000 soldiers in Africa for colonial duty. Finally, clandestine aid has been given by the United States, in particular the Central Intelligence Agency, in the form of 20 B–26 bombers, and the United States has also trained several thousand Portuguese soldiers in counter-insurgency, and at present the Army maintains a Military Assistance and Advisory (MAAG) Group in Portugal. The fact remains that these forms of military aid have been provided under the auspices of NATO and the Military Mutual Defense Assistance agreement. It has not been used for that purpose, but in fact, the Portuguese have continued their colonial wars at the expense of their NATO commitments.

The nature of the wars conducted in Africa by the Caetano regime has often been described as immoral, indiscriminate, and blood-thirsty. Their purpose is none but

avowed, admitted imperialism. There can be no moral justification for such territorial aggrandizement.

In conclusion, I would like to suggest the following:

(1) Immediate cessation of all American military aid to Portugal, and diplomatic pressure put on the NATO allies to do the same.

(2) The American Embassy to the United Nations be instructed to introduce action in the UN condemning the Caetano regime for its wars, and demanding that steps be taken to prepare Angola, Mozambique, and Portuguese Guinea for independence. (The United States voted against such a resolution in 1966.)

The American policy towards Africa as a whole has been described as one of benign neglect. American attitude toward Portuguese imperialism is at mildest, acquiescence. The continuation of bloodshed serves no purpose for any one except the narrow-minded men of the Caetano regime; not the people of Africa, who are kept in crushing poverty, nor the people of Portugal, who must fight and pay the bills. The present American policy aids only the Caetano regime. I ask that the United States stop underwriting their policy of imperialism and repression.

Sincerely,

LAURENCE E. TOBEY.

DEPARTMENT OF STATE,
Washington, D.C., November 13, 1970.

Hon. CLIFFORD P. CASE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CASE: Thank you for your letter of November 4 and the opportunity to comment on Mr. Tobey's letter of November 1 to you regarding U.S. policy towards Portugal and Portuguese Africa.

The United States Government's attitude towards this question was set forth in the Secretary of State's March 26 policy statement on Africa. He said: "As for the Portuguese territories, we shall continue to believe that their peoples should have the right of self-determination. We will encourage peaceful progress toward that goal. The declared Portuguese policy of racial toleration is an important factor in this equation. We think this holds genuine hope for the future. Believing that resort to force and violence is in no one's interest, we imposed an embargo in 1961 against the shipment of arms for use in the Portuguese territories. We have maintained this embargo and will continue to do so."

It is true that we do maintain a modest Military Assistance program (MAP) in Portugal, designed to help it fulfill its NATO missions primarily in anti-submarine warfare and air defense. Materiel and training in these areas are generally inapplicable to the African wars. (Counterinsurgency training courses have not been offered to the Portuguese military since 1964.) Moreover, since the imposition of our arms embargo in 1961, we have required assurances from the Portuguese Government that any materiel supplied to Portugal from public or private U.S. sources will be restricted to the NATO area, which does not include the African territories. To the best of our knowledge, these assurances have always been kept.

We, therefore, believe that any U.S.-manufactured arms acquired in the U.S. and used by the Portuguese in Africa were acquired prior to the 1961 embargo. I might point out that such items, being often of World War II or Korean War vintage, are also available commercially in many parts of the world outside U.S. Governmental control.

With regard specifically to B-26 aircraft, Portugal did obtain seven B-26's through a Swiss firm in 1965. The aircraft came from private U.S. sources. Those directly involved in delivering the planes to Portugal included three Americans, a Briton and a Frenchman. All were indicted by a U.S. Federal Grand Jury for illegal export of the aircraft. Charges were dropped against two of the Americans; the two non-Americans were brought to trial but acquitted; and the fifth suspect evaded arrest and remains at large (presumably abroad). The case attracted widespread public notice at the time, and included unfounded allegations that the transaction had been a CIA-sponsored venture.

Repeated high-level efforts by U.S. officials to obtain the return of the aircraft from Portugal met with no success. The Portuguese have maintained throughout that they bought the aircraft in good faith and under valid contract from a Swiss firm and cannot be held responsible for the illegal acts of those with whom the Swiss firm in turn may have had dealings. At our insistence, however, the aircraft have not been moved from the metropole, and have not, therefore, been of any use to Portugal in Africa.

Concerning Mr. Tobey's policy recommendations, I might make a few observations. First, our MAP program in Portugal has averaged about $1 million annually in recent years—an amount which represents less than one-fourth of one per cent of Portuguese military spending. Any resources freed for Portugal by our MAP are thus of relatively negligible value. In the absence of our MAP, Portugal would doubtless continue its military effort in Africa, an effort which the Portuguese view as essential to their vital national interests. Without our MAP, Portugal's NATO proficiency would likely suffer, while there would be virtually no effect on its capability in Africa.

In the United Nations, we have supported resolutions which we believed offered a constructive approach to the question of Portuguese Africa. An example of this was our vote for a 24th General Assembly resolution welcoming the Manifesto on Southern Africa; a copy of the statement of the U.S. representative is enclosed for your information. We have been unable to support certain resolutions in the General Assembly or the Security Council which, in our view, have contained objectionable provisions, unsubstantiated allegations, and unwarranted implications.

I believe that the foregoing points illustrate that the United States has not acquiesced in Portuguese colonialism in Africa, as Mr. Tobey alleges. We have, over the past decade, repeatedly made known to the Portuguese our position and concern in this question. The Portuguese have always been willing to discuss the matter with us, but they remain convinced that their policies will prove to be right in the long run. In order to continue to play a positive role, the U.S. continues, nonetheless, to seek to preserve a constructive relationship with the Portuguese, both in the metropole and in the overseas territories.

I hope that this information will be of assistance in responding to Mr. Tobey.

Sincerely yours,

COLGATE S. PRENTICE,
Acting Assistant Secretary for Congressional Relations.

THE CAMPUS CALM

Mr. DOLE. Mr. President, pundits and journalists—the two words have become nearly synonymous—have wondered at the general campus calm this fall and at other signs indicating the fading of the so-called youth rebellion.

Mr. Stewart Alsop, a sometimes perceptive journalist-pundit, has stumbled across an answer that seems as good as any.

I ask unanimous consent to insert it in the RECORD at this point.

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

[From Newsweek magazine, Dec. 14, 1970]

RADICAL CHIC IS DEAD

(By Stewart Alsop)

WASHINGTON.—Something has happened that is hard to define precisely or to prove conclusively, but that is important all the same, politically and in other ways. What has happened is that radical chic suddenly isn't chic any more. Instead, it has become a bore, and because it has become a bore, it is dying.

Watch the faces at some more-or-less politically sophisticated gathering the next time the "rage and alienation" of "the kids" is mentioned. Is there not a certain glazing of the eyeballs? Or when Eldridge Cleaver, say, or the Black Panthers, or Dr. Timothy Leary, or the youth culture, or Ti-Grace Atkinson, or women's lib, or the Gay Liberation Front, or some other icon of radical chic is introduced. Is there not a faintly embarassed haste to change the subject?

The fact is that radical chic—or the New Left, or call it what you will—was essentially a fad, and all fads die. This is the world's most faddish nation, but our fads die very suddenly. Mah-jongg, Joe McCarthy, flagpole sitting, the Hiss trial, Communist-baiting, dirty jokes about Eleanor Roosevelt—they were all fads, in their different ways, and they all occupied the obsessive attention of the nation. Then they became a bore, and they died, utterly, overnight.

CROSSOVER

The reason seems to be that a sort of crossroad point is reached with our fads. The promoters of the fads go from excess to greater excess, to hold the attenton of the faddists, until appetite sickens on the surfeit, and so dies. When this crossover point is reached, the fad suddenly comes to seem a bit silly, or a little sickening, or very boring, or all three together.

Take the case of Dr. Timothy Leary, the original guru of the drug culture, who was once taken entirely seriously. He is now wandering woozily about North Africa, stonned to the eyeballs as always, and issuing such pronouncements as this:

"Resist lovingly . . . Resist spiritually, stay high . . . praise god . . . love life . . . blow the mechanical mind with Holy Acid . . . Arm yourselves and shoot to live . . . Life is never violent. To shoot a genocidal robot policeman in the defense of life is a sacred act."

The "literature" of radical chic is full of this sort of silly-sickening-boring stuff. For example, this syllogism from Chicago's "underground" paper, Rising Up Angry: "Kill a pig—satisfaction. Kill more pigs—more satisfaction. Kill all pigs—complete satisfaction."

This sort of thing has rather suddenly ceased to be chic, and its unchicness is reflected in the liberal-intellectual press. The phrase, "radical chic," first appeared in New York magazine, no reactionary journal, in a brilliantly funny piece by Tom Wolfe, describing Leonard Bernstein's famous party for the Black Panthers. The rapid decline of radical chic may have started with that article.

INFRA DIG

More recently, New York has published a two-part series by Gail Sheehy on the Black Panther trial in New Haven. The Panthers emerge as more pathetic than heroic, and Sheehy points out that the appeal of the Panthers to many young Negroes lies in the fact that "those cats do more travelin' than rich folks do."

This is a far cry from the recent past, when the Panthers were so radically chic that Yale University was plastered with "Free the Panthers" signs, and president Brewster had announced that he was "appalled and

ashamed" to discover that he was "skeptical of the ability of black revolutionaries to get a fair trial anywhere in the United States." In those days, in the academic community, it was considered hideously *infra dig* to mention a fact that seemed to leave no one appalled and ashamed—that, as Sheehy points out, a "whimpering, dull-witted black" had been subjected to prolonged torture, and then brutally murdered.

There is plenty of other evidence of the sudden unchicness of radical chic. For example, The Wall Street Journal thus summarizes the thrust of four recent lead articles in Commentary, the New York liberal-intellectual magazine: "This talk of political repression is nonsense. The Black Panthers are a menace. Women's liberation is silly . . . The New York Review of Books, chief intellectual organ of the New Left, is 'anti-American'."

For another example, there was the recent witty article by John Corry in Harper's, reprinted in The Washington Post—neither being reactionary journals. Corry takes hard swipes at many targets—women's lib, The Village Voice, the fashionable radicalism of the ladies' fashion magazines. But his hardest swipes are reserved for the radical young—"stuperfying dull when they are not being simply unpleasant"—and the Panthers. He makes the case that the Panthers, in their role of "furnishing entertainment for the white radicals" are simply "the natural sons of Stephin Fetchit."

SDS is already moribund, and it seems a good bet that, as radical chic becomes more and more obviously a bore, the Panthers and women's lib and the rest will fade away too. What has killed radical chic?

The elections, for one thing, in which the liberal Democrats scuttled toward the center to save their skins, defying the thunderbolts of The Village Voice and J. K. Galbraith. The winding down of the war, obviously. And perhaps also the winding down of the U.S. economy, which has had the sobering effect on the fashionably radical that the sight of the gallows is supposed to have on the condemned man. But above all there is the curious crossover process that makes all fads fade, by making them silly, or sickening, or boring.

POOR-BOYING IT

For wonderful silliness, consider the pants a good many of the revolutionary young now wear. To bestow on a pair of bell-bottomed blue jeans the correct poor-boy-Woodstock look, it used to be necessary to "tie-dye" them with Clorox, to make them look messy, and to unravel the bottom seams, to make them look ragged. It costs a bit more, of course, but the more affluent young revolutionaries can now buy their pants pre-tie-dyed and pre-raggedized.

These pre-poor-boyed pants—and much else besides—make it a little difficult to take the famous youth revolution quite so solemnly as it once was taken. It is now even possible to suggest, without being labeled a horrid old reactionary, that the revolution springs as much from an entirely natural desire not to get drafted or shot at as from a burning idealism. Now that radical chic is dying, it should also be possible for serious people to get on with the serious business of dealing with poverty, the war, the draft, discrimination against women and Negroes, and the other serious problems that the faddish posturings of radical chic have served to obscure.

MANY DISTINGUISHED SCIENTISTS STRONGLY BELIEVE IN SUPERSONIC AIRCRAFT DEVELOPMENT

Mr. RANDOLPH. Mr. President, in the current controversy on further funding of the supersonic transport aircraft, there has been disagreement with the scientific community on this proposed development.

The following statement by the President's science adviser, Dr. Edward E. David, Jr., has been endorsed by distinguished American scientists who opposed the action of the U.S. Senate in denying funds to continue vital experimental work on the supersonic transport aircraft:

The recent Senate Action denying funds for experimental work on the Supersonic Transport represents the wrong approach in dealing with new technology. Our society must not suppress technological advances, but through research, development, and experimentation make sure that those advances are obtained without undesired side effects. Instead of canceling work on the SST, we should mount a vigorous program of experimentation aimed not only at solving the technical problems of economic supersonic transportation but also at assuring no undesirable effects.

Mr. President, I list the following eminent scientists have expressed individual support for this statement—affiliations are given for identification purposes only:

Dr. Harold M. Agnew, Los Alamos Scientific Laboratory, Los Alamos, New Mexico.

Dr. Ernest W. Anderson, Iowa State University, Ames, Iowa.

Dr. Charles A. Barth, University of Colorado, Boulder, Colorado.

Dr. Raymond L. Bisplinghoff, National Science Foundation Washington, D.C.

Dr. Robert A. Charpie, Cabot Corporation, Boston, Massachusetts.

Seymour J. Dietchman, Institute for Defense Analyses, Arlington, Virginia.

Dr. Stark Draper, MIT Instrumentation Laboratory, Cambridge, Massachusetts.

Dr. Eugene Fubini (formerly IBM), Washington, D.C.

Dr. Thomas Gold, Cornell University, Ithaca, New York.

Dr. Robert Milton Howe, University of Michigan, Ann Arbor, Michigan.

Also, Dr. Richard H. Jahns, Stanford University, Stanford, California.

Dr. William W. Kellogg, University of Colorado, Boulder, Colorado.

Dr. Winston E. Koch, Bendix Corporation, Detroit, Michigan.

Dr. Eric B. Kraus, University of Miami, Coral Gables, Florida.

Dr. Paul W. Kruse, Jr., Honeywell, Inc., South Hopkins, Minnesota.

Also, Dr. Helmut D. Landsberg, University of Maryland, College Park, Maryland.

Dr. Frank T. McClure, Johns Hopkins University, Silver Spring, Maryland.

Dr. William G. McMillan, Jr., The Rand Corporation, Santa Monica, California.

Dr. Ruben F. Mettler, TRW, Inc., Redondo Beach, California.

Dr. Rene H. Miller, Massachusetts Institute of Technology, Cambridge, Massachusetts.

Also, Dr. Wilbur R. Nelson, University of Michigan, Ann Arbor, Michigan.

Dr. William A. Nierenberg, Scripps Institution of Oceanography, LaJolla, California.

Frank A. Parker, Jr., Research Analysis Corp., McLean, Virginia.

Dr. Walter O. Roberts, Univ. Corp. Atmospheric Research, Boulder, Colorado.

Dr. Leonard S. Sheingold, Corporate-Tech. Planning, Inc., Waltham, Massachusetts.

Also, Dr. Chauncey Starr, University of California, Los Angeles, California.

Karl V. Steinbrugge, Pacific Fire Rating Bureau, San Francisco, California.

Dr. Henry S. Stillwell, University of Illinois, Urbana, Illinois.

Dr. C. Guy Suits, Crosswinds, Pilot Knob, New York.

Dr. Edward Teller, University of California, Berkeley, California.

Dr. Frederick E. Terman, Stanford University, Stanford, California.

Dr. Milton J. Thompson, University of Texas, Austin, Texas.

Dr. G. L. Von Eschen, Ohio State University, Columbus, Ohio.

Dr. Eric A. Walker, Pennsylvania State University, University Park, Pennsylvania.

THE PRESIDENT'S SPEECH TO THE NAM

Mr. BROOKE. Mr. President, President Nixon's speech to the National Association of Manufacturers on Friday night was a forthright treatment of our most pressing domestic problems—concurrent inflation and high unemployment.

One important part of the President's address was the announcement of the freeing of Federal offshore lands from State imposed restrictions on crude oil production. Depending on the development of additional pipeline and other gathering capacity, this action could mean an increase of as much as 500,000 barrels per day of crude flowing into domestic markets. The President took this step in hopes of rolling back the recent inexcusable price increases in crude oil and gasoline. This is a needed first step in breaking the invidious grip of the Nation's inflationary petroleum pricing system, which has long victimized consumers. I commend the President for his action.

The real significance of the President's announcement is its promise that this administration will no longer permit the States to hold down the production of crude oil so that big producers can raise prices at will. Moreover, restrictive State prorationing policies will be offset by more production from Federal reserves and larger overland imports from Canada with a goal of obviating unreasonable increases in petroleum prices.

In the debate over the need for wage and price controls, an important factor has been lost sight of: One section of the economy already has a form of price control. The oil industry enjoys its own price system, comprised of the oil import program, maintaining the flow of less expensive foreign oil at a mere trickle, and the State prorationing systems which in the name of conservation limit the production of oil in the largest producing States to a predetermined level. The combination of these two supply controls holds oil prices at a level higher than that of the world market. It is therefore no coincidence that the oil industry occupies a position of dubious prominence in the President's recent inflation alert as well as in his speech to the NAM.

This dual system of controls sandwiches the consumer into paying high prices for oil. I can see no reason for preventing a change to a system of import controls which would relieve the burden from the consumer. The Senate may have another opportunity to redress the balance in the consumer's interest. When the omnibus trade bill reaches the floor of the Senate, it will

add language to the existing national security clause which would forbid the President from adopting any form of a tariff system. Such language would obviously prevent any reasonable change in the present oil import system. If and when the Senate has to face that issue, I am hopeful that this body will remove this invidious section from the bill.

THE PRESIDENT STACKS ANOTHER ADVISORY COMMITTEE

Mr. METCALF. Mr. President, Public Law 91–518, the Rail Passenger Service Act of 1970, provides in section 501 that:

Within thirty days after enactment of this Act, the President shall appoint a fifteen-man financial advisory panel. Six members of the panel shall represent the business of investment banking, commercial banking, and rail transportation. Two members shall be representatives of the Secretary of the Treasury and seven members shall represent the public in the various regions of the Nation.

The President made the appointments a week ago today. He appointed, as the law provides, two representatives of the Secretary of the Treasury. He did not appoint, as the law provides, seven public members. The 13 non-Government members come from industry. They come from investment houses, commercial banks, railroads, an electric utility, a mining company, and a large law firm. He did not even appoint a tamed, retained academician for window dressing.

One company represented in the 15-member advisory panel, Goldman, Sachs & Co., is the defendant in a $23 million action, charged with "fraud, deception, concealment, suppression, and false pretense" in the sale of the commercial paper of Penn Central Transportation Co.

Mr. President, how can faith in our system be restored when our Chief Executive disregards the law and excludes public members from his advisory committees? There are experts on corporation finance who are not employed by and beholden to corporations. The Congress said that some advisory committee members shall come from the investment and rail industries, and some shall come from the public. Those are not the same categories.

The President's action last week brings a new concern to the hearings on advisory committees which were resumed this morning by the Senate Subcommittee on Intergovernmental Relations. Those hearings have dealt with my bill, S. 3067, which would require appointment of nonindustry members to Office of Management and Budget advisory committees.

If the President will not put public members on the rail passenger committee, he may refuse to put them on a budget committee. Congress should quit creating advisory committees which quickly become additional industry lobbies. We should instead take a good look at the concentration of financial and economic power that is stifling even minuscule attempts to let the people have a say in their government.

Secretary Volpe will be invited to testify before the subcommittee regarding the makeup of the rail transportation advisory committee.

Mr. President, I ask unanimous consent to have printed in the RECORD the Department of Transportation press release of December 1 regarding the President's appointment and the November 21 Business Week article entitled, "How to Keep Up on the Penn Central," which deals with the suit against Goldman, Sachs & Co. referred to above.

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

DEPARTMENT OF TRANSPORTATION PRESS RELEASE

DECEMBER 1, 1970.

President Nixon today named 15 distinguished leaders in business, finance and government to a panel to advise the directors of the National Railroad Passenger Corporation on ways and means of increasing capitalization of the Corporation. The panel will submit a report to Congress on or before January 1, 1971, evaluating the Corporation's initial capitalization and prospects for increasing it.

Secretary of Transportation John A. Volpe Monday outlined a basic national rail passenger system as authorized by the Rail Passenger Service Act. The Secretary explained that the system, as presently drafted, links together 14 major cities, along 16 routes. Under this arrangement rail passenger service would be provided to more than 85 percent of the nation's population currently being served. The Corporation will begin operating trains starting May 1, 1971.

Named to the panel by the President are: Carl H. Lindner, President and Chairman of the Board of the American Financial Corporation, Cincinnati; Lloyd Waring, Vice President and Director, Kidder, Peabody and Company, Boston; Charles R. Yates, Vice President, Finance, Seaboard Coast Line Railroad Company, Atlanta; Donald B. Herterich, Vice President, Manufacturers Hanover Trust Company, New York; Daniel W. Hofgren, Goldman Sachs and Company, New York; Mrs. Claire Giannini Hoffman, Director, Bank of America, Board of Directors of Sears, Roebuck and Company, San Francisco; Isabel H. Benham, Vice President of Shearson, Hammill and Company, Inc., New York; and Marshall L. Burman, Senior Partner, Arvey, Hodes and Mantynband, Chicago.

Also: Howard P. Allen, Director, Special Counsel to the Vice President of Southern California Edison Company, Los Angeles; John S. R. Shad, E. F. Hutton and Company, New York; Richard Pistell, Goldfield Corporation, New York; James H. McGlothlin, Executive Vice President, Southern Railroad Company, Washington, D.C.; Winthrop C. Lenz, Senior Vice President, Merrill, Lynch, Pierce, Fenner and Smith, New York; Murray L. Weidenbaum, Assistant Secretary of Treasury for Economic Policy, Washington, D.C.; and Bruce MacLaury, Deputy Under Secretary for Monetary Affairs, Department of Treasury, Washington, D.C.

The members of the panel will receive no salary.

HOW TO KEEP UP ON THE PENN CENTRAL

Apparently there is no situation so bad someone cannot turn it to his advantage. Two groups now offer to keep subscribers up to date on every complicated turning in the reorganization proceedings of Penn Central Transportation Co.

The respected Washington-based Bureau of National Affairs is already publishing *Corporate Reorganization Report*, a biweekly notification and referral service, providing financial, business, government, and legal counsel aimed at creditors and stockholders of the huge railroad. The BNA provides its subscribers with two binders, one for the current file and the other for documents including the full or partial text of all major filings before the court, the Interstate Commerce Commission, and Congressional committees. The service, which costs $200, started in October and will run through Dec. 31, when the BNA will decide whether to continue it.

But this week the BNA had a competitor: S&C NEWS (its initials stand for stockholders and creditors). Based in Philadelphia, it will be sent to subscribers twice a month at a monthly rate of $20 for the first subscription and $5 for each additional.

A LONG WAR

It was plain that both services would have plenty of work for their reporters this week as the Penn Central situation took yet another turn. Fundamental Investors, Inc., a $1-billion mutual fund, and three other businesses sued the securities firm of Goldman, Sachs & Co. for more than $23-million, charging it with "fraud, deception, concealment, supression, and false pretense" in the sale of the commercial paper of Penn Central Transportation Co.

The suit is the first major attack against Goldman, Sachs for its role as salesman of Penn Central paper. Other plaintiffs in the suit are C. R. Anthony Co., an Oklahoma City retailing concern; Welch Foods, Inc., of Westfield, N.Y., and Younker Brothers, Inc., a retailer in Des Moines, Iowa.

REAL WELFARE REFORM IS URGENTLY NEEDED

Mr. HARRIS. Mr. President, real welfare reform is urgently needed. The present system is not working. It must be replaced.

Toward this end, I introduced the National Basic Income and Incentive Act earlier this year, and I have worked within the Senate Finance Committee for needed improvements in President Nixon's family assistance plan.

To detail in chronological order a part of my efforts to date toward welfare reform, I ask unanimous consent that certain exhibits, hereto attached, be printed in the RECORD at the conclusion of my remarks.

Exhibit 1 consists of a series of excerpts from the hearings held this year on welfare reform by the Senate Finance Committee, showing statements made by me and question and answer sessions in which I participated, in an attempt to point out defects in President Nixon's family assistance plan and to suggest needed improvements in it.

After passage by the House of Representatives of the family assistance plan and during the course of consideration of it by the Senate Finance Comittee, the administration made a series of revisions of the family assistance plan. Exhibit 2 consists of an analysis of these revisions and a table comparing the revisions with the family assistance plan as passed by the House of Representatives, prepared by the staff of the Senate Finance Committee and dated November 5, 1970.

It had earlier been my stated intention to vote to report some version of the family assistance plan to the Senate where I thought there was the best

chance of curing its defects. Eventually, however, I decided against even this tactical step as set forth in a statement by me printed on November 24, 1970, in the Washington Post, which is exhibit 3.

Exhibit 4 is a letter which I wrote on November 24, 1970, to Under Secretary of Health, Education, and Welfare John Veneman, enclosing a copy of my Washington Post statement.

Exhibit 5 is a copy of a list of minimal requirements I feel a welfare reform bill should meet and which I delivered to White House Counselor, Dr. Daniel Patrick Moynihan and Under Secretary of Health, Education, and Welfare John Veneman at a meeting with them in my office on Tuesday morning, December 1, 1970.

Exhibit 6 is a statement issued on December 3, 1970, by Secretary of Health, Education, and Welfare Elliot L. Richardson, which indicates the latest position of the administration, agreeing to certain important improvements in the family assistance plan since the last prior revision of it in October and following objections which had been voiced by me and others.

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

EXHIBIT 1

EXCERPTS FROM SENATE FINANCE COMMITTEE HEARINGS

WEDNESDAY, APRIL 29, 1970

(The following discussion concerned an HEW regulation under the AFDC program which exempted a mother of pre-school or school-age children from being forced to accept work or work-training if she thought day-care facilities for her children were inadequate.)

The CHAIRMAN. But it seems to me that you are not enforcing what we tried to do with the work incentive program. We pass this bill and call the same program by a different name, we are not in a position to feel the confidence that we would like to feel that it is going to achieve the result stated for it. But we intended that these people should go to work. We did not intend that they should should have an open-ended regulation by which they could refuse to go to work. We did not intend that they pull this sit-down strike and we did not intend that they be given $430,000 to show people how they could avoid working. It is very frustrating for us, working for the same objective that you are working for, to see that the administration is not enforcing it.

We had some Cabinet officers under the prior administration testify that this thing should be entirely voluntary and no person should be required to go to work if he did not feel like working and we voted them down. We feel we are frustrated by this regulation, which you have inherited. It seems to us if you have a program for putting people to work, you ought to show your good faith by changing some of those regulations and saying that they do have to work.

Secretary FINCH. We will be happy to come back to you tomorrow when we find out what has happened in implementation of this regulation.

Senator HARRIS. Could we also, Mr. Chairman, find out if that really prevented anybody from going to work; aside from the lack of day care centers and the lack of jobs and the lack of training programs whether that regulation really prevented anybody from going to work? It is my understanding that far more volunteered to go to work than there was provision for, anyway. (At presstime, June 11, 1970, the material requested had not been received from the Department of Health, Education, and Welfare.)

Secretary FINCH. I think that is a correct statement.

Mr. ROSOW. That is right, Senator.

Secretary FINCH. I think the latter part of it is correct.

The CHAIRMAN. If they volunteered to go to work, the question would be entirely moot. We are talking about a situation where people did not want to work, did not go to work, and no effort was made to get them to work. The regulation said they did not have to.

WEDNESDAY, APRIL 29, 1970

JOBS FOR WELFARE RECIPIENTS

Senator HARRIS. I thank you very much, Mr. Chairman.

Mr. Secretary, I have a lot of questions, as you might imagine, but initially I will just start out with some having to do with employment and the work training requirements under the bill. I think it is very important that there be encouragement for working, and I think some problems about that have already been pointed out.

The basic problem that I see with this bill, if it is to be other than just a pious statement that people should go to work; what are we going to do about the fact that there are about a million people who are out of work who were working January 1, 1970.

There are no provisions for expanded public or private jobs in this bill, are there, other than the training slots?

What if unemployment continues to go up, what can we do to provide jobs for these people who will be out of work and who, I take it, will be more and more of those who are least able to get jobs otherwise?

Secretary FINCH. On page 36 of the bill, Senator, there is a provision allowing the Secretary of Labor to fund special work projects, which are defined as projects consisting of performance of work in the public interest, through grants to or contracts with public or nonprofit private agencies or organizations. Then they list the assurances that are required. That is one option.

Senator HARRIS. How much money is involved in that in the bill?

Mr. VENEMAN. For job training?

Senator HARRIS. For jobs?

Mr. VENEMAN. Over $700 million, take away 300.

Mr. PATRICELLI. About $260 million for job creation and training.

Senator HARRIS. How many job slots do you suppose that the would provide for? Do I understand you to mean that you anticipate that there will be subsidization to private industry as well as to public, governmental bodies for employing people who otherwise would be unemployed?

Secretary FINCH. Yes.

Senator HARRIS. A total of $260 million is provided in the bill for both the subsidy as well as for the training; is that correct?

Secretary FINCH. Yes.

JOB SLOTS UNDER THE BILL

Senator HARRIS. How many jobs slots do you anticipate that that would provide?

Mr. VENEMAN. There are 150,000 job training slots and 75,000 job upgrading slots.

Senator HARRIS. Those 150,000 training slots, are they in addition to training slots already available under other programs, or is this a part of that?

Secretary FINCH. These would be new slots.

Senator HARRIS. 150,000 training slots. How many subsidized jobs do you assume that there would be under that program, or would there be any?

Secretary FINCH. I am afraid Secretary Schultz would have to speak to that. That is really in Labor's field.

Senator HARRIS. That is exactly the first question I asked you. I took your answer to mean that there were subsidized jobs provided in that $260 million.

Secretary FINCH. Well, the answer, I think, is——

Senator HARRIS. But you don't know how many there would be? Don't you think that would be a rather basic kind of thing to know?

Mr. PATRICELLI. I think the mix changes, varying with economic conditions.

Senator HARRIS. I understand that. My point is you say: jobs, jobs; but where are the jobs? Isn't it true that for every 1 percent unemployment goes up, approximately 1 million people, who otherwise were working, are thereby put out of work?

Secretary FINCH. That is about right.

Senator HARRIS. Is that correct?

Secretary FINCH. Yes, sir.

AVAILABILITY OF JOBS FOR WELFARE RECIPIENTS

Senator HARRIS. If the unemployment rate then has gone from 3.3 percent to 4.4 percent under this administration—and I take it everybody predicts it will go higher, although there could be disagreement as to how much higher—that means that approximately 1 million who had been working are now unemployed, and the Department of Labor, as I understand it, says that these are not new people in the market, but primarily are people who had jobs and now do not have jobs.

My point is: how do you plan for these people to go to work? Where is there in your bill, provision for even enough new jobs, public or private, to make up just these jobs we have lost out of the economy? Where are the jobs?

We have heard all of these pious statements about putting people to work and we have heard a lot of to-do about forcing people to go to work. Where will they go to work? That is my point.

Mr. VENEMAN. It would depend upon the skill of the individual.

Senator HARRIS. Aren't we talking about people with a rather low level of skill and rather low level of education?

Mr. VENEMAN. It depends on which way the economy goes. Many people who were formerly associated with the aerospace industry, highly trained and educated people are now on the unemployment rolls.

Senator HARRIS. What are we going to do about that under your bill?

Mr. VENEMAN. I don't think our bill touches that problem.

Senator HARRIS. Where will they go to work? If I were to vote for this bill, Mr. Secretary, and then went back to Oklahoma and said, "Well, I want you all to feel better because I have said all of these welfare folks have to go to work," everybody would applaud, but then, will they go to work?

Secretary FINCH. I don't think this bill really attempts to meet the problem of guaranteeing jobs.

Senator HARRIS. It does not attempt to meet that problem?

Secretary FINCH. No, not the problem of guaranteeing any number of jobs against any kind of situation that might develop. There will be some other benefits, though. For example, with the massive increase we hope to get in day-care funds, we will undoubtedly be able to use many of the unemployed people in jobs connected with the new day-care facilities.

Mr. VENEMAN. I do think we are getting into Secretary Shultz' bailiwick here.

Senator HARRIS. Don't you think we have to?

Mr. VENEMAN. Yes; it is essential, but I think he can probably answer the questions more precisely. He also has a job bank program, so he will be more able to help you identify problems in particular areas. I am sure that if you read the want ads in the Oklahoma City newspaper you will find as

you do in the most newspapers, several pages of employment opportunities.

Senator HARRIS. What percentage of those opportunities, Mr. Secretary, would you say would be available to the average mother receiving aid for families with dependent children now?

Secretary FINCH. It would depend, to a degree, upon the training programs that were available.

Senator HARRIS. That is right; it would be rather low without the training programs, wouldn't it?

Secretary FINCH. Yes.

COMPARISON OF NUMBER OF WELFARE FAMILIES WITH NUMBER OF TRAINING SLOTS

Senator HARRIS. How many families presently are there now in the country receiving aid to families with dependent children?

Secretary FINCH. One million, 800 and some-odd thousand.

Senator HARRIS. One million, 800 and some-odd thousand.

Secretary FINCH. That was in November 1969.

Senator HARRIS. How many families will there be receiving family assistance under your program?

Secretary FINCH. About 3.9 million.

Senator HARRIS. What you add here into training is 150,000 training slots?

Mr. VENEMAN. Actually, the additional persons that would be added because of this measure would be primarily working people, people that are already employed.

Senator HARRIS. I am just saying this, first—see if this is correct: 1,800,000 families now receiving AFDC, and they are the types that are to be encouraged or required to go to work; there will be 3.9 million, some of whom will be working poor under your program, and, according to your estimates, a good many of whom, I presume, are not now earning above the poverty level because of lack of training for jobs that might be available.

Is it true, then, that compared to that, there are only 150,000 new training slots provided in this bill for them? Is that correct?

Secretary FINCH. Yes, sir.

Senator HARRIS. Can you explain that?

Secretary FINCH. There are 150,000 training slots provided in the bill. Of the 1,800,000 families now receiving AFDC, about 7 percent of the female heads of households are working part time, and I think about 7 percent full time.

Mr. HAWKINS. That is correct.

Mr. VENEMAN. Fourteen percent of the caseload is now employed. Also, out of the caseload, 61,000 are in the unemployed parent category.

So, most of those probably would be covered by the WIN slots that are available now. But 100,000 are predominantly for female heads of households, and will be effective only if the day-care component is adequate.

Secretary FINCH. I would like to put into the record chart 13 of the welfare reform and work incentive—the material that has been circulated. Based on, roughly, manpower training capabilities and institutional openings in 1969 of 323,000, in 1971 we project 462,000 on the job.

The figure went from 140,000 in 1959 to 234,000 in 1971. Work support experience is 538,000 in 1971. And then, under this bill, including the 75,000 upgraded positions, you have another 225,000, or a total of 1,459,000, if you are looking at the whole galaxy of slots that are available to the Secretary of Labor.

SECRETARY SHULTZ'S STATEMENT OPPOSING CREATION OF JOBS IN PUBLIC SECTOR

Senator HARRIS. The staff just handed me here the testimony of Secretary Shultz testifying in the Ways and Means Committee, in their hearings on this bill, as follows:

"It is not our intent to create jobs in the public sector, especially for the hard-core unemployed as a way of solving manpower problems, and represent instead a failure to face up to the more difficult task of equipping individuals to compete for the ever-increasing number of real jobs that our economy is producing. We estimate that there will be 2 million job openings a year in clerical, sales and operative occupations."

Now, it seems to me that you are talking about an unrealistic thing with the health manpower crisis, the manpower shortage in education, and, I think, a good many other fields, such as rebuilding the cities, and there are tremendous demands for personnel in the public sector generally, and, if you are not going to make any effort at all to increase the employment in these service functions, which are the fastest growing in the country, I don't see how you are going to take up the slack. But, we could go into that later.

Obviously, you are not going to put people to work; you are putting people out of work under the macro economics now being practiced.

COMPARISON OF NUMBER OF CHILDREN RECEIVING WELFARE WITH DAY CARE AVAILABLE

What about day care? How many children presently are in families receiving aid to families with dependent children?

Mr. HAWKINS. As of November, Senator Harris, there were 5,269,000 children.

Senator HARRIS. 5,269,000. How many will there be under the family assistance program which you advocate? How many children will be in families receiving that type of assistance?

Mr. VENEMAN. Under the working poor category?

Senator HARRIS. Whatever category. The total taking up cumulatively those now receiving AFDC and those who finally would be receiving assistance under your program, how many children would be in such families?

Mr. VENEMAN. Based upon a 1967 survey with a 1971 projection, we estimate that there would be 12½ million children under 18.

Senator HARRIS. Twelve and one-half million children.

Mr. VENEMAN. In all.

Senator HARRIS. Twelve and one-half million children. There are now 5.2 million-plus children in families receiving assistance now, and there would be 12½ million children in families receiving assistance under the program that you recommend.

Secretary FINCH. Many of those would be in intact families.

Senator HARRIS. I understand that, but, nevertheless, you could break it down more if you wanted to compare it with the figures I was just going to cite.

Under your bill there would be only 300,000 children provided for in the child-care program for children of school age, and 150,000 children provided for who are of preschool age. Is that so? Is that all the day care that would be provided, as opposed to the number of children that would be involved in the program?

Mr. VENEMAN. Let's not forget, Senator, that in the intact families there presumably is a mother at home taking care of the family.

Senator HARRIS. Could you break out those figures for me? Right now you have an AFDC family. An employed father is not entitled to, or his family is not entitled to assistance now, except in five States.

Mr. VENEMAN. I would think in the family group it would be somewhere around 7 or 8 million children. That would be in families with a father and mother and kids, and the mother is home to take care of the children. So you are still talking 5 or 6 million children that would be in single-headed households.

Senator HARRIS. That is exactly my point: 5 or 6 million children.

Mr. VENEMAN. These additional day-care slots that we are talking about would be in addition to those in existence at the present time.

Mr. PATRICELLI. We are spending roughly $80 to $90 million on day care now.

Senator HARRIS. That wouldn't provide very much, if $386 million only provides 450,000.

Mr. PATRICELLI. This would be a 400- to 500-percent increase in 1 year.

Senator HARRIS. I am not talking about the increase; I am talking about the pious statement that we are going to require these people to go to work. As I understand it, we can't require the mother to go to work unless there is a day care that meets some standards.

Mr. VENEMAN. That is true. One of the provisions is: day care would have to be made available.

LACK OF INFORMATION ON TOTAL NUMBER OF CHILDREN FOR WHOM DAY CARE WILL BE PROVIDED

Senator HARRIS. We are only providing the cumulative total of day care under your bill for school-age children of 300,000?

Mr. PATRICELLI. There are two mechanisms in the bill to provide day care. One is a project grant authority under which we propose to make $386 million available in the first year to provide day care.

Senator HARRIS. Will it be more the next year? You said "the first year."

Mr. PATRICELLI. This is done on a fiscal year by fiscal year basis. We haven't projected for fiscal 1973.

Senator HARRIS. So, all we know about this level is what we are asked to approve for the fiscal year?

Mr. PATRICELLI. There is separate mechanism for reimbursing parents, essentially, for the cost of day care which they themselves provide. This is a provision for disregarding day care expenses in coming up with accountable income for the purpose of determining eligibility for payments. The Federal Government in effect would be helping to reimburse them for day care that they buy themselves.

Senator HARRIS. Have you somewhere in the figures the number of children that would normally be eligible for day care? Obviously, there is quite a discrepancy between 450,000 children and 5 or 6 million, or whatever it is.

Does somebody have those figures?

You started with a 12 and a half million kids altogether. Some of those are children of intact families, where, presumably, one parent would be available to take care of the child, and then you come down to the amount that you are providing.

All I am interested in, in my judgment, and I would presume you agree, is that there would be a very wide difference between the number of children who would ordinarily be eligible for day care and the number of day care slots provided for in your program; is that so?

Mr. VENEMAN. Senator, I believe that the program provides an adequate number of day care slots for a first full year's functioning of the program.

We have to take into consideration that 14 percent of these people have some kind of child arrangements already, because they are working either part time or full time.

Mr. Patricelli indicated we do permit deduction for day-care services which they are obtaining on their own. We can't estimate what that is. Also, we can't assume that every woman who is on the AFDC caseload is available for employment. They are not all trainable, and we might as well face that fact of life. There is going to be a certain percentage——

Senator HARRIS. How did you pick out 300,000 and 150,000?

Mr. PATRICELLI. That was done by projecting the day-care opportunities that would be needed to sustain the 150,000 job training opportunities for the AFDC mothers. And the

calculation was based on average family size and number of children for such mothers, namely: three.

So, three times 150,000 is 450,000.

The five-plus million children that we are talking about in AFDC of course includes a large number of children who are under six, and we do not require mothers of children under 6 to go to work, so day care is not necessary to sustain a work requirement for those people.

Senator HARRIS. Would you be satisfied to leave the record then like it is, that you are not able to estimate how many children fall into any of these categories, or how many would be available or what percentage of them your day-care recommendations would take care of?

My judgment is there is a wide gap. I take it you are not even willing to admit that. Or if not, if you are to say how much it is, it seems to me you surely could have some figures on it. Why can't you come up with the numbers?

Mr. PATRICELLI. I think we are starting from different places, Senator. We provide financing for day care adequate to sustain the work training and employment programs which are provided for.

Senator HARRIS. I understand that. I suppose my time has run out, but I will ask you this one last question: is there any way you can particularize your figures on this?

Mr. PATRICELLI. We will try.

Senator HARRIS. Would you do that?

Mr. PATRICELLI. Certainly.

Senator HARRIS. Can you now?

Mr. PATRICELLI. Given the instruction we have had about ballpark estimates and back-of-the-envelope figures, we would prefer to put the figures in the record.

Senator HARRIS. We have been so loose on this that I will take ballpark figures. If you can give them now, you may do so.

Secretary FINCH. I think we had better come back with figures. (At presstime, June 11, 1970, the material requested had not been received from the Department of Health, Education, and Welfare.)

THURSDAY, APRIL 30, 1970

WORK DISINCENTIVES UNDER BILL

Senator HARRIS. First of all, a couple of statements, Mr. Chairman. I think that Senator Williams has done an excellent service in pointing out the kinds of notches that appear in the present law. This is a question I had yesterday, whether those same notches would not still be in the law under the new program. It has been demonstrated today that they would be. I think that, together with the question which the chairman asked in regard to the striking down by law of residence requirements, a decision with which I happen to agree, indicates you really cannot very well latch on to a system which both taxpayers and welfare recipients agree is a failure. That is why I offer a substitute plan and will offer a substitute plan, because it will, with a flexible level which could be phased in over a period of years, together with discretion in the Secretary about what resources and income will be taken into account, avoid altogether this notch problem which we have seen in the present law yesterday and in the FAP program today.

In addition, of course, as this bill does not do, my bill provides for uniformity among the States, counting one child as being of the same worth in whatever State he lives.

Also, the plan which I have suggested would relieve the States of the enormous and growing burden of welfare which is upon them. The bill before us would not do so. So I hope we will, at the proper time, have a chance to present an alternative way to do this. The suggesttion which I have made is not just a matter of raising the level. It is throwing out this old system and starting a new one, which would be an all-Federal system, and avoid the inequities and anomalies which exist in the present law as well as in H.R. 16311.

POOR PRESENTATION BY HEW AND QUESTION OF WHETHER ADMINISTRATION WANTS BILL SABOTAGED

There is another thing that I want to say. With all due respect, gentlemen, I believe this is the most ill-prepared presentation that I have seen since I have been in the Congress of the United States. I am really amazed that some of these very simple questions do not get a very quick and easy response—such things as just asked a minute ago about medicaid, and the questions I asked yesterday about the day-care costs. It seems to me that those are things which ought to have been easily available, because they ought to have been thought out in advance when you put this plan together.

Now, I will just be very frank with you. Rumors are circulating very strongly in this room today and yesterday that the administration intends to abandon this bill in this committee and that the presentation has been lukewarm and confused purposely to sabotage this bill. I think you are entitled to know that is what is being said, and I just want to hear you say for the record whether or not that is what you intend to do.

Secretary FINCH. Senator, we could not possibly have contrived a scenario like this.

Senator HARRIS. I do not think so. I do not think you could have contrived an appearance which could have been less helpful to your proposal than what has accidentally occurred.

Mr. Chairman, I am hopeful that we will be able to proceed during the afternoon, because I do not believe I have ever looked at a bill, including the 300 page social security bill we had 2 years ago and the tax bill we had last year, that I have as many questions about, or seen as many things we can ask about. So I hope we will go this afternoon, Mr. Chairman.

The CHAIRMAN. Hold on just a minute.

As you know, Senator Harris, we have a conference scheduled this afternoon with regard to the airport tax bill and there are five members of the committee who, of course, would like to know what is being said in the committee room but who unfortunately will be at that conference. If the Secretary can be here this afternoon, as far as I am concerned I would be willing to continue this hearing this afternoon. I understand you will not be in town tomorrow.

Senator HARRIS. That is right.

Senator BENNETT. I would have to add this caveat, on condition that we can find a Republican who is willing to sit, because I do not think it is fair to ask the Secretary to come back without a member of his own party being available.

Senator HARRIS. I think it is terribly important that we get this record complete.

The CHAIRMAN. We will furnish one Democrat. We will see if we can find one Republican member.

Secretary FINCH. Just to clean up the record, if the Senator wanted a categorical denial of any intention to abandon the bill, I am happy to enter it. If the Senator wants to expedite the situation, he can submit questions in advance; we will be responsive. This is a bill of enormous magnitude. We have had a number of changes made in the House. We have had to alter our material considerably on the basis of those changes. We will continue to be as responsive as we can under the circumstances.

Senator HARRIS. I am glad to hear it said, Mr. Secretary, because I want you to know that that is a very strong feeling which circulated around here yesterday and today. I think you are entitled to know it, and I am glad to hear your response that it is not so.

THURSDAY, APRIL 30, 1970

AFTERNOON SESSION

Senator HARRIS (presiding). The committee will be in order.

Mr. Secretary, Senators Bennett, Jordan, Fannin, and Hansen, on the Republican side of the committee have indicated they will come, or all of them will be here from time to time during the afternoon. We can either wait or proceed—we haven't any rule that particularly covers this situation—if you like.

Secretary FINCH. I think we might as well proceed.

Senator HARRIS. Okay, Thank you very much.

Yesterday I asked several questions relating to child care, and you have given me since that time some material which has to do with how that program would operate.

Without objection, we will place in the record at this point a sheet entitled "Child Care Under the Family Assistance Program" and one entitled "Major Steps in Providing F.A.P. Day Care". Both of these carry the name of J. M. Sugarman, January 26, 1970, and also an additional two charts dated January 28, 1970, both labeled "Major Responsibilities in the Provision of Child Care Under the Family Assistance Program."

As I say, those will be placed in the record at this point. They detail how that program will work, and so forth.

(The documents referred to follow:)

"CHILD CARE UNDER THE FAMILY ASSISTANCE PROGRAM

"1. Who Is Eligible for Child Care?

"People who need child care to enable them to participate in *training, vocational rehabilitation or employment,* AND:

"(1) Who are entitled to benefits under Part D (Family Assistance) *or* Part E (Supplementary Payments).

"(2) To the extent the Secretary permits, persons who were *formerly* entitled to benefits under Part D or Part E, and who still need child care to maintain employment.

"(3) Until Family Assistance becomes effective, persons who are receiving AFDC.

2. What Kinds of Child Care Will Be Provided?

"We have strongly emphasized our desire to give parents a wide range of choice in child care arrangements. At the same time we have emphasized our desire to create the best possible *developmental* day care so that parents have *real* alternatives available to them. Parents will have the following basic options:

"(1) If they have income, they may make their own arrangements and *exclude the costs* of the child care from their reported income.

"(2) They may arrange to have the child cared for *in* their own *home* or in the home of a friend or relative and the Federal Government will pay for the cost.

"(3) They may have their child cared for in a *family day care* home which would have a small group of children (2–6) cared for in someone's home.

"(4) They may have their child cared for in a *group day care center.*

"(5) They may, through a vendor payment system, choose among available day care programs, or in some cases, organize their own programs.

"In each of these options we would expect to set reasonable standards as to how Federal funds can be used. These standards will mandate for options 3, 4, and 5 that there be educational activities, health and social services, nutrition and parent participation. It is our belief that a large number of parents will initially select options 1 and 2, but will switch 3, 4, or 5 when they understand how much more they offer to children.

"Child care will be available, as necessary, for children from birth through 14 years of age.

"3. How Will Funds Be Distributed?

"We intend to parallel the model called for in the Manpower Act. There will be a prime grantee at the State level and other prime grantees in those local areas which have large child care needs. The prime grantee will then contract with a variety of public and private organizations (including for-profit groups) to provide the actual care.

"We intend to encourage States and local communities to form 4–C (Community Coordinated Child Care) organizations to serve as the prime grantee. These organizations are broadly representative of public and private education, health and welfare agencies as well as parents. Such linkage is very important to our overall strategy in the emerging field of child development.

"Where a 4–C organization does not exist a welfare or education agency, a Head Start program, a health and welfare council, or other similar agency may be the prime grantee. Under some circumstances a corporation might be selected as a prime grantee on a national level (e.g., Ford Motor Company might want to develop day care at its plants for FAP recipients who were receiving on-the-job training.) It should be clearly understood, however, that funds under this act may *not* be used to support day care for persons other than those specified in the act.)

"4. Staff and Facilities

"Training funds are authorized in the Act and will be extensively used. Particular emphasis will be placed on (a) developing managerial and planning competence, and (b) employment of non-professionals. We estimate that 65% or more of the total staff can be non-professionals. In the *early stages* of the program child care jobs could be created for as many at 12% of the persons registering under FAP.

"The Act permits use of funds for renovation and remodeling. The latter term considerably broadens existing authorities and will permit a broad range of building improvements, including structural changes, or even additions to buildings which do not increase available space by more than 20%. On the other hand it *does not* permit land purchases or construction of new buildings. We still have under consideration the possibility of submitting construction legislation. Program grants can include money for rent and thus may stimulate private industry to build facilities.

"5. Administrative Linkages

"The administrative process involved is as follows:

A. At the Federal Level

"OCD, Labor, and Social Security will form working teams at both Washington and regional levels. They will plan jointly and develop coordinated plans for operation.

"B. At the State and Local Level (See attached chart)

1. Labor advises OCD of the estimated number of persons to be registered in each geographic area. OCD (a) identifies a prime grantee, and (b) begins the process of funding day care programs based on anticipated numbers of persons entering training and employment.

"2. The Social Security Administration receives applications for Family Assistance and refers individuals to the employment service.

"3. The employment service registers the individual. At the same time, a representative of the prime grantee or of the agency providing social services for that area counsels the parent on available day care options.

"4. The employment service notifies the prime grantee when the individual is scheduled for training.

"5. The prime grantee completes child care arrangements with the parent.

"6. OCD monitors the operation of prime grantees and works on problems identified by Labor or Social Security."

MAJOR RESPONSIBILITIES IN THE PROVISION OF CHILD CARE UNDER THE FAMILY ASSISTANCE PROGRAM

Social Security Office	Employment service	Prime grantee [1]	Day-care contractor [2]
A. INITIAL ARRANGEMENTS FOR CHILD CARE			
1. Individual applies for family assistance. Social Security notifies employment service.	2. Individual registers for training or employment. Employment service advises child-care prime grantee of approximately when individual will enter employment or training.	3. Representative of prime grantee may be assigned as a member of employment service team. In any event will work closely with coach. Prime grantee advises individual of available options: (a) Income exclusion. (b) In-home care. (c) Family day care. (d) Group day care. (e) Vendor payment. A. If individual selects income exclusion, prime grantee notifies Social Security. B. If individual selects in-home care or vendor payment, prime grantee arranges payments. C. If individual selects family or group care, prime grantee arranges child's enrollment.	4. Contractor provides day care.
1. Notifies prime grantee when individual no longer qualifies for FAP.	1. Advises prime grantee if: Individual terminates training or employment. Individual alleges that child-care arrangements are inadequate to permit her to maintain employment.	1. Works with employment service to develop jobs for FAP recipients in child-care field. 2. Helps individuals to change child-care arrangements if they are dissatisfied. 3. Monitors operation of child-care programs to see that standards are met. 4. Collects fees from parents who can pay part of costs. 5. Assists individuals to obtain other child care when they are no longer eligible for care under family assistance program. 6. Coordinates activities with other early childhood programs. Provides training and technical assistance.	

[1] Examples of prime grantee would include a 4–C organization, a welfare department, an education agency, or a health and welfare council.
[2] Contractors may include any competent public, private nonprofit, or private for-profit organization.

"CHILD CARE UNDER THE FAMILY ASSISTANCE PROGRAM

"Who

"Families needing child care to participate in training or to maintain employment, and who—

"Receive FAP payments,

"Receive supplementary payments,

"Formerly received FAP or supplementary payments, and

"Received AFDC and/or participated in WIN.

"Eligible for

"Preschool and school-age child care through—

"Group day care,

"Family day care, and

"In-home care.

"Funded through

"Grants to competent public and private agencies of all types.

"Grants to agencies to provide child care vouchers to parents.

"Excluding child care costs from the calculation of income.

"Fees on a sliding scale basis determined by HEW.

MAJOR STEPS IN PROVIDING FAP DAY CARE

[Major steps follow numerical sequence, 1 through 19]

DOL/Employment Service	DHEW/OCD	Prime grantee [1]	Operating agency [2]
1. Advises OCD of expected number of placements.	2. Estimates numbers of children requiring service.	3. Estimates types of services required and gaps in available resources. Requests funding level for new programs.	
	4. Approves establishment of new programs and sets preliminary funding level.	5. Programs funds and invites applications from operating agencies.	6. Prepares application for funds.
	8. Approves application and forwards funds to prime grantee.	7. Recommends applications for approval. 9. Contracts with and allocates funds to operating agencies.	10. Operates program.
11. Notifies prime grantee that individual is scheduled for training or employment.	----------	12. Counsels with family and explains alternatives to them. Exclusion of day care costs. Voucher system. In-home care. Family day care. Group day care.	
		13. Arranges for enrollment of child where necessary. Approves in-home and voucher arrangements.	14. Provides service and reports to prime grantee.
		15. Pays operating agency. Collects fees from parents. Monitors programs. 16. Reprograms contracts as necessary because of changes in enrollments.	
	17. Receives reports from and monitors operations.	----------	
18. Notifies prime grantee that individuals are no longer eligible for child care.[3]	----------	19. Terminates enrollment of child.	

[1] Prime grantee will be that organization which has greatest capacity to develop coordinated day care programs. Preference will be given to recognized 4–C organizations.
[2] May be competent public, private nonprofit, or private for-profit organization.
[3] Must be coordinated with agency making FAP and supplementary payments.

NUMBER OF CHILDREN ELIGIBLE FOR CHILD CARE UNDER THE BILL

Senator HARRIS. However, we have not yet received information from you as to the number of children who would be eligible for child care under the bill, and the number of children who would under present law be eligible for child care.

I looked at the material, some of the material which the committee had given us, and there is a chart which is called "Table M-AFDC Families by Whereabouts of Father, 1969," which is a table excerpted from a preliminary report of findings—1969 Study of Aid to Families with Dependent Children by the Department of Health, Education, and Welfare.

Without objection, we will place that in the record at this point.

Secretary FINCH. Which document is that, sir?

Senator HARRIS. I will .st hand it to you. It is Table M–AFDC Families by Whereabouts of Father, 1969. It shows the number, the total number, 1,630,400. That is the number of families presently. Of those families, 275,500 presently are headed by a father in the home.

That would leave, by my calculations, under present law, 1,332,900 AFDC families which are headed by a mother, where the father is for various reasons absented from the home.

Without objection, as I say, we will place that in the record.

(The table referred to follows:)

AFDC FAMILIES BY WHEREABOUTS OF FATHER, 1969

Whereabouts	Number	Percent
Total	1,630,400	100.0
In the home	297,500	18.2
In an institution:		
Mental institution	6,900	.4
Other medical institution	6,200	.4
Prison or reformatory	53,500	3.3
Other institution	1,300	.1
Not in the home or an institution; he is residing in:		
Same county	311,300	19.1
Different county; same State	86,200	5.3
Different State and in the United States	128,100	7.9
A foreign country	18,000	1.1
Whereabouts unknown	630,600	38.7
Inapplicable (father deceased)	90,800	5.6

Senator HARRIS. I have also looked at an excerpt from the President's budget having to do with child care, and without objection at this point we will place that in the record.

It states that the average children receiving care per mother is expected to rise from 2 in 1969 and 1970 to 2.5 in 1971.

So under the President's budget figures I take it you could at least double the number of families presently headed by mothers, where the father is absent from the home and say there are at least that many children under present law who are eligible for child care.

And then I was looking at the President's budget here which does not carry forward sufficient numbers of people in child care to meet what you testified yesterday is the goal, namely, 300,000 school-age children in child care and 150,000 pre-school children in child care. But, at any rate, the President's budget anticipates 122,533 mothers would be served by this child care program in 1971, and that would include approximately 306,333 children.

Now, the point—as I say, we will place that excerpt from the President's budget in the record at this point.

(The excerpt follows:)

"FISCAL YEAR 1971 BUDGET FOR CHILD CARE UNDER THE WORK INCENTIVE PROGRAM

"2. *Child care.*—This activity provides for child care for children of WIN enrollees. An estimated 45% of the average enrollees in 1971 are mothers who are unable to provide child care for their children while they are undergoing training. Therefore, unless child care is provided, approximately one-half of the enrollees would be unable to accept the training to upgrade their employability.

"In addition, child care is provided for the children of employed former WIN enrollees until such time as other satisfactory child care arrangements can be made or the mothers can pay for the care from their earnings.

"Average children in care per mother are expected to rise from about 2 in 1969 and 1970 to 2.5 in 1971.

"The tables below show workload data for WIN child care:

CHILD CARE UNDER WORK INCENTIVE PROGRAM

	1969 estimate	1970 estimate	1971 estimate
Average mothers receiving care:			
Enrollees	6,475	34,130	49,750
Employed mothers	825	13,161	43,603
Total	7,300	47,291	93,353
Average children receiving care:			
Preschool	4,088	26,483	65,348
Schoolage	10,512	68,099	168,035
Total	14,600	94,582	233,383
Enrollees	(12,950)	(67,860)	(124,375)
Employed mothers	(1,650)	(26,722)	(109,008)
In care end-of-year:			
Mothers	28,500	65,450	122,533
Children	57,000	126,850	300,057

Source: Appendix to the budget for fiscal year 1971, p. 443.

Senator HARRIS. My point yesterday was that we ought not to mislead ourselves or the general public into thinking that we are going to place all of these people in work, because as we discovered yesterday, there is a question about where are the jobs that they could fill.

And secondly, we talked about child care and whether or not it would be available to any other than a rather small percentage of those mothers even presently heading families on AFDC, which obviously would be, I take it, a larger figure under this bill.

I just wonder if you have any comment on that. I don't want to belabor it, but I think it is important that we know just how far we are going insofar as work is concerned.

Secretary FINCH. Mr. Chairman, we should have for you by tomorrow, and for the committee, that additional information. (At presstime, June 11, 1970, the material requested had not been received from the Department of Health, Education, an Welfare.)

I may have misunderstood the figures that you recited. It is possible that they are the WIN figures as opposed to what we had proposed under FAP, and not having seen them, I am not sure——

Senator HARRIS. The President's budget—those were indeed, I think, WIN figures.

Now, are the figures under the bill which you now propose, the FAP bill, would they be cumulative or would they be in addition?

Secretary FINCH. They are in addition to what is proposed in the budget.

Senator HARRIS. Those are not broken down under the WIN program by school or preschool children, so we do not know just what categories they would fall in.

COMPARISON OF MOTHERS ON WELFARE AND AMOUNT OF CHILD CARE UNDER THE BILL

But at any rate, I take it you will agree that there will be a wide gap between the number of mothers who would either be required or encouraged to seek outside employment or training, and the number who will be able to do so if child care is a bar, since we will not be able to produce sufficient child care to make those figures the same.

Secretary FINCH. No sir., I would not concede that.

Senator HARRIS. Then you are not prepared to say how many mothers would be involved?

Secretary FINCH. Not until I have seen the figures.

Senator HARRIS. That is right. You don't know how many children and how many mothers are involved so you are still not able to answer the question.

Mr. VENEMAN. You mean under the bill, Senator?

Senator HARRIS. Yes.

Mr. VENEMAN. There are 150,000.

Senator HARRIS. Oh, I know that. What I mean is how many are eligible. I know how many you cover.

Mr. VENEMAN. Mr. Rosow probably has that.

Senator HARRIS. That is the question I asked yesterday.

Mr. ROSOW. Senator Harris, I am Assistant Secretary of Labor Rosow.

We estimate that there are about 800,000 mothers who have at least one child under 6 who are not mandated to register under the bill, and we have no firm estimate on how many of those would volunteer.

But the bill encourages volunteers and says in its present form that they would receive the same priority as mothers who are mandated to register who have children from age 6 to 17

In the latter category, I believe our figures from memory, were 500,000 mothers in that category.

Senator HARRIS. With school age children?

Mr. ROSOW. With school age children; yes, sir. And the reason that the bill asks for 150,000 training opportunities for mothers in the first year is that we believe that is a realistic figure in relation to our present baseload under the WIN program where we have already registered about 138,000 people, and it is a question of how many more we can absorb.

So the 450,000 figure for children is merely derived from a basic number as to how much training and employment we think we can generate in the first year, added on top of the present WIN baseload.

Senator HARRIS. It is anticipated, then, that that figure would rise to accord with the number of children who might be served?

Secretary FINCH. Not in the first year.

Senator HARRIS. After the first year.

Secretary FINCH. Subsequently?

Senator HARRIS. After the first year.

Secretary FINCH. Yes.

Senator HARRIS. And so it is correct—I presume it is, as the President's budget indicates—that you have to figure 2.5 children per mother covered for 1971? Is that correct?

Mr. ROSOW. I think it may be a little higher than that.

Senator HARRIS. And then if there are 500,000 mothers, as you estimate it, who would have school age children, and therefore under the law could be required to take employment, you would multiply that by two and a half and you would get something over a million children, only 300,000 of which are provided for in the bill for child care in the first year. Is that right?

Mr. ROSOW. That is right.

Senator HARRIS. That is correct.

Mr. ROSOW. And we think that is realistic, because the child-care program is a support service to the work and training objectives of the bill, and one could not race ahead of the other. And, of course, it is recognized in this bill that when the mother takes a job, or when she completes training and gets a job, the child care continues, whereas under present law, depending on the behavior of the State, it may continue, but in most cases it phases out after about 90 days.

Senator HARRIS. I understand that and that would also increase the pressure for this number of child-care positions by reason of the fact that by law you are extending the time during which the care might be rendered.

Mr. ROSOW. Yes, sir.

Secretary FINCH. I think there are two other points, Mr. Chairman, that are relevant at this point. One is that should the

bill be enacted, this portion of the program would be immediately operative, apart from the operative date of the rest of the program. This early effective date is to try to compensate for the problem you are addressing.

Senator HARRIS. Yes.

Secretary FINCH. The second point is that the average number of children in FAP-eligible female-headed families is 3.0, and 51.7 percent of the FAP female-headed families have three or more children.

Senator HARRIS. So the multiplier might actually be greater.

Secretary FINCH. Right.

Mr. ROSOW. About a million and a half children.

COST OF CHILD CARE PER CHILD

Senator HARRIS. I have been told that the amount of money in this bill that would provide for the 450,000 child-care positions is based on a cost of $800 a year per child as the figure. Is that correct?

Mr. ROSOW. We used $1,600 a year for the preschool aged child, which is estimated to represent a typical case of one in a family of four, and two children who are school age, at which the figure was $400.

So when you average it out, that is right, it was $800 per capita, but blended—there was $2,400 for three children divided by three gave you an average of $800 each, but it was differentially computed for the preschool cost being substantially higher and the after-school cost substantially less.

Secretary FINCH. As I recall, that data is based on Headstart figures.

Senator HARRIS. It is my understanding that testimony will be presented to this committee which will indicate that the figure should be something around $2,000 as the national average per child for day care. Do you disagree with that?

Mr. ROSOW. I think HEW has some facts on that.

Mr. PATRICELLI. Senator, all we can say at this point is that when these figures were put together, this was the unit cost in Headstart exclusive of capital construction for full-day Headstart. There is some indication it may have gone up to about $1,700 in the interim, but I am not familiar with the $2,000 figure.

Senator HARRIS. Is that a proper analogy—Headstart with day care?

Mr. PATRICELLI. At the present time all Federal day-care programs are governed by the same set of so-called interagency Federal day-care standards. They are the Headstart standards. And WIN day care is supposed to meet those standards, as well.

So pending change in those administrative standards, yes, it is a fairly high level, enriched form of child development service.

CHILD CARE STANDARDS

Senator HARRIS. While we are on that, how will the standards be set for the type of care and what sort of oversight and administration will there be of this child-care program generally?

Mr. PATRICELLI. We would contemplate again, having a set of standards, as we do now, that would largely govern the quality of care that is given in the family assistance day-care program.

The House committee wishes to make clear, and it did in its report, that different types of care would be appropriate in different types of situations. And it may be more appropriate for an older child, for example, who is going to school, that he be taken care of in the hours of 3 to 5 in a program that might be more recreational in nature than you would want to give a preschool child, whom you are concerned with on a full-day basis. But the present intent is to apply interagency standards that we are now trying to redefine with the Office of Economic Opportunity and the Labor Department.

QUESTION WHETHER REGISTRATION BY WOMEN SHOULD BE VOLUNTARY OR MANDATORY

Senator HARRIS. Mr. Secretary, you stated in your original testimony that a good portion of the women who would by this bill be required to work voluntarily choose jobs, or at least that seems to me to be the import of what you have stated. Why then should we go through what is almost involuntary servitude, it seems to me, and require it when we are going to probably get more volunteers, if history is any judge, than we could take care of anyway?

Secretary FINCH. Well, sometimes what women say to an interviewer is not necessarily what they believe. They might like to have the interviewer believe that they had worked, or that they wanted to work. We think that it is in many cases highly desirable that they work, because of the perception that passes on to the children.

You have got 68 percent of those who are already working who would be eligible, with 57 percent working full time. The latter are working and paying taxes.

So I think we have a very good reason to believe that this is not involuntary servitude. It is something these women want and desire to do.

Senator HARRIS. Well, the question is what sort of jobs are they working at voluntarily. If 68 percent are working, it would be interesting to know what sort of job and what kind of pay.

Mr. PATRICELLI. Senator, as the Secretary stated in his testimony yesterday, the 68 percent refers to mothers who are without husbands and who have children between the ages of 6 and 17. Some of them may have incomes above the eligibility line.

There was an effort to find out in a population similar to the AFDC population, which we are dealing with.

Senator HARRIS. I understand that, but isn't that statistic meaningless unless we know, also, what sort of jobs that 68 percent are working at and what the jobs pay? Whereas in the program which you are presenting to the committee there is not any kind of standard about pay. For example, there is no requirement for a minimum, or prevailing pay.

Mr. VENEMAN. Yes, there is, Senator.

Senator HARRIS. Is there? What is it?

Mr. ROSOW. Well, the bill provides that in referral to work the person will be referred at the Federal minimum wage or the State minimum wage or the prevailing wage, whichever is higher.

Now, insofar as some of the occupations are not covered by either a Federal or State minimum, in that case the prevailing wage would pertain. The employment service would have to establish, in fact, that other people are performing the same work under the same conditions at those wages and that jobs, in fact, are being filled in the community at those wages.

Senator HARRIS. Good. That was added in the House, was it?

Mr. ROSOW. Yes.

Senator HARRIS. Well, that's good.

Secretary FINCH. And also in the material given to you, Senator, we have the percent of AFDC mothers who work, broken down into full time, part time, professional, clerical, and so on.

(Material supplied for the record at this point follows:)

PERCENT OF AFDC MOTHERS WHO WORK—BY SELECTED CHARACTERISTICS[1]

Characteristic	Percent of total who work		
	Total	Full time	Part time
Total	15.5	7.5	8.0
By race:			
White	12.5	6.0	6.5
Nonwhite	18.8	9.1	9.7
Presence of children:			
Under 6	13.2	7.0	6.2
None under 6	19.5	8.4	11.1
By education:			
0 to 8 years	15.0	6.0	9.0
9 to 11 years	15.2	7.9	7.3
12 years	19.8	11.0	8.8
13 plus years	23.2	14.0	9.2
By length of time continuously on AFDC rolls:			
0 to 1 year	14.9	7.7	7.2
1 to 2 years	15.8	8.5	7.3
2 to 3 years	15.8	7.9	7.9
3 to 4 years	10.9	5.2	5.7
4 or more	16.1	6.7	9.4
By usual occupation:			
Professional, semiprofessional, proprietors, etc.	30.6	18.0	12.6
Clerical, sales, and kindred workers	22.0	14.1	7.9
Craftsmen, foremen, and kindred workers	25.0	14.0	11.0
Farming	17.6	3.8	13.8
Operatives and kindred semi-skilled and skilled workers	18.1	13.3	4.8
Service workers, except private household	24.9	14.5	10.4
Private household service workers	31.6	8.5	23.1
Unskilled laborers	11.2	5.3	5.9
Never employed or work experience unknown	.8	.3	.5

[1] Excludes mothers in AFDC–UF cases.

Source: 1967 AFDC Characteristic Survey (figures were derived from data not completely edited. Final results are not likely to show significant differences.)

USUAL OCCUPATION OF AFDC MOTHERS BY EDUCATION—PERCENT DISTRIBUTION

Usual occupation	By years of education				
	Total	0–8	9–11	12	13 plus
Professional, semiprofessional proprietors, etc.	1.0	0.2	0.6	3.2	12.4
Clerical, sales, and kindred workers	9.6	1.5	9.2	28.8	33.9
Craftsmen, foremen, and kindred workers	.6	.3	.6	1.0	.9
Farming	4.1	8.6	1.8	.7	.5
Operations and kindred semiskilled and skilled workers	7.4	5.5	8.5	8.8	7.4
Service workers, except private household	19.2	15.1	24.9	23.5	17.4
Private household service workers	14.1	18.0	13.7	9.0	6.2
Unskilled laborers	12.7	13.6	13.6	8.5	4.7
Never employed or work experience unknown	31.4	37.2	27.2	17.3	16.6
Total	100.0	100.0	100.0	100.0	100.0

Source: 1967 AFDC Characteristics Survey. (Figures were derived from data that has not been completely edited. Differences from final version are likely to be insignificant.)

USUAL OCCUPATION OF WORKING AFDC MOTHERS (PERCENT DISTRIBUTION)

Occupation	Working mothers	
	Full time	Part time
Professional, semiprofessional, proprietors, and so forth	2.4	1.6
Clerical, sales, and kindred workers	18.0	9.5
Craftsmen, foremen, and kindred workers	1.0	.8
Farming	2.0	6.9
Operations and kindred semiskilled workers	13.1	4.4
Service workers, except private household	37.2	24.9
Private household service workers	16.0	40.6
Unskilled laborers	9.1	9.4
Never employed or work experience unknown	1.2	1.9
Total	100.0	100.0

Source: 1967 AFDC Characteristics Survey. (Figures were derived from data that has not been completely edited. Differences from final version are likely to be insignificant.)

Senator HARRIS. Do you really believe that you will get more volunteers than you can take care of in child care and in jobs and in training?

Secretary FINCH. When you say volunteers——

Senator HARRIS. I mean based upon our own history and based upon the survey of women who have children and who work.

Secretary FINCH. The demand in the past has always exceeded the capability, and I think we have reason to believe that we will——

Senator HARRIS. That is exactly my question. Why, then, do we go through what has always exceeded the capability, and I suppose, is the only thing like it in our society generally, and require mothers with school-age children to work? Are we so sure about the effects of that in our society? Might we not be producing a side effect that we won't like?

Mr. ROSOW. I would like to address myself to that, because I have taken a lot of criticism about that in the general public during the months that this has been under discussion and review. And we have given a lot of careful thought to it.

As Secretary Finch has said, I think in the first case there is really a question of simple equity. Many mothers in our society have elected to work out of sheer economic necessity, not because they are career women or want to seek fulfillment in employment, but because they have school-age children in the category 6 to 17, and must either contribute to the family support or cannot survive without working.

As Secretary Finch said, 68 percent of these women in the nonwelfare population are working today. And they do not have any aid from the State in terms of child-care facilities; they are entirely self-supporting.

These people are taxpayers and see themselves struggling to exist, and they see other people in the society fully supported or supported to a degree at various levels in different States and not working. They see this as an inequitable relationship.

Apropos of your question, Senator Harris, about whether people want to work, and therefore can make the transition, an in-depth study in Baltimore found that inner city mothers had a stronger desire to work than mothers of the type I mentioned who have husbands working and are not on welfare. They are not working and part of the reason is that they cannot make the transition on their own; they need some assistance, encouragement, facilities, the type of thing we provide in the employability teams under the WIN program where five people sit around the table with this person and solve the various problems that are impediments to work.

Many of these people are really afraid to go out in the world to work because they think that they are going to fail or that they are unwanted or they have no skills or it has been many years since they last held a job, or they have worked at jobs that did not work out.

So insofar as your question about training is concerned, we feel in the Department of Labor that we have, since 1962 with passage of the Manpower Training and Development Act, put into place a very elaborate and extended series of training programs.

We have been in the learning, growing process here, and this entire background of manpower training is available for the volunteer mothers. We are not limited to the 150,000 spaces and the 75,000 up-grading spaces. They are incremental to the in-place program of about 1.2 million training opportunities.

And since most of these people, by definition, would qualify immediately as disadvantaged persons, we would tend to regear our programs to take them in.

In fact, the manpower programs trained about 200,000 public assistance persons in fiscal year 1969 alone and with considerable success.

So that it is quite conceivable, depending on how well the transition from welfare to work actually operates, that we may have a situation where a 30 or 40 percent or half of all our manpower programs will be applied to these persons.

Senator HARRIS. I appreciate your answer, and I think the goal is a laudable one, but it isn't responsive to what I meant to ask, which is: Why, then, make it mandatory for this particular class of mothers? Do we know that much about whether society's properly served by this kind of requirement? Motivation and attitude, as you have indicated, are very important if a person is going to move into the work force and to go through a training program.

And do we know, for example, the effect of making it mandatory rather than voluntary?

MOTHERS WHO VOLUNTEER NOT GIVEN HIGHER PRIORITY THAN MOTHERS MANDATED TO REGISTER

May I just say this last thing on the same question: How would you determine which one would get priority for the limited number of slots, child-care positions and training positions, and so forth—those who volunteer or those who are required to go to work?

Mr. ROSOW. Well, the House Ways and Means Committee had indicated that it would prefer the administration to treat volunteers in the same category of priority as those who had been mandated to register. So that would mean——

Senator HARRIS. You mean not to—what was the choice? I mean, as opposed to what?

Mr. ROSOW. Well, in fact, we have been silent on the question of the treatment of volunteers, although our implicit intent was to treat them with the same priority as any other mother who was registered. If two women came in, one who volunteered and one who was registered because her children were school age, and the conditions were favorable for both—let's say the one who registered had only one child under age six. She was able bodied and the child was four or five years old and an adequate day care center was available. She would be treated just like the mother who might have a child 10 in school. That is the intent here.

So we would be flexible with regard to both.

Now, in looking at the employment potential of adults, we separated out certain categories.

For example, we have said if a person is over 49 years of age, they would have a more limited employment potential than a person in the younger age groups. If a person is disabled or had any physical impairment, we would consider them limited in employment potential. If they had less than 4 years of schooling, we say they are limited. If they had more, we would say they have a potential. If a mother has two or three preschool children, we would put her in a lower category—even if she volunteered—because there are impediments to her working and there are impediments to the social structure taking care of her children.

If the person is between the age of 16 and 21 and in school full-time, he is exempted by the law.

So these are the sort of criteria that we used in defining the priorities and potential for work.

Senator HARRIS. Then if there were three volunteer mothers and three who were required to report for work or training, making a total of six, three of each category, and you had four positions—that is, you were able to only produce child care and jobs or training for four, you would take two from each category?

Mr. ROSOW. No. It might be that all three would be volunteers and one would be of the registered group. It would depend on the mix. There would not be any attempt to balance between the two.

The objective of the law is not to be punitive but, rather, to have the persons covered under the Family Assistance Program accept some responsibility that goes with the rights that are being legislated in this bill.

But the objective will be to work on those who have the greatest opportunity to succeed in training or work.

If we had 10 volunteers and had a hundred registered, and the 10 volunteers had the best chance of making it, we would work on them first and then get to the registrants because we are interested in the total.

Senator HARRIS. Right. I want to turn to Senator Fannin, but let me just finish on that one point, then. You wouldn't distinguish between the two except to the degree that they had a better chance of making it, as I understand it, regardless of what category they were in.

But isn't it a fact that the administrators of WIN would tell you that mandatory referrals don't work out very well?

Mr. ROSOW. Senator Harris, I think the problem here has been with the present law, and we have referred to this before, and the Secretary referred to it in his testimony. This phrase of "An appropriate person" which is the present language has allowed the judgment as to who should be referred to the Welfare Department. And there have been widely varying, standards, and moral judgments involved here, from 97-percent referrals in Utah to 3½-percent referrals in New York City, and that has been the basic kind of problem.

This situation in WIN is improving. The employment service, the State welfare people, have become more oriented toward trying to make the program work, and so forth. So I think that is really the crucial thing in our view.

THURSDAY, APRIL 30, 1970

Senator HARRIS. Back to a question I asked earlier about the minimum wage. I thought I understood what was said about the minimum wage, but apparently I did not, according to what a staff member tells me. It is what I originally thought, that if the job to which a person is referred, is not now covered by a minimum wage, then a minimum wage would not have to be paid; is that correct?

Mr. ROSOW. That is my understanding, Senator.

Senator HARRIS. Yes.

Mr. ROSOW. I thought you might have misunderstood——

Senator HARRIS. I did——

Mr. ROSOW (continuing). When you said it covered your objective. It covered it in part. And the other part about prevailing wages, it is conceivable that the prevailing wage is less, particularly in the South.

Senator HARRIS. Do you know whether picking cotton is covered by any minimum wage?

Mr. ROSOW. It depends on the State.

Senator HARRIS. Is it covered by a Federal minimum wage?

Mr. GUTTMAN. Yes, Senator. It depends on the number of man days of hired labor used by the farmer, 500 man days a quarter. So it would depend on the size of the farm.

Senator HARRIS. But if it were a small enough farm there wouldn't be any minimum wage for picking cotton?

Mr. GUTTMAN. That is right. It is the size of the farm which determines coverage. Small farms are exempt.

REQUIRING PERSONS UNDER THE BILL TO ACCEPT WORK AT LESS THAN MINIMUM WAGE

Senator HARRIS. Then is it possible under this bill that a mother with school-age children could be required to take a job picking cotton, for which a minimum wage was not paid?

Mr. GUTTMAN. Yes, Senator, if that were the available work.

Mr. VENEMAN. I think also it would depend upon whether or not there was a State law. In some States were there is an agricultural

exemption from the Federal minimum wage requirement the State does, nevertheless, cover women and minors under State minimum wage requirements.

Senator HARRIS. But I mean it is possible that that could happen under this?

Mr. ROSOW. Yes.

Senator HARRIS. In my own State one time the county commissioners who administer the free commodities program decided during the cotton-picking season to stop it and refused to give out free commodities, no matter how needy people were, because they said this kind of program keeps us from getting cotton pickers.

That is why I asked you that. I think it is far more than theoretical. I just wonder if you have any response to that?

Secretary FINCH. Well, I think it is covered in this bill under section 448, part (b), which says that:

"No family shall be denied benefits under this part . . . if the wages, hours, or other terms or conditions of the work offered are contrary to or less than those prescribed by Federal, State, or local law, or are substantially less favorable to the individual than those prevailing for similar work in the locality."

That is as far as the bill reaches, Senator.

Senator HARRIS. Well, of course, I don't think that is far enough, as you know.

MANDATORY WORK REQUIREMENT

Now, back to the question of requiring work. I call your attention to an evaluation of the work incentive program made by Auerbach Corporation of Philadelphia, Pa., dated January 29, 1970, this year, and submitted to the Committee on Ways and Means.

Without objection, at some point in the record, this entire report will be included, but I will just read to you some very brief excerpts and ask you to comment.

(The complete report appears in this hearing as appendix A, page 383.)

Auerbach Corporation, which I understand is the official evaluator of the department, said this about the present WIN program:

"Unless mothers can be employed in positions paying substantial wages, either the cost of AFDC-related services will increase as a result of WIN, or the net useful income of the mother will decrease, or the program will have to be limited to mothers who can find their own child care at little cost.

"Another problem is that WIN calls for compulsory participation of mothers. This requirement has provoked such consternation among welfare rights representatives, union leaders, and others, that the program began in an atmosphere of distrust despite the fact that:

"Far more volunteers exist than slots.

"Essential services, child care in particular, simply do not exist in many areas.

"The punitive provisions of the legislation are largely unenforceable.

"A third incongruity involves the job situation. Although the WIN concept is built around jobs for welfare recipients, there has been little investigation of the labor market to determine exactly where and how jobs can be obtained, and how many jobs are actually available or likely to become available for WIN enrollees. Now that the program is underway, there is a growing feeling among local WIN staff that many participants, women in particular, will not obtain jobs in the already tightly restricted labor market existing in many communities."

At another place the same report says: "The staffs could not handle the volume of traffic."

I wonder if you have any comment on whether those objections will be met under the FAP program which you are recommending.

Mr. ROSOW. Well, the Auerbach Corp. which has a contract with the Department of Labor was invited to testify in executive session before the committee on the comments you read, Senator Harris. And in addition, the chairman invited Employment Service and Welfare State directors from eight States to testify about the WIN program from their close observation.

Almost unanimously they stated that the WIN program, in their view, was the most promising manpower program that has come along since 1962, and urged the committee to look with favor on the possibility of this program working to achieve the objectives of this bill.

It is true that some of the problems you state exist, and there are other problems. In fact, after hearing the testimony in the executive session we prepared an analysis of the six problem areas under WIN that were identified by the State representatives and the Auerbach people and how the Family Assistance Act would in effect offset or put aside those problems.

I will be glad to submit that chart for the record.

(The chart referred to follows:)

FAP WOULD IMPROVE OR WIN IN SIX IMPORTANT AREAS

Problem areas in WIN

1. Incentives for training are too low.
2. The Employment Service cannot directly help enrollees meet personal expenses related to training.
3. The requirement for substantial State dollar contributions is a major impediment.
4. The "referral" relationship between welfare and employment agencies is too discretionary and variable, resulting in gaps and lax enforcement.
5. Dual agency responsibility and guidelines create confusion and conflict.
6. The lack of adequate child care is a major barrier to training and employment.

Source: Department of Labor.

Provisions of WIN

Trainees receive a maximum of $30 a month in addition to their welfare payment. [SSA Sec. 434]

Expenses attributable to training are taken into account by the State welfare agencies in determining need. [SSA Sec. 402(a) (18) (D) (ii)]

Federal assistance for training is limited to 80%, for child care to 75%. [SSA Secs. 435 (a) and 403(a) (3) (A)]

Welfare agencies refer "appropriate" individuals, as interpreted and determined by each State agency.

Procedures for disqualification, for example, provide that both Labor and State Welfare agencies make related, but possibly differing, determinations. [SSA Sec. 402(a) (19) (F)]

State welfare agencies provide for child care services; 25% matching in required [SSA Sec. 403(a) (3) (A)]

Provisions of FAP

Trainees would receive a minimum of $30 additional per month, but where the manpower training payment exceeds the FAA payment plus this $30, the family would receive the difference between the two. [FAA Sec. 432(a) (1)]

The Secretary of Labor would make payments directly to trainees to cover their training costs. [FAA Sec. 432(a) (2)]

The matching formula would be 90–10 for training, and 100% federal for child care. [FAA Sec. 435 and 436]

The statute would require that every adult, able-bodied member of a family receiving assistance *must* register for work or training. The only exceptions are clearly specified in the bill. [FAA Sec. 447]

Responsibilities are clearly delineated with respect to registration, training and work, with no second guessing; a separate appropriation is provided for the Secretary of Labor. [FAA Secs. 447, 448, and 435]

The burden of State matching would be eliminated; authority is flexible with respect to who provides the service and what form it takes, and includes renovation; child care continues for those who enter employment. [FAA Secs. 436 and 443(b) (3)]

Mr. ROSOW. They deal with things like incentives for training, the ability of the employment service to assist in training expenses, the question of child care support, which now involves 25 percent State matching, which is a major impediment, as Secretary Finch said yesterday; the fact that the child care funds funnel through the welfare organization, which does not make for flexibility of use; the fact that the WIN program is young and has had a problem digesting so much registration and maximum enrollment in a very brief period of time; the fact that referral has been quite uneven among the States. The critical problem of the dual agency responsibility between HEW and Labor with regard to this term "appropriate person" which is now cleared up in the bill so that registration is clean and clear and not a matter of judgment is critical because in that step itself there will be a clear commitment to deal with the people. It will not be a question of achieving enrollments.

They will be enrolled. It will be a question of providing the work training, the jobs, and the child care. And to a large extent the burden will be placed on the States to perform and on the administration to perform in these areas.

So I think the Family Assistance Act seeks to eliminate some of the existing legislative inadequacies in the 1967 WIN amendments.

QUESTION OF ABILITY TO EXPAND CHILD CARE THE EXTENT PROPOSED UNDER THE BILL

Senator HARRIS. If that is so, given the present number of child care positions, how will you gear up now the several million, I suppose, applicants that you are going to have now?

Mr. ROSOW. The present 1967 WIN amendments make no distinction, in fact, between mothers with young children and mothers with school-age children. The law merely refers to "appropriate person" and it is left to the discretion of the welfare organization to make that decision and that is why, in fact, some of the so-called volunteers are persons with young children who were referred by the welfare officer.

The Family Assistance Act clearly exempts all mothers with young children at a time when they are needed full time in the home.

Now, with regard to those mothers with children 6 to 17 years of age, it is quite conceivable, again in terms of our priorities, that a large number of those mothers will have children who will not require what we characteristically think of as child care. They are children who are preadolescent, and adolescent, and are really self-sufficient. They may require some recreational facilities or part-time programs, but that mother would have more freedom to enter a training program or take a job than one with a very young child. The problem will exist, of course, in let's say the age group of 6 to 12, somewhere in there, and it will really be a problem, as Secretary Finch said, of getting more program into place during the 1-year leadtime which this bill would provide.

In other words, funds would be provided on the day of enactment of the legislation prior to the registration program, which will take place in July 1971. But it is very likely—and I think your point is very valid—that child care facilities will not, in fact, be in place all over the country in a smooth and efficient manner to assure that all the persons who have registered who have children are ready and willing and able to go into jobs.

There will be lags and inefficiencies and unevenness in this process, and in itself it will place the burden and a demand on us to perform.

Senator HARRIS. Do you believe that in the first year you will be able to provide work or training and child care for every person who is required to go into a work or train-

ing program and for every person who volunteers?

Mr. Rosow. I don't think we could categorically say yes to all of those questions. I think that we will have work referral for some people who will not have young children, where it will be easier. It is possible, under the bill for the mother to purchase child care, and that is being done to a large extent now, and that is treated as an income disregard.

In other words, it is financed rather than subsidized, in effect. And I think we can expect a lot of that to take place in the absence of facilities being available. We have got entry for the private sector to come in. We have authority for the Secretary of HEW to contract directly with school boards to try to overcome the problem of construction and to use facilities that are in place.

So, I think that many of the aspects of the program look optimistic, but it would be difficult to make a universal commitment.

Senator HARRIS. You just don't know, then?

Mr. Rosow. Yes; a large proportion of the answer is yes, but in the totality of the—

Senator HARRIS. Do you know how many mothers of preschool childen or how many mothers of school-age children have been referred under the present program?

Mr. Rosow. Yes, sir; I can't give you the breakdown by the age of the children.

Senator HARRIS. The law doesn't discriminate now?

Mr. Rosow. But we have, in fact, enrolled up to, I think February of this year, 138,000 persons under the WIN program. Now, that includes males as well as females. And we have placed in active employment around 22,000 of these people. We have, of course, some problems in any program of this type of dropouts, of people who couldn't compete who have illness or personal reasons for being—

Senator HARRIS. But how many of those were mothers with children?

Mr. Rosow. Of the 138,000, I think about 60 percent are women.

Senator HARRIS. Do we really know?

Mr. Rosow. Yes, we have a record on the computer; 60 percent are female and 40 percent are male in this program. We have a breakdown by age, race, education, labor force status when they entered, and other critical facts.

Senator HARRIS. You don't know how many of those, of course—

Mr. Rosow. We don't know how many have children in each age bracket.

Senator HARRIS. That is right. Then, we don't know how many would be required to register if the law were as it is recommended.

Mr. Rosow. No, but we know, as we said earlier, Senator HARRIS, that 500,000 women would be required to register who are in the category of having children age 16 to 17.

Senator HARRIS. Right.

Secretary FINCH. And that goes to the first question you raised at the opening of this session. We would hope to have this data tomorrow. We think what we will have is not an optimum experience, but what is achievable, trying to work with the best information that the Department has. (The material referred to appears on page 245.)

PRESENT AVAILABILITY OF DAY CARE

Senator HARRIS. Do we have any way to know how many qualified day care slots there are now available in each State? Have we been able to determine the extent to which personnel qualified to provide the kind of day care required is available in the States?

Mr. PATRICELLI. Senator, we do not have the day care capacity of the country, by State. We could give you a nationwide figure of 11,700 licensed or approved day care centers or family day care homes which have a capacity of some 438,000 children——

Senator HARRIS. How do you know that?

Mr. GRANATO. That is the latest official survey, made in 1968. We estimate——

Senator HARRIS. Who made the survey?

Mr. GRANATO. The Children's Bureau in HEW made the survey.

Senator HARRIS. How many of those are vacant and would be available for this program?

Mr. GRANATO. There is no actual estimate, but our experience in the past has been that the majority of these slots are full.

Senator HARRIS. So, I mean what makes us think, then, that all this child care we are talking about is deliverable? How do we know how many child care positions could be delivered in my home State of Oklahoma, for example?

Mr. GRANATO. I think there is no question but that there is going to have to be a program for resource expansion, or program expansion. Utilizing family day care homes, we could expand rapidly to provide care for children. I think that we can develop the resources. Whether we can meet the total need as rapidly as the referrals are made, I think we still need to answer.

Senator HARRIS. What about the trained people?

Mr. GRANATO. The bill calls for funds for training. We would prepare a plan for training professionals and AFDC recipients.

Senator HARRIS. Are such plans in being now?

Mr. GRANATO. Yes, there are.

Senator HARRIS. Are there?

Mr. GRANATO. The planning and outlining in terms of what we would do immediately is in the planning stage at this time. We are estimating that we could begin with approximately 12 percent of the positions including welfare recipients and eventually hope to go to maybe 65——

Senator HARRIS. Don't you have authority under the existing law to do that with very few children actually being served with child care?

Mr. GRANATO. Yes.

CHILD CARE FOR MOTHERS ON WELFARE BUT NOT IN A TRAINING PROGRAM

Senator HARRIS. Under what provisions would AFDC mothers who work, but are not under a training program, be able to secure day care under this bill? Is there provision for that?

Mr. PATRICELLI. Senator, two things are relevant here.

First, as a woman moves into employment, or is employed full time for that matter, she can participate in these programs under a fee schedule approach. It is specified in the bill that the Secretary would pass on the amount of payment or the fee schedule that the woman would have to pay.

Moreover, the bill says that wherever day care would be necessary for an individual to continue or to enter full-time employment, it can be provided.

One of the problems here, of course, is do you want to undertake to provide fully governmentally subsidized day care for a large number of families who are already providing their own, or, in using scarce resources, are you trying to target in on those families which need the day care to get work in the first place. We have tried to strike a balance here.

ADEQUACY OF $1,600 FLOOR FOR FAMILY OF FOUR

Senator HARRIS. Talking about scarce resources gets me to the next question which you, Mr. Secretary, talked about earlier, and that was the adequacy of the $1,600 minimum income floor for a family of four. Congress could decide to do something differently and for example not approve ABM or SST, and with this savings raise the level of these payments. That is obviously true.

What about this? What is budgeted in President Nixon's budget for revenue sharing to the States for the year in question here, and couldn't that be forgone and added on to the level of income provided in this bill?

Secretary FINCH. The administration's commitment is very clear. It is a billion for the first full year, moving to 5 billion over a 5-year period. There has been no action by Ways and Means on that provision. I think they feel that it is a very important concept, and I see no disposition anywhere in the administration to alter that decision.

COST OF FOOD STAMP PROPOSALS

Senator HARRIS. What about the food stamps. We are looking earlier at the problems of notches, or services in lieu of money. Some economists looking at the way we operate—whereby we provide services, health services and housing services, and so forth—said I wish money had been invented. Suppose, for example, the Congress decided instead of the expanded food stamp program to provide cash in the way of raising the minimum provided for in this bill. Have you figured out how much that would allow the floor to be raised?

As I understand it, for each hundred dollars it is $400 million.

Secretary FINCH. That is approximately correct.

Senator HARRIS. What would be the cost of the food stamp program which is down here?

Mr. PATRICELLI. The President's proposal, and in fact the present food stamp schedule, I believe, is priced in fiscal year 1971 at about $1.2 billion. If you substituted cash for the food stamps you could buy perhaps a $300 increase in the basic payment.

Senator HARRIS. If that were done, it would eliminate one of the notch problems that we saw on the charts you presented this morning in response to what Senator Williams was asking. Would that be so?

Mr. PATRICELLI. If you were to repeal the food stamp law at the same time, yes.

Senator HARRIS. That is what I mean. And in place of that add the cash that would otherwise go for food stamps to the level provided in this bill. You would not then have that notch problem in regard at least to that item, is that so?

Secretary FINCH. That is correct.

DISCREPANCIES BETWEEN STATES

Senator HARRIS. Now, Mr. Secretary, you said in your statement that the present law is defective in that it is characterized by unjustifiable discrepancies between the states. Under the FAP program which you are recommending there would still be discrepancies between States, is that not so? There would not be any uniformity as to what a child is entitled to State by State, except for the minimum floor that the Federal Government guaranteed.

Secretary FINCH. Well; no. You would also have the additional factor of national eligibility standards, which would be a wholly new concept.

Senator HARRIS. I understand that is intellectually——

Secretary FINCH. Then, of course, it is up to the State legislatures, and also, where you have city and county programs, to the city and county, to decide how much they want to add to this base.

Senator HARRIS. I call your attention to the chart which you presented to the committee entitled "State Inequities," which shows that the States have average monthly payments of a family of four between $250 and $299. That one State is $49 and that 19 States are between $100 and $149. In other words, that chart showed allowance payments vary greatly with each State.

(The chart referred to not printed in the RECORD.)

Senator HARRIS. Now, you would still have greatly varying payments by States under that present system, is not that so?

Secretary FINCH. Yes.

Senator HARRIS. President Nixon said at one point a child should not be worth more in one State than he is in another State and that was a major failing of the present system. That criticism of the present system would still lie once we had enacted the family assistance program, is not that so?

Secretary FINCH. We would have closed the gap enormously. Under family assistance the average would be $133.

Senator HARRIS. Right.

Secretary FINCH. And then if you were to throw in the food stamp increment, the average would get up to somewhere around $205.

LIMITING THE FEDERAL WELFARE OBLIGATION WHILE STATE BURDENS INCREASE

Senator HARRIS. You used as an argument for this program that it would for the first time limit the Federal obligation.

Secretary FINCH. That is correct.

Senator HARRIS. Is not that therefore quite likely to raise the obligation either of the State or the burden of the poor person?

Secretary FINCH. No. The inducement before was for States which had sufficient resources to increase their expenditures, and thereby take advantage of open ended Federal matching. California did this.

Senator HARRIS. I call your attention to chart No. 12 in the booklet entitled "Material Related to H.R. 16311," prepared by the Senate Finance Committee staff, a chart entitled "Federal and State Sharing in Cost of Benefits to Families," which indicates—and I do believe that there is question about this—that Federal costs would say relatively constant rising only from $4.7 billion in 1972 to $4.9 billion in 1976, but that State costs, on the other hand, would increase from $2.1 billion in 1972 to 3.4 billion in 1978. (The chart referred to appears at p. 131 of this hearing.)

Do you agree that this is so?

Secretary FINCH. Well, we cannot anticipate how the State legislators will react to savings we are picking up here, so that I can't stipulate that you would necessarily get this result. The States may decide to put some of their savings, assuming they got revenue-sharing involved as well——

Senator HARRIS. The staff tells me that that chart is based upon your own cost projections given to the House Ways and Means Committee.

Secretary FINCH. That is correct.

Senator HARRIS. That being so, since the Federal Government is going as you say for the first time to limit its contribution in the future, those costs you project yourself, isn't it obvious that they will either be borne by the State or the burden of the poor person will not be as greatly relieved as it is otherwise projected.

Mr. VENEMAN. Senator, there are two things that we should take into consideration here. One of them is that the State costs under existing programs would rise as much or perhaps more than they would under Family Assistance. The other is that this chart relates only to grant payments. The bill provides that the State could turn over the administrative costs to the Federal Government, and those administrative costs would be in addition to the Federal costs shown in the charts.

Another factor is that the Federal Government would pick up 100 percent of child-care costs, whereas now we pick up those costs on a 75–25 matching basis.

Senator HARRIS. Of course that is not being done.

Mr. VENEMAN. And the Government would pick up 90 percent——

Senator HARRIS. That does not really relieve the States much because, as you said, States would not be doing it very much anyway.

Mr. VENEMAN. It would relieve them if you had a massive program going.

Senator HARRIS. Well, I mean it still is the same thing, though. How can——

Mr. VENEMAN. The point I am making is that this is not the total program cost. This is only the grant-payment portion.

Senator HARRIS. Right. But isn't it rather inconsistent to say that we are going to limit our Federal contribution and keep it relatively constant knowing that population is going to go up and costs are going to go up, and so forth, and the projected costs of your own figures going up, and therefore the State will either have to take on more of that or the person will be less relieved of the burden of poverty, and at the same time recommend a revenue sharing program whereby we will give back some costs to the States?

Wouldn't it be just better to take this welfare burden off the back of the States and at the same time do a more uniform and humane job for the people involved? That it is an obvious choice anyway.

Secretary FINCH. As a matter of philosophy, I have to disagree. I just do not think the Federal Government or HEW ought to become totally involved there.

Senator HARRIS. Both of you have been of course in State government. I served 8 years in the State senate. Can you understand how a Governor or a State legislator could feel very strongly, as some have said to me, that under this program you are saying we are going to limit what we pay, and here is the problem, you fellas have got to take on more of it yourselves?

Mr. VENEMAN. But they would not be taking on as much as they are now.

Senator HARRIS. Well, I call your attention to your own projection of figures. You say costs are going to rise.

Mr. VENEMAN. That is correct.

Senator HARRIS. But you say the Federal share is not. So a State legislator or Governor looking at this program would think that the Federal Government estimated the cost is going up and it is protected by a limit, but we will just have to do the best we can.

Mr. PATRICELLI. We are sharing, Senator, in enlarged caseload costs with the States. And we are not limiting our contribution on an absolute basis. We would be paying 30 percent of whatever size supplemental program the State has, up to the poverty line. There is a sharing.

Senator HARRIS. Why do you estimate then that the costs in the next 4 years will only go up from 4.7 to 4.9 billion?

Mr. PATRICELLI. That segment at the bottom of the chart is composed of two factors. One is the cost of the working poor program, which as we said yesterday was estimated at 100 percent participation. With economic prosperity, we hope that by 1976, those costs would go down.

Senator HARRIS. What did you say, with economic prosperity?

Mr. VENEMAN. Yes, assuming that.

Mr. PATRICELLI. Assuming a continuing inflation in wages which in the working poor level is about 8 percent a year, there will be smaller and smaller family assistance payments. So that segment of the white area goes down. However, the portion of Federal costs relating to the 30 percent matching of the State supplemental was projected to go up at the same rate as the State costs themselves were projected to go up.

Mr. VENEMAN. See, that Federal portion has built into it, what is it, two billion that is built into that portion?

Mr. PATRICELLI. Yes.

Mr. VENEMAN. If you would take that out then you would see a little different growth pattern in there.

Senator HARRIS. Well, you can't have it both ways. You can't argue to a fellow who is more conservative than I am that this is a good deal because we are going to limit the Federal contribution for the first time and keep our Federal costs from going up in the future, as you state twice in your affirmative statement, and then convince me that it is a good deal for the States and the poor people at the same time.

Mr. VENEMAN. I think what we would have to do in order to make this chart actually reflect what will be happening would be to separate out the working poor portion of it for that 4-year period. Then I think you would see more of a corresponding increase of both Federal and State dollars.

Senator HARRIS. It is true, however, as the statement says that the Federal share is limited but the States' share——

Mr. VENEMAN. No, the Federal share in the existing categories is not limited. It is limited under family assistance only to the extent that we will pay 30 percent up to the poverty line.

Secretary FINCH. In other words, we would put a ceiling on Federal grants on a per case basis. That is the significance.

Senator HARRIS. Mr. Secretary, you say on page 5 of your statement:

"Under the current system we have no control over the allocation of Federal resources. Each State establishes its own benefit levels and the Federal Government has an open-ended obligation to provide matching for these benefits. The result is not only a potentially unmanageable drain on Federal resources, but the creation of a system in which the Federal Government discriminates sharply in its treatment of equally needy families in different States. This is neither logical nor equitable."

I agree with that. I think that it is a good statement generally in so far as we are going to have to pay for it one way or another. I think it is very important that we understand that it is not a question of not making a payment or making some payment. It is going to cost us either way.

But at another point in the statement you say that this means that for the first time the Federal share will be limited—on page 16 you state:

"It is important to note that this poverty line limit for Federal matching puts, for the first time, a limit on the Federal welfare commitment."

That is correct, I take it.

Mr. PATRICELLI. It is correct as to benefits per family. We think it is desirable to put a ceiling on the Federal contribution toward hitherto unlimited benefit levels. But, as the Secretary says, we are proposing to match 30 percent on a case by case basis regardless of the number of cases. We think you can make a distinction between the number of cases and the amount per case.

Senator HARRIS. Right. I understand. So if that level is to be superseded then the State will pay for it or the person will not get that extra funding.

Mr. VENEMAN. Over the poverty line, it would be 100-percent State funds.

REDUCTION IN INCOME OF SOME WORKING PERSONS UNDER THE BILL

Senator HARRIS. All right. I call your attention to charts 5, 6, and 7 of the committee material. (See pp. 117, 119, and 121 of this hearing.)

It has been said by Senator Ribicoff and others that we are embarking upon a very new and, some have said, exciting new concept with a minimum Federal income floor. What worries me is the fact that what is intellectually stimulating to some of us may not be as good as more money for those who need it. And I notice, if the chart for State A is correct, that a family of four headed by a mother with earnings of $2,000 and work expenses of $30 per month under the present law will realize a total income of $4,267 but under the law which you propose would actually make less, $4,147, and that an unemployed father with earning of $2,000 and work expenses of $30 per month would make $4,267 presently, or would realize that presently, but under the bill which you propose would realize less, $4,147.

In State B a mother with earnings of $2,000, work expenses of $30 per month, would realize a net income of $3,467 under present law, and would realize less than that, $3,347, under the law which you propose. In many categories as those charts indicate, the amount realized would be about the same or not substantially different, and that in New York City a mother with earnings of $3,320, work expense allowance of $60 per month,

would realize presently $6,027, but under the law which you propose would realize less, $5,547, and in other categories no increase at all. Are those facts substantially correct, and if so do you agree that that is a good result that people would be penalized by the passage of this law?

Secretary FINCH. Well, first of all, I would like to ask whether or not this includes the food stamp increment?

Senator HARRIS. Well, I do not know, since it is not included in your bill. As I have indicated by the legislation which I proposed, all these matters ought to be considered together. I do not think they ought to be considered separately.

Mr. PATRICELLI. Senator, the reason that this was done was something we touched on only briefly yesterday. The present law permits disregard of the first $30 of earnings, plus one-third of the rest, plus, on top of that, whatever the State defines as work-related expenses. In some States you may have $40, or even $100, of work-related expenses, which, when added to the first $30, is taken as an initial disregard. Family Assistance tries to standardize that. Based upon Department of Labor surveys taken in a number of cities, we pegged the work-related expenses at roughly $60 a month plus day care.

The present law in some States permits a larger initial deduction, and that in turn results in a larger payment as earnings go up and a higher so-called break-even point.

Now, as we said, in New York City, under present law this particular mother would be receiving welfare until her earnings have passed over $7,000. Somewhere in the range from $7,000 to $7,300 she becomes ineligible, whereas under Family Assistance and the treatment we make for work-related expenses, the break-even point becomes roughly $5,950. We did not feel that a small loss of welfare benefits to people who have relatively high earnings was in error. This is one of the choices that has to be made between having a very high ceiling on welfare benefits and adjusting work expenses, and the proper level of the basic payment, and all of the rest.

But unless you wish to maintain a ceiling of over $7,000 in New York City, we think that you would want to accept this kind of change.

FISCAL IMPACT OF THE BILL ON THE STATES

Senator HARRIS. How many States will be disadvantaged and how many advantaged by the program? In other words how many will realize less Federal funds and how many will realize more?

Mr. VENEMAN. All States would benefit from the program. There is a saving clause in the provisions.

Senator HARRIS. It it true——

Mr. VENEMAN. Some of them will come out even. There is a guarantee that it would not cost them any more for the next 2 years, as I recall, by the saving clause.

Secretary FINCH. Six States come out even and the others——

Mr. VENEMAN. Under the committee bill, Arkansas, Georgia, Iowa, Kentucky, Mississippi, Missouri, North Carolina, North Dakota, and South Carolina would have no-loss provisions applicable to them. Those States would not obtain any fiscal relief, but would be protected from incurring any additional costs. All the rest of the States would obtain some fiscal relief. And, Senator, I think there is a factor that we must keep in consideration when we start talking about the basic payment. Unless we make some kind of adjustment on the percentage of Federal participation in the State supplemental payment, we are really not helping a good share of the present caseload. They are not going to get any more money out of this. The States are just going to need more fiscal relief as you go to $1,600, $1,800, or $2,000. Out of about 1,900,000 AFDC families in January of this year, nearly a million lived in States that pay above a $2,000 level, for example.

Senator HARRIS. I believe the figure is 82 percent of those presently covered under the law would not receive any more under the bill which you propose. Do you understand that to be the case?

Mr. VENEMAN. I think it would be close to that. A good share of those are in States that would be making supplemental payments. But the point is that as you increase the present caseload, the percentage would decrease from 82 percent to a lesser figure, but you would still have about a million or more in seven States. California, New York, Illinois, Pennsylvania, Massachusetts, Michigan, and New Jersey have about a million of the caseload. The plan is not going to help those people. It is going to help the other States.

NATIONAL WELFARE SYSTEM

Senator HARRIS. I think that is why I feel that you have to take over the welfare system and make it a Federal program. And then you avoid all those other problems we were talking about this morning.

Second, it seems to me it is a rather important thing to relieve the States of those increasing burdens of education and welfare. Additionally, since there are no residence requirements any more, and I agree with that, it is even more imperative that we really make this into a national system altogether.

Mr. VENEMAN. You have a resource problem there. And, of course, if you make it a national system there are a lot of questions you have to answer: How do you regionalize it? Do you bring Mississippi up to New York's level if you nationalize it?

FEDERAL ADMINISTRATION OF WELFARE

Senator HARRIS. Let me ask you about that. When do you plan to take over the Federal administration of the program? When would you be able to do that and how are you going to do that?

Mr. VENEMAN. Federal administration of the family assistance program could go into effect at the time the bill becomes effective.

Senator HARRIS. That is my question. New York, as I understand it, is ready to make application.

Mr. VENEMAN. They want us to take over the whole program, including the grant payments. We are saying we will administer the program under this bill—we will handle their supplemental payments for them.

Senator HARRIS. How many States do you believe would decide upon Federal administration of the supplementary program and of the adult program? Do you have any idea?

Mr. VENEMAN. We do not have any idea. We put a pretty good incentive in there. We said if we administer federally we will pay 100 percent of the administrative costs; otherwise, it is 50–50 sharing.

Senator HARRIS. Do you have any idea how many might so decide?

Mr. VENEMAN. We have no idea on that, Senator.

Secretary FINCH. My guess would be a majority of the industrial States.

ADMINISTRATION OF MEDICAID PROGRAM

Senator HARRIS. How would the States that decided upon Federal administration administer the medicaid program? How will they administer that?

Mr. VENEMAN. The States will administer that. We are not proposing in this act to take over the administration of title XIX.

Senator HARRIS. How do you avoid, it seems to me, the argument that you wind up with both still in it and all the duplication of two kinds of programs and two administrations? Doesn't that seem terribly inefficient?

Secretary FINCH. We are prepared to make a presentation to the committee of how we use eligibility for title XIX as a back-up mechanism for the administration of this program, although there would be a separate mechanism within HEW to administer this program.

HEW PLANS FOR ADMINISTRATION

Senator HARRIS. What agency under HEW is going to administer this part of the program?

Secretary FINCH. The House committee report suggests a totally new agency, but one that would have access to the information that we have in Social Security.

Senator HARRIS. What would be your plan? I mean are you bound by that House report?

Secretary FINCH. As I indicated in my opening statement, we will have this before your committee very shortly.

Mr. VENEMAN. We want the benefit of the wisdom of this committee, Senator, before we make a final decision on that.

Senator HARRIS. I would, too. I would like to have somebody's wisdom. It seems to me that instead of the present hodge podge system you are just going to double it.

Mr. VENEMAN. No, I do not think so. What we are suggesting is not a complete take-over of all welfare.

Senator HARRIS. That is exactly my point. You are still going to have some down here and some down here.

Mr. VENEMAN. There has been a lot of discussion before this committee and within the administrations over the past years of separating the services aspect of public assistance from the money payments. We feel that the Federal Government can pay out money more efficiently than 50 different systems can—or even more than that where they have as in some States, county administration. And we are willing to pay 100 percent of the expense of disbursing the money. That is what we are talking about when we talk about administration.

States would still be responsible for providing the social services aspects.

Senator HARRIS. There is a rumor, Mr. Secretary, that you have said or feel that it might take 5 or 6 years before you would be willing to accede to the first request that HEW takes over the administration of the program——

Secretary FINCH. I have got to find your rumor source, Senator. That is the first time I have heard that.

Senator HARRIS. Really?

That came to me yesterday. They said would you ask the Secretary how long he thinks that it would take before HEW would be in a position to accede to a request made under this bill for Federal administration. How long do you really think it might be?

Do you have any idea?

Secretary FINCH. As I say, we are prepared to give the committee a full demonstration of how this might be done, on the basis of our experience with title XIX and social security. We think they could move rather rapidly, within conceivably a year's time.

Senator HARRIS. Within a year?

Secretary FINCH. Yes.

Senator HARRIS. How many new Federal and State employees would be needed to administer the program; any idea?

Mr. VENEMAN. Well you would have a reduction in State employees, of course, Senator, and an increase in Federal employees. And I think a lot of them would be transferred.

HEW TASK FORCE ON ADMINISTRATION OF BILL

Senator HARRIS. How many people do you have working on the HEW task force on the administration of the program?

Mr. VENEMAN. We expect to have about 30 working by the first of July.

Senator HARRIS. I have some additional questions. We are going to try to quit here at 4:30 as we did yesterday.

Senator Hansen might have some questions.

Secretary FINCH. Senator, we want to correct the record. The number on the task force should have been 90, instead of 30.

Mr. VENEMAN. We have 30 on board and we expect to have 90 by the first of July.

Senator HARRIS. Right.

Senator Hansen?

Senator HANSEN. Thank you, Mr. Chairman.

I think I will take notice of the fact that the Secretary and staff have had some long days already, this is the second one in a row, and forgo any questions. I did have the opportunity earlier to ask some questions.

Thank you, sir.

DIFFERENCE IN PAYMENT LEVELS IN ADULT AND FAMILY PROGRAMS

Senator HARRIS. Right. What is the justification for the lack of uniformity in payments? Under the family assistance program the level would be $500 per year for the first two people, and $300 per year per person thereafter, but the level of payments under the adult categories is, as I understand it, $1,320 per person. Is it just a matter of doing the best you feel we can do by allocation of resources or is there some reason for the discrepancy between the two?

Secretary FINCH. We would have preferred a cutback. But if you begin with the critical case, obviously it is with the first two persons—assuming a parent and a child—that you are going to get the greatest clout with the dollar, and then beyond that you just have to go to what seems to be a rational figure.

Mr. VENEMAN. That is where your heaviest fixed costs come in—housing, and certain other fixed costs for a family. You have to have housing whether you have two or three, and as you add to the family the cost per individual is reduced.

As far as the adult categories are concerned, our recommendation to the Ways and Means Committee was $90 a month in our original bill. They raised it to $110.

Senator HARRIS. And, of course, you have already spoken to the fact that the bill does discriminate against childless couples and single persons, which I believe you said was a matter of deciding what was more important to do with limited resources.

Secretary FINCH. And a matter of making a judgment on its social impact.

Senator HARRIS. That is what I mean, what you considered to be more important.

RIGHT TO HEARING IF PROTECTIVE PAYMENTS ARE MADE

What about a provision in the bill which, as I understand, allows that payments may be made to a person other than a family member if the Secretary deems that appropriate without a requirement for notice and opportunity to be heard.

Is that correct?

Secretary FINCH. I think there is always provision for a hearing. You are talking about where the father is gone and maybe you have got a clear-cut case after a hearing of an incapability of the mother adequately handling——

Senator HARRIS. That is the question. Can it be done without notice and without hearing?

Mr. PATRICELLI. The individual has the right to ask for a hearing, Senator. This is similar, according to Mr. Hawkins, to provisions of the Social Security Act now.

Mr. HAWKINS. There is a right to a hearing, at the present time under the existing programs, on practically any decision that an individual considers adverse.

Senator HARRIS. There is no intent to deny that right in this situation? I mean if that is not provided in the bill, then it ought to be corrected?

Secretary FINCH. I think that is essentially present law, Senator.

Senator HARRIS. What I mean is if that right of notice or hearing is not now provided to a parent, if payment is going to be made for that child to someone other than the parent, shouldn't that be corrected and notice of hearing and hearing be provided?

Secretary FINCH. We would not object to its being spelled out more specifically.

Senator HARRIS. Good.

Mr. PATRICELLI. The major situation in which that kind of protective payment would be used would be pursuant to the termination of benefits for an individual who has refused, without good cause, a training or job opportunity; and the finding of "without good cause" in itself involves the hearing procedure.

ADMINISTRATION'S SOCIAL SERVICES BILL

Senator HARRIS. I understand that, Mr. Secretary. You testified before the House Ways and Means Committee that:

"We are mindful of the need for social and rehabilitation services as an essential corollary to an effective income maintenance program. We will be sending you draft recommendations in the near future."

When do you expect that that bill will be coming to us, and do you believe that we can properly act upon this bill without having that before us to consider at the same time?

Secretary FINCH. I think the Under Secretary had better speak to that one.

Mr. VENEMAN. Senator, I think the two issues are separable. I think that we can act upon this bill without having the services legislation before us. We would hope that we would have the services proposal within the very near future.

Mr. PATRICELLI. We hope, Senator, that when the services bill is transmitted, which we hope will be very shortly, the committee would try to act on that measure along with this, but that is not essential, as the Under Secretary has said.

Senator HARRIS. What will be left in title IV after this bill is implemented? Don't we need to be acting on a social service program at the same time therefore?

Mr. PATRICELLI. This bill contains amendments to title IV which would leave essentially intact the present services program. There is no doubt that passage of some measure on the cash side, such as this, offers an opportunity also to reform the services structure. But this bill does not repeal title IV of the Social Security Act.

Mr. VENEMAN. If we did nothing with services, the existing services legislation would remain in the Social Security Act.

AUTOMATIC COST-OF-LIVING INCREASE IN FAMILY ASSISTANCE BENEFITS

Senator HARRIS. Has there been any discussion within HEW proposing automatic cost-of-living increases in the family assistance program levels along the line of the President's recommendation in regard to such an adjustment with social security?

Mr. VENEMAN. There have not, Senator, except to the extent that we are willing to participate up to the poverty line, and that would be a variable ceiling as far as the State supplemental payments are concerned and would reflect the cost of living.

DISTINCTION BETWEEN EMPLOYED AND UNEMPLOYED FATHER UNDER THE BILL

Senator HARRIS. Let me just ask you this one last question.

What about the distinction between an employed and an unemployed father under this bill? That has given some cause for concern to members of the committee. Why do we need the distinction between the two? As I understand it, those were Mr. Patricelli said words of art, "working poor," and "unemployed father." Why do we need the distinction?

Secretary FINCH. Otherwise we would have to break out of the present structure.

Senator HARRIS. Why can't it be purely based upon income without making a distinction between an individual working part-time and one working full-time. I do not see what the distinction is.

Mr. VENEMAN. It could be done, I suppose, Senator. But I think the distinction was made by the Congress.

Senator HARRIS. Yes, but is there any reason why you have to stick with those rigid categories?

Mr. PATRICELLI. The reason that you cannot completely obliterate them at this point is largely financial. Treating working men and unemployed or part-time employed men identically requires either a raising of the basic payments so high that the unemployed father program is subsumed, or a requirement that the States match the payment to the working poor so as to bring that payment up in all cases to the equivalent payment for the unemployed father or part-time employed father. In either case the additional cost is in the range of several billions of dollars.

Mr. VENEMAN. Another thing, Senator: One of the basic principles that we tried to adhere to when we were developing this program was that no one now receiving aid would have a reduction in his assistance. You have expressed concern just looking at the New York example and a couple of the others that were prepared here by the staff, where you see a slight reduction. If we were to treat the unemployed family the same as we are proposing to treat the working poor category, they would be subjected in many cases to quite a reduction of the aid that they are entitled to under the existing law.

CHILD CARE STANDARDS

Senator HARRIS. Just this last one. Is it possible under this bill to require a mother to put her school-age children in child care facilities against her will when those facilities do not meet the standards that she believes are adequate?

Mr. VENEMAN. Well, they would have to be standards that were established through regulation by the Secretary.

Senator HARRIS. By the Secretary of HEW?

Mr. VENEMAN. Yes.

Secretary FINCH. Yes.

Senator HARRIS. Have you prepared any kind of standards?

Mr. VENEMAN. We do have day care standards now in existence.

Senator HARRIS. And those would continue?

Mr. VENEMAN. They are essentially, as I believe was indicated earlier this afternoon, the Head Start standards.

Senator HARRIS. Senator Hansen, anything further?

Senator HANSEN. Do I understand that the Secretary and his staff will be back tomorrow morning?

Senator HARRIS. That is my understanding.

Senator HANSEN. I will have some questions, but I know you have had a long day and I would forgo asking them now.

Thank you very much.

Senator HARRIS. You really have had a long day and I for one appreciate it very much and I appreciate your coming here and patiently answering these questions this afternoon. I am advised to announce that the committee will stand in recess then until 10:00 a.m. tomorrow.

Secretary FINCH. Thank you.

(Whereupon, at 4:25 p.m., the committee recessed.)

Senator HARRIS. May I say, first, I am impressed by your presentation here this morning. As you know, I agree what in effect you say, that poverty by definition is lack of income, and that what poor people primarily need is money, when we are prone, instead, often, to give them advice; and that has proved to be second best to money. I, therefore, agree with the basic philosophy of the family assistance program. I hope it can be improved, as I indicated earlier. Let me ask you first this:

Outside of the 10 percent of the families who are receiving assistance that live in the seven lowest AFDC benefit States—I think primarily if not totally the Southern States—

and persons with other sources of income, will any family with children and now receiving assistance be financially better off under this bill than is true at the present time?

Secretary RICHARDSON. No family now receiving assistance.

Senator HARRIS. Let me ask you——

Secretary RICHARDSON. Outside of the States that you identified.

Senator HARRIS. Now, let me ask you the converse of that. Will any such family be worse off under the family assistance program than is presently true?

Secretary RICHARDSON. With the corrective measure that I proposed earlier in the hearing for the problem of States where there is a difference between the family income standard and the actual assistance payment, the only remaining group who would be adversely affected are the families of the unemployed father category in the 23 States and one territory that have those programs.

There are about 90,000 families in this category.

I also touched on the possibility that we will decide that in order to avoid hardship to them we could develop an approach similar to the one we have suggested for the so-called galloping supplemental situation.

Senator HARRIS. I understand that two types of families would be worse off or could be worse off under the family assistance plan than they are now. One is the family in those 23 States which now have unemployed father programs, and under the revised family assistance plan now will be ineligible for Federal cooperation in funding of that program.

How does this fit in with what Secretary Finch previously said, ". . . a system which provides a clear financial reward for a family breakup seems vicious and irrational . . ." and I believe those were very nearly the same as your words this morning. How can we justify doing that?

Secretary RICHARDSON. This is one of the problems we keep confronting in the attempt to develop a system which is equitable overall. The problem is that if you continue to cover the families with an unemployed father and also provide benefits for the first time to families of the working poor, you would create a new inequity which in effect could mean that the families of an unemployed father with children are better off than the families of an employed father——

Senator HARRIS. First——

Secretary RICHARDSON. There is also the problem that applies to the unemployed father, who under the law of the States in question, can work up to 30 hours a week without any loss of benefits and thus has a disincentive to engage in full-time work. It was these considerations which led to the conclusion that the families of unemployed fathers should be treated in the same way in the family assistance plan as families of employed fathers. This would mean in substance they would get if the father were not working at all, a combination of benefits consisting of $1,600 in cash, in the case of families of four, $860 in food stamps, and the equivalent of health insurance coverage worth $500, for a total of $2,960. They would in effect be not too much worse off than the families headed by female workers who would also be benefited by the State's supplement.

Senator HARRIS. Let me be sure, first, that we understand the effect of what you are now proposing. While we would cut out the Federal participation now available to 23 States that provide the unemployed father program, at the same time under your recommendation we would continue to provide a Federal supplement for those States that pay more than $1,600 for families headed by a mother.

So, then, wouldn't we continue or make worse what you have criticized, and I have criticized and others have criticized in the present system?

For example, President Nixon said in St. Louis on June 25:

"When any system has the effect of encouraging a man to desert a family rather than stay with it, it is time to abolish that system and get a better one."

How are we doing in regard to carrying out those good words?

Secretary RICHARDSON. The main thing we are doing is to cover the working poor, which is a major step. It is true that by eliminating the Federal supplementation of benefits to the families of unemployed fathers we would be taking a step away from this objective. On balance, however, we think that the aggregate effect of the total program we propose is very much in the direction of the statement you have just quoted.

Senator HARRIS. One way would be to raise the basic payment so that the unemployed father program is subsumed, and that is, of course, what I recommended and still recommend. I asked about this difference back when we had the earlier hearings, about discriminating between the employed and unemployed fathers, since what we wanted to do anyway was to cover the working poor.

Mr. Veneman, at that time, as shown on page 346 of our previous hearings, you said:

"If we were to treat the unemployed family the same as we are proposing to treat the working poor category, they would be subjected in many cases to quite a reduction of the aid that they are entitled to under the existing law."

After having so assured me then, have you now come in and recommended exactly what Secretary Veneman said we shouldn't do.

Mr. VENEMAN. Secretary Richardson mentioned this morning that we should "grandfather in" these people who are presently on the roll. I cannot help but agree with him that the benefits to the working poor, now that we are moving in that direction, will far offset the disadvantages that the potential unemployed father families would have. There are only 90,100 in the Nation right now.

Senator HARRIS. For those 90,000, this is a rather important matter; wouldn't you think?

Mr. VENEMAN. To put it in the perspective, there are 260 families in Oklahoma and about 37,000 in California.

Senator HARRIS. If we start out with pious statements about how we want to hold families together, then we ought not to try to mislead people into thinking that we are doing that, when in some ways, here, we would be going backward, even from where we were in the original bill.

Mr. VENEMAN. I don't think we are, with the grandfather clause. We are not stepping back if we "grandfather" the present caseload in.

Senator HARRIS. The present caseload was insufficient to start with. The Senate of the United States, acting on an amendment which I and the late Senator Robert Kennedy offered, decided in the past that it wanted to make the unemployed father program mandatory in all of the States. We voted to require the States to allow eligibility for a family headed by an unemployed father, requiring him thereafter within 30 days to go into work or training. Instead, the conference, later decided not to approve that and decided to require mothers to go to work.

I always thought that was a rather poor way to go about it. I certainly wouldn't want to see us continue in that same direction under your revised plan.

Mr. VENEMAN. I don't suggest that we are going in that direction, Senator.

Senator HARRIS. Just one other thing about good statements concerning putting people to work. Where would you think we would find jobs for these people that would be required to work? Shouldn't we spend some money in helping create additional jobs, Mr. Secretary, public and private? I see a prediction in the morning papers that the unemployment figures are going to go higher. As we all know, those average unemployment figures are already much lower than for those who have less skills, those who are black, and other minorities. Where would we find the jobs for these people that we are requiring to go to work?

Secretary RICHARDSON. Senator, as you know, of course, the current duration of unemployment for those on the rolls is comparatively short. And in many places there are available jobs for people if they have the requisite skills. The problem is in most instances one of matching the individual and the job. I am sure you will be hearing next week from the Department of Labor on the progress they have made in developing computerized job banks that appear to be working very effectively to this end. Our feeling is that while we should utilize the special project provisions of the law that were first enacted in 1967 to make this an effective supplement to the free market provision of jobs, we would still like to see what can be accomplished through the more adequate provision of job training opportunities and the more effective capabilities of our Employment Service in making the existence of currently available jobs known to those who are asked to register for jobs under this program.

May I go back for a moment to one point? I think your questioning about the unemployed fathers helps to point out the kind of problem one runs into in seeking to reform an existing system and to do so within practicable limitations of cost.

Some members of the committee, and certainly this administration, feel very concerned about adding costs where this would be the by product of an otherwise desirable reform intended to make the application of the system more uniform.

In the case of the unemployed fathers and the employed fathers of the working poor, for example, the most simple way to achieve equity would be to mandate State supplementation for both groups nationwide so they would all be treated the way the unemployed father families are now treated in 23 States. The short answer to this is that it would cost another $1 billion on the program the first year.

So the question then is given this additional requirement, is it better to do it through the grandfathering route that Secretary Veneman referred to?

Senator HARRIS. We ought to be candid enough to admit these deteriorating effects that will continue in the program which you recommend, which in my judgment are not necessary.

Second, we ought not to say that we are going to have uniformity under your plan, when, as a matter of fact, there will be wide disparity between what a child is worth in the way of welfare assistance from one State to another under the plan which you propose, though there will be a minimum floor, a floor which is less than that now paid 85 percent of the recipients. We ought not to say that we are going to simplify the administration, as much as I think we can, because FAP will continue the division between the various levels of Government involved. So, the people ought to know exactly what we are doing here, and I think we can do far better than what you recommend.

But, I, again, say that I think that the full Senate ought to have a chance to consider this matter, and I would be willing to trust to them some of the judgments I think ought to be made. I think the present system is a bad system, as this administration and others have said, and I don't think we ought to patch around on it. We ought to replace it with a better system.

WEDNESDAY, JULY 29, 1970

REDUCTION IN BENEFITS FOR THOUSANDS UNDER FAP

Senator HARRIS. Thank you very much.

Mr. Secretary, as you stated the other day the revised bill would set the State supplementary payment level at the amount a family with no income would be paid in the State, and that would result, it was testified, in a welfare cutoff for some, and for others a reduction.

Further, the revised bill, as you have testified, would discontinue Federal sharing in payments to families with an unemployed or underemployed father in the home.

Thereafter, you testified, as I understood it at the time—perhaps it was not intended to be a commitment but just a statement of possibility—that there was some intention on your part that there would be a grandfather clause so that no person now receiving benefits would have them eliminated or reduced by the passage of the revised bill.

And, then, I noticed in the morning paper, yesterday afternoon, when I was not here, you made some commitment about reducing some assistance payments now without even waiting for the passage of the new law.

Now, where are we in regard to people who would be cut off welfare or have their welfare reduced under this bill or by administrative action which you plan?

Secretary RICHARDSON. Well, there are three distinguishable situations involved, Senator. One is the unemployed father of an AFDC family. The second is the problem that arises out of the fact that in 22 States there is a differential between the amount which the State AFDC program defines as the needs of a family of a given size and the actual amount paid to the family under the State public assistance program and which either impose statutory maximums, or pay a percentage of unmet need. In those States there is a gap between the actual amount paid and what the State says a family of that size really needs to live on with the result, that there is a disregard of a portion of earning which the family may receive between the actual payment level and the need standard. In other words, the family in that situation is able to keep a larger amount of its earnings than when it reaches the need level, where the so-called "30⅓ formula" takes over.

Now that, of course, produces a highly inconsistent situation among States with respect to the relative earning incentive of families with earned income.

So the Department purported to take care of that in section 452 of the bill on a basis which, in effect, would have provided a single State supplemental payment for all families of a given size.

Senator HARRIS. That was a change between the time the first bill was submitted and the revised bill was submitted?

Secretary RICHARDSON. Yes.

Now that would have resulted in a situation in which as many as 300,000 families could lose benefits. So in order to avoid that, I said, that having considered various ways of handling the problem we would propose to "grandfather" present recipients.

Senator HARRIS. Could you furnish us with a list by States of those numbers and the amounts of money involved that would be cut off or reduced as a result of that provision, save for the possibility of grandfathering them in?

Secretary RICHARDSON. Yes.

Senator HARRIS. Now, go on to the grandfathering situation.

Secretary RICHARDSON. The third situation——

Senator HARRIS. No, what is your position presently with regard to grandfathering in those numbers?

Secretary RICHARDSON. Well, we think we should do it, and our proposal in effect would be to "grandfather in" all the individuals and families who are presently getting this benefit but not for families newly coming on the rolls. The number of families involved would decline, considering that there is roughly a 50-percent turnover in the AFDC roles in a given year.

Senator HARRIS. Now, let's go to the other cases that I mentioned and you mentioned in exactly the same way: what the numbers are, and let's get charts, if we may, by States of numbers and money of cutoff or reductions as a result of the revised bill, and then what your position is in regard to grandfathering them in.

Secretary RICHARDSON. Well, this brings us to the category of the unemployed-father AFDC family. There are about 90,000 of these families nationwide. We felt, in looking over the situation as a whole, that providing supplementation for this group and not for the working poor created an actual incentive not to obtain a full-time job. If we maintained the bill as passed by the House, this would occur because an individual could work up to 30 hours a week, or at the State's option 35 hours a week, and still be considered unemployed for purposes of this provision of the law. So under our June revisions we recommended to the committee that the Federal Government no longer participate in supplementation of unemployed-father families. This would mean then that, except where the State made up the difference, there would be a potential reduction in benefits for those in families.

Senator HARRIS. The difference between your first bill and your revised bill, except for some other action, would be a reduction in welfare payments in this category, I believe you have said, for something like 90,000 families.

Secretary RICHARDSON. 90,000 families.

Senator HARRIS. Could you give us a chart on that, then, showing how that breaks out by States, numbers and amounts?

Secretary RICHARDSON. Yes, we will give you both the charts you requested.

(The information referred to follows:)

"Under the Administration revision of H.R. 16311, there would be no Federal participation in State supplementation of AFDC–UF cases. Furthermore, Section 452 of the Bill would specify a payment schedule for State supplementation that is different from the present AFDC payment schedule in some States. These two provisions would result in Federally mandated payments being lower than actual current law payment for some families. If all such families already on the AFDC rolls were "grandfathered" into the old payment schedule with the implementation of Family Assistance, the following table shows families affected by State and the first-year costs of such a change in the Bill:

[Dollars in millions]

	Number of families affected by—		Cost of "Grandfathering"	
	UF repeal	Sec. 452	Total	Federal
Total	79,100	370,200	$198.6	$59.4
1. Alabama		5,100	1.0	.3
2. Alaska		1,300	.8	.2
3. Arizona		5,700	.3	.1
4. Arkansas		6,300	.1	(1)
5. California	31,000	121,600	71.9	21.6
6. Colorado	600		1.1	.3
7. Connecticut				
8. Delaware	100	2,900,	.6	.2
9. District of Columbia				
10. Florida		38,600	2.1	.6
11. Georgia		45,300	4.1	1.2
12. Hawaii	300		.7	.2
13. Idaho				
14. Illinois	3,500		7.6	2.3
15. Indiana		15,900	6.4	1.9
16. Iowa				
17. Kansas	300		.4	.1
18. Kentucky		19,100	.1	(1)
19. Louisiana		11,200	2.2	.7
20. Maine	100	7,300	3.2	1.0
21. Maryland	400		.3	.1
22. Massachusetts	2,500		6.1,	1.8
23. Michigan	1,300		3.4	1.0
24. Minnesota				
25. Mississippi		4,000	.7	.2
26. Missouri	300	25,400	5.8	1.7
27. Montana				
28. Nebraska	100	5,100	.16	.5
29. Nevada		2,000	.6	.2
30. New Hamsphire				
31. New Jersey	8,500		23.8	7.1
32. New Mexico		4,300	.1	(1)
33. New York	13,900		29.6	8.9
34. North Carolina		14,100	.5	.2
35. North Dakota				
36. Ohio	2,400		2.3	.7
37. Oklahoma	300		.1	(1)
38. Oregon	3,800		4.3	1.3
39. Pennsylvania	2,600		5.9	1.8
40. Rhode Island	300		.5	.2
41. South Carolina		3,700	.7	.2
42. Soth Dakota		2,300	.1	(1)
43. Tennessee		24,300	1.5	.4
44. Texas				
45. Utah	600		.8	.2
46. Vermont	100		.4	.1
47. Virginia				
48. Washington	2,400		6.6	2.0
49. West Virginia	3,700	3,900	.2	.1
50. Wisconsin				
51. Wyoming		600	(1)	(1)
52. Guam				
53. Puerto				
54. Virgin Islands		200	.1	(1)

[1] Less than $500,000.

Note: Original State estimates for fiscal year 1971. Actual caseload will probably be higher.

Senator HARRIS. All right. Now what is your position, then, in regard to grandfathering in that group and how does that fit in with the talk about the regulations?

Secretary RICHARDSON. Well, here we have in mind maintaining State supplementation for these families for up to a period of 2 years. This brought us to the question, which we haven't fully resolved at this point concerning the family where the father goes to work for a couple of months and has an incentive to lose a job again prior to enactment of family assistance in order to continue to get the supplemental benefits for a couple of years.

Senator HARRIS. Is that problem brought about by the revised bill's recommendations or is that a problem of the grandfathering in?

Secretary RICHARDSON. Part of it is a problem under the existing law. Under the grandfathering approach, the problem arises because it would be necessary to determine when a family would cease to be entitled to the higher benefits applicable under present law to an unemployed father family. For example, a father goes to work at a full-time job, meaning a job more than 35 hours a week, and therefore ceases to be eligible for the State supplement, but loses his job in 6 weeks or 2 months. We would have to determine whether the family would go back on to the unemployed father rolls or would they thereafter be on the same footing as other male-headed families. That is the question that arises under the grandfather provisions themselves, and we haven't definitely arrived at a recommendation to the commmittee on just how to handle that problem.

Then the final question that arose, which we discussed yesterday, is the question of how much work in a week should be the father be enabled to do and still be considered unemployed. What I said yesterday to the committee was that we would revise the Department's regulations on this score. What I have in mind is to make sure that the regulations are so written that the Federal Government is not supplementing the income of a family where the father is working full time for 35 hours a week. In this regard we are talking about existing law and not about the bill.

I think we do need to consider the question of providing some continuation of eligi-

bility for a family where the father may work 35 hours in a given week because of some temporarily available job, for example, as distinguished from a situation where he works regularly.

I think we also need to look at the kind of work or whether he may be in a situation where he can earn quite a lot of money at high wages in a high skill trade, for example, during a short period, but have relatively few hours of work other parts of the year.

At any rate what I said to the committee yesterday was that we would revise these regulations to exclude the possibility of abuse on the part of a father who is working regularly or who does work at substantial income for shorter periods.

Senator HARRIS. That spotlights, of course, my concern. I believe in every instance that you have mentioned here during the last days, when you have made an effort to rationalize what is a very irrational system, and avoid these notches that apply, disincentives to work which presently exist, you have done it to the detriment of the recipient. He winds up being the victim of rationality. We would get a much more rational system at his expense. We would wind up cutting down his medical insurance bonus or we would wind up phasing down his food program or we would wind up cutting down the unemployed father family payment or we would wind up cutting down or cutting out the Federal sharing in the supplementary program for those who work. Always, under your recommendation, we would wind up trying to make a more rational system at the expense of the person we started out to help.

We all have been talking about the need to help poor people get what they need most, which is money. Yet, it seems to me, in trying to construct a more beautiful system you have done just the opposite in so many ways here in this revised bill. I don't think that you can cure it by this grandfathering business. I think, first of all, there are very serious questions of constitutionality about that. If a person is entitled to it now, a person in the future is, also. Secondly, I think that you would just perpetuate the notch problems or you would start up new ones. It is morally illogical, I think, to say "Well, the people presently receiving assistance ought to continue, but in the future we are not going to do it." We ought to remember why the unemployed father program was established; it was to try to reduce the terrible pressure in the present system for the breaking up of families. Everybody has said that is his goal, and yet you are not going in that direction.

So, that worries me very much, all these recommendations that have to do with the subject. I have a question or two on other matters, but if you would like to respond I would like to hear it.

Secretary RICHARDSON. I would like to respond, thank you, Senator.

I think it should be emphasized that each one of the situations about we have just been talking is a situation affecting a relatively small number of families in proportion to the total involved under the reform.

Senator HARRIS. Mr. Secretary, you have said that once before, that this only involves 90,000. That reminds me that Senator Richard Russell told me once that when he came to the Senate, the then Senator from my hometown, Thomas P. Gore, a blind man, was chairman of the Armed Services Committee; he said they had a meeting about benefits for the widows and orphans of those who had been killed in the Spanish-American War. Senator Russell said, "I was a rather young man, and I said, 'well, I don't know how you can call it a war; There were only 385 people killed in the whole engagement.' " And he said that Senator Gore looked at him, almost as if he could see him with his sightless eyes and said, "Son, for those 385 it was a hell of a war." I think that might be said for those 90,000 you are talking about, I don't think it is good to say, "Well, there are not very many of them." For those people, that is a very, very serious matter, as well as for those who are going to be in that position in the future.

Secretary RICHARDSON. Well, Senator, this is why we are proposing to do what we have outlined for those families. But the point I am trying to make is that your comments suggested, that in seeking to fix the system and to eliminate the inequities and disincentives which now are built into it that the inevitable consequence was to hurt significant numbers of people. We concede that it does hurt some people.

Senator HARRIS. I don't think it should. I think you can go in the other direction.

Secretary RICHARDSON. The point is the reforms we have proposed do help, on a basis more adequate than does existing law, very large numbers of people, much larger than the numbers who would be hurt, and the problem, therefore, is how to move toward a more adequate and fairer program of Federal support of the incomes of poor people, including the working poor, in a manner which does the least damage to those families who happen to enjoy under existing law a particularly high combination of benefits. So what we have been talking about really is how to handle the transition. But I don't think we ought to lose sight of the fact that the overall impact of our proposals will be, we believe, a much fairer and more adequate level of support for most poor people in this country. I think this is particularly true with respect to the impact of our proposal to cover the working poor.

Senator HARRIS. Your argument is that, during the transition, that in order to help some others not now helped sufficiently—the working poor, in particular, and I certainly agree with that—that some have to give up something that they now have. Then, in order to get around that, you have said, "Well, we will grandfather them in. They ought not to have to pay the burden of the improvement in the system," is that so?

Secretary RICHARDSON. That is so. The point you made about the unemployed father category is true. As you pointed out, the reason why the law was amended to enable the States, if they close to do so, to provide benefits to families with an unemployed father was to reduce the incentive to family breakup. It is true, that if we put the unemployed-father families on the same footing as the employed father families under our present proposals so that there would be no State supplement to those families supplementation of female-headed families would continue and therefore a degree of disincentive would remain. It is not as great as it would have been before because by covering the working poor we would give a family of four the equivalent of combined benefits of family assistance and food stamps an income equivalent of $2,440 plus health insurance, which is a lot better than it was before. But the alternative would be to provide benefits to employed families on the same basis as they are now provided in those States that have unemployed fathers. That solution involves a problem of cost.

REVENUE SHARING AND FAP

Senator HARRIS. The real alternative is a matter of money, and you just said it there: it is a matter of cost. It is important to note that, between a beautiful system of assistance and actual financial assistance, those we are concerned with here would choose actual financial assistance. As you said, it is a matter of costs.

With respect to revenue sharing, how much money is in the President's budget for revenue sharing which, I trust, we are not going to enact this year. How much would that add to the $1,600 FAP level if Congress decided not to pass revenue sharing and, instead, added that amount to this program, which is a method of revenue sharing, that is, it takes some responsibility from the States and assumes some more for the Federal Government.

Secretary RICHARDSON. Well, the first year of budget allowance for revenue sharing proposed by the President is a billion dollars, and this would mean then that——

Senator HARRIS. I believe that would almost exactly eliminate that problem you have discussed in regard to unemployed the underemployed fathers, wouldn't it?

Secretary RICHARDSON. Yes, that would be about it.

Senator HARRIS. How much would it raise the level of the basic benefit under the FAP program for a family of four to use the revenue sharing the first year for that purpose?

Secretary RICHARDSON. You mean to raise the basic benefit?

Senator HARRIS. Right.

Secretary RICHARDSON. It could be raised from $1,600 to about $1,800. I might also clarify for the committee in the spirit of Senator Nelson's request for options that one of the ways of dealing with the funding of the family health insurance proposal would be to raise the basic benefit by, say, a hundred dollars.

Senator HARRIS. What about the food stamp program, first at the cost as passed by the Senate and, second, at the cost as recommended by the President. How much money is involved in each of those propositions, and what would that raise the benefit level by, if you paid that in cash, rather than in food stamps?

Secretary RICHARDSON. We have calculated, Senator, that the President's food stamp recommendations would cost $1.8 billion in fiscal year 1972, assuming that the stamps would be made available to all the families whom we would propose to cover under the family assistance plan as now before you.

UNIFORMITY OF PAYMENTS NEEDED

Senator HARRIS. As you know, I have introduced a plan which does not have these notch problems. Also it would give some uniformity among the States, with no incentive for migration, if there is such an incentive now. But under the bill which you have proposed, even the revised bill, you would still have considerable variation, wouldn't you, in the amount of payments? Isn't it true that if the Federal Government took over the administration of that part of the program you would be issuing checks to families of four in similar circumstances that would still range from $138 to $347 a month?

Secretary RICHARDSON. Well, of course, that differential is brought about by the State supplement.

Senator HARRIS. That is my point. You have said that uniformity was one of your goals. Secretary Finch said that was one of his goals. President Nixon has said that a child in one State should not be worth more than a child in another State. My point is: How much will we really be getting away from that present variance, which we have all uniformly condemned, if we enact the revised bill which you recommend?

Secretary RICHARDSON. Well, there would be at the lower end of the scale an increase in benefits for a family of four in approximately eight States, which would account for about 18 percent of the families covered under the proposed plan. These would be the families who would, in terms of present AFDC coverage, actually gain in benefits, putting aside for the moment the working poor families.

At the upper end of the scale, there would be Federal participation in 30 percent of the State supplement up to the applicable poverty level for the family. But it is true that there would remain differences. Elements of uniformity would, it is fair to say, be achieved in other ways that are also significant. These would include determination of eligibility considering such important factors as the amount of assets that a family could have without being required to liqui-

date anything. It would provide uniformity in the exclusion of the family home, the elimination of liens, the recognition of the need for a family to have assets involved in work, and so on. So there would be uniformity in these respects where there is a wide range of variance now from State to State. We think that these are all very positive aspects of the plan.

If we were to go beyond that, of course, and to make, let us say, the poverty level itself the basis for determining payment levels under the plan, we would be committing the Federal Government to vastly increased costs.

Finally, there was a point brought out by Senator Miller that there are, after all, variances in the cost of living regionally and these are circumstances taken care of by the State supplement.

Senator HARRIS. That type of variation would be taken care of anyway in any kind of a new system. I don't think that is any argument against the federalization of the welfare system which I support. What worries me, Mr. Secretary, is that, here, we are giving people to understand that we are in a major way revamping and overhauling the system and eliminating all these problems, but in many ways we are perpetuating a great many of them. One such problem is this tremendous variation between States on how much people receive. But, again, as you said, that is a question of costs. Congress must decide, as the President has, how they think limited resources should be divided.

WORK REQUIREMENTS FOR MOTHERS

Let me ask you another question. We often do things, as we have with this welfare system in the past, and then wake up to find it has made many rather serious judgments—about how people ought to live in this country, and so forth—that maybe we hadn't intended. I worry about this and about the work requirement in regard to mothers, as you know .The questions that this new system raises are one that we might well pause and consider carefully. Do we consider, for example, a mother's work caring for other people's children more valuable than what she does for her own? Do we consider a mother's work in the home, where a working father is present, more important than that of a mother raising children alone? The latter question, of course, is, as you are quite aware, prompted by the requirement in the bill that a mother of school-age children, where there is no father in the home, sign up for work and training, whereas, if there are two parents in the home, she would not be so required. What about those kinds of questions? Have they been thought out? Are those the kinds of judgments society wants to make, that society and children are better off when a mother is required to go to work, rather than be at home with her children? The operative word is "required."

Secretary RICHARDSON. Well, let us take the second point. Certainly the plan before you does reflect the judgment that, where we are talking about providing an income supplement under a public program paid for by taxpayers generally, it is reasonable and fair to expect that a mother who can work, even if her children are in school, will work if she is given the opportunity and has the training that enables her to work.

The proportion of American women today who have school-age children, who can choose whether to work or not, and who do choose to work, is very high, and growing substantially. On this basis, it is reasonable in determining whether or not a family should have its income supplemented out of public funds to say that, as a condition to receiving that income supplement, the mother should be willing to receive training and to take a job if a job is available. I would agree that this is the kind of thing that one could very well debate. It does reflect a basic philosophy toward work, as a condition of receiving public funds. In this area the administration has adopted the general point of view I have expressed, and we think that it is reasonable.

BUILDING INDIVIDUAL INCENTIVE

Senator HARRIS. I have other questions about day care and other matters, but let me just wind up now with this on this same point: Some people say they believe that unless people are psychologically or philosophically handicapped they will want to work. I believe that. I think that is so, and I think that we can demonstrate it. I think we have experience which indicates that the present system traps people in a cycle of dependency from which they have difficulty breaking out. And that is why we are all here, I take it, to replace that system with one which builds upon individual incentive.

The Office of Economic Opportunity has said that its experimental program in New Jersey indicated that, far from doing away with the work ethic, additional income which allows people some kind of a decent standard of living, decent health, decent housing, clothes for the kids to go to school, and enough to eat, far from destroying initiative and destroying the work ethic, this encourages it even more and that people want to do a little better. They are just like all of us in this room; they want to do a little better still. Do you agree that that is so?

Secretary RICHARD. I do, Senator. I think there are many reasons for this which transcend the attitudes and more of our particular society. I think people want, and I personally believe this is very fundamental, the satisfaction of the feeling that they are making a contribution to their community, that they are a part of it. I think they want the feeling that they are contributing to the support of their own children through their own efforts. I believe that this is a very basic human need and human satisfaction.

So I do not approach these proposals before the committee with the feeling that most people who have a choice between a job at decent wages and not working for the same money would choose not to work. I think it is important to build into the bill a provision that they will be penalized if they refuse to accept a job. But I expect that the occasions on which this sanction is required would be comparatively few. I think, therefore, that we need to emphasize, in looking at the work-incentive side of this program, the other aspects of it, which have to do with creating greater opportunities for the heads of the families to work for the very reasons that you have just stated.

Senator HARRIS. I thank you for a good discussion and I thank you, Senator Byrd, for yielding to me.

THURSDAY, JULY 30, 1970

Senator HANSEN. I have several more questions, Mr. Secretary, but I realize I have taken more than my share of the time.

If I may, just let me conclude by asking or by stating—by making a statement that does include several questions, but I think they are so closely related that I am certain you will have no difficulty in commenting upon the thrust of these questions despite my desire to read them all at one time.

WORK REQUIREMENT FOR MOTHERS

Yesterday the distinguished Senator from Oklahoma, Mr. Harris, raised a number of questions concerning the attitude of society toward a mother's duties to her children where a working father is present, but what about female-headed families? Should their responsibilities to their children, that is, being in the home, be subordinated to their duty under the bill to enroll in a training program or take a job?

What about the attitudes of children? Should there not be demonstrated the continuing importance of work? I think Senator Harris made some observations yesterday that indicated that in New Jersey there was evidently no diminution in incentive when welfare assistance was abundantly in evidence.

Secretary RICHARDSON. Well, I think, Senator——

Senator HARRIS. Could I just add, Mr. Secretary and Mr. Chairman, first of all, the operative word yesterday was "required" and I think the Secretary would agree that up to now our experience has been that there have been more people volunteering under the WIN program than we could provide day care or training or job slots for, and evidence is that the same will be true in the future without the stigma and coercion of work, involuntary servitude in effect, which is involved in this bill for mothers of school-age children.

Second, not only I but Secretary Richardson testified yesterday that the New Jersey experiment demonstrates, just what I think we all say, that the present system destroys incentive and initiative. But if the people have an opportunity for a decent standard of living for the first time, decent health, decent housing, enough to eat, clothes for the kids so they can go to school, rather than destroy the work ethic and individual initiative, indications are from the New Jersey experiment and other examples that it enhances them and that people just like all the rest of us in this room as we said yesterday, want to do a little better. That, I think, is a better paraphrasing of what we said yesterday than what Senator Hansen has just said, though it is generally in the same direction.

Senator HANSEN. If I may, insisting on having the last word, Mr. Secretary——

Senator HARRIS. I come after you do. When you get through——

Senator HANSEN. I am quite well aware of that. I just wanted to say this for what Senator Harris has just criticized as "involuntary servitude" is something that I suspect he might say would apply to some 10 million people representing fewer than that number of families on welfare or receiving some welfare assistance. My observation is this. What 10 million Americans including all children would regard as involuntary servitude by some, I should think, is something that the other 190 million Americans quite readily accept as a responsibility that they believe is theirs to accept the duties of citizenship, the duties of parenthood, the time-old responsibility of taking care of one's family, and I just do not want to leave you with the responsibility, Mr. Secretary, of having to respond to a characterization of a program that I think is unfair.

I do not believe at all that to expect able-bodied people to have to work in order to help take care of their families is a result of the application of the power of a despotic government upon citizens that violate their constitutional rights or anything else.

Now, the distinguished Senator from Oklahoma has not said all of this. [Laughter.]

This is what I am saying. I am offended that he would imply that if you are to receive some help from welfare and to be asked, if you are able bodied, to do some work at the same time that you are pressed into service. I do not believe that.

Senator HARRIS. Mr. Chairman, Senator Hansen decided to debate me rather than ask Mr. Richardson a question. I would like to just respond.

I think the operative word in what he said is "ask." He said he does not think there is anything wrong in asking people to work. I do not, either. And I think what we are talking about here are mothers of school-age children. I think that we are going to all go home, as we did a year or so ago, and say to our constituents, well, we certainly straightened out those welfare mothers. We

put them all to work and got them off welfare.

Well, that is not going to be the effect of this because first of all, where is the work? Where are the training slots? Where are the day-care slots that will provide help for those who volunteer? These things are really not provided for in the family assistance plan and I think we ought to recognize that without going all around the country making pious statements about how we are putting everybody to work here and we are going to stop this welfare business.

The truth is, Mr. Chairman, as we have just said a while ago and as Secretary Finch earlier testified, these mothers under the present program have volunteered in more numbers than we were able to take care of them and that is what I want the record to show. I do not think we ought to stigmatize them by saying that somehow they are different from the rest of us, they do not want to do better, they do not want to have a better life for their children, they do not want to work if the Federal Government will give them a better life for their children, when as a matter of fact, they do. They are like the rest of us.

Could you respond to that?

Senator HANSEN. Mr. Secretary, if I may, I believe I still have the floor. I will be happy to yield it in a moment. I do not propose to debate with the distinguished and articulate Senator from Oklahoma. I am aware of his ability which has been recognized by his party and by the people of the State of Oklahoma.

I did want to say that I asked you a question and I would hope that in time, when the Senator from Oklahoma—my very good friend—and I have gotten through with this, gotten through with this colloquy, you may yet have a chance to express your opinion upon the matter.

Let me say this, though, that I do not believe that we are talking about trying to force people either to go to work where there are no jobs or go hungry. That is not the situation. I do not think it is your intention. It certainly is not mine and I doubt that it is the intention of the Senator from Oklahoma.

Rather, I think the question is if we are concerned about moving people off the welfare, I believe that there is still something good to be said in the kind of example that is set in the home. I have known a lot of women that were heading up their families. Some were widows. Others had been deserted by a father or perhaps they were heading a family because of the failure of the father to be able to work, so that with respect to his abilities, he could not make any contribution, and indeed became dependent upon his wife for help. And I guess I am old-fashioned but, you know, I think a lot of those youngsters who have grown up in families like that, and I know several in Wyoming, have turned out to be pretty good citizens because they had to take on some responsibilities, too.

Their mothers working part time or quite a bit of the time who had to assign children duties. I do not really believe that hurts anybody. I do not think that it hurts youngsters to do the sort of work they are capable of doing, despite the fact that we have some laws on the books in this country that harken back to a number of years ago, many years ago when we did have child labor and there were some very bad abuses of very young people having jobs. But that is no longer the situation here and I happen to think, and I hope you share my opinion, that it would be worthwhile for all young people who are members of families where parents, either one or both, are able bodied, to see the daily example of their doing something and to know that we are going to get along better in this life and in this country of ours if we willingly assume a responsibility and make a contribution, instead of being inclined to believe, as we may well do, that all we have to do in order to get along in this country is to exist and that somebody else is going to work sufficiently harder to take care not only of themselves but of those of us who may by one reason or another choose not to work.

I yield the floor.

Senator HARRIS. Thank you.

Secretary RICHARDSON. I think this has been a significant exchange insofar as it identifies one of the very real problems that we have to face in deciding the future direction of our family assistance and income maintenance programs.

I have really two comments. One is that I agree with Senator Harris, and I take it you would agree with him too, Senator Hansen, that most family heads, given a chance to work for a decent wage to support their children, would seek that opportunity rather than to accept public support. I think this is a rather basic fact which tends to be borne out by the AFDC caseload statistics themselves.

We have had a good deal of discussion here before this committee which has tended to create the impression that we looked at AFDC mothers or, where they are covered, AFDC fathers, as deadbeats who really would prefer to live off the public trough than support themselves through their own exertions. There are undoubtedly people like that on the rolls, but if you consider, for example, the fact that for fiscal 1971 the closings of the AFDC caseload represented 42 percent of the total and then look at why this 42 percent or 800,000 families went off the rolls, it turns out that in 35 percent of all these cases it was due to work or because their earnings increased to the point where they were no longer eligible for AFDC. This was true then of something like 280,000 families.

Of the people who came on, 53 percent was because of decreased earnings or a loss of support. When you couple this with the indications that Senator Harris also cited of the interest of mothers in obtaining training opportunities and taking advantage of day-care facilities for their children so they could undergo training or take work, you have further evidence that in most instances if training opportunities and day-care facilities are provided, and if the jobs exist, most of the family heads in these circumstances will take advantage of these opportunities.

That leaves, then, a small remaining proportion. The real issue then is how do we treat that remaining number, and the difference, I take it, between you is that Senator Harris would say that that group should be freely able to choose whether or not to take advantage of the day-care, training, and job opportunities, and you say and the administration bill says no, that remaining number should be subject to a loss of benefits under this publicly supported program if they refuse to take advantage of these opportunities. And we would say that such a sanction is justified by the fact that this is a publicly supported program, and for all the other reasons you have cited, Senator Hansen. With respect to feelings about work on the part of our society as a whole, feelings that we believe a family head should have in terms of responsibility for the support of his or her own children, and the attitudes which you identified with respect to the children themselves—the atmosphere in which they grow up—it is not unreasonable where public dollars are concerned to make work a requirement for eligibility at least, for that member of the family.

We have not taken, and I do not see how we could take the additional step of cutting aid to children because the family head refused to work. But I think it is fair to say where the majority would want to work anyway, that the minority that does not, should have to choose either to take the job or suffer the loss of benefits that would follow from refusing it.

THURSDAY, AUGUST 6, 1970

Senator HARRIS. Thank you, Mr. Chairman.

Mr. Secretary, I would like to follow up some of the questions that have been pursued before in this committee with particular regard to Senator Talmadge's amendment to this bill.

PROVIDING JOBS FOR WELFARE RECIPIENTS

Where do you visualize we could add what I understand to be from one and one-quarter to three million people, 60 percent of them in rural areas, to the work force? What kind of jobs do you visualize that they would get?

Secretary HODGSON. They would get the kind of jobs that those of us who work in the job world usually call entry jobs, that is jobs that are ways of getting into the world of work and traditionally have been ways of entering the world of work. They are strong in service, clerical and trade occupations. They are not in high skilled level jobs or jobs requiring extensive advance educational preparation. But they are jobs that have been used in such programs as the placements under the WIN program, placements under the JOBS program, and others of the kind of programs that we have had some experience with.

So we would have to bodily characterize them as the entry level jobs in those spectrums of employment that exist pretty much throughout the Nation.

I would not really want to say that they are the one particular industry vis-a-vis another. There are many different industries that provide these kinds of jobs.

Senator HARRIS. Well, let's take this kind of a situation: Adair County, Okla., eastern Oklahoma, I would say is probably one of the 10 poorest counties in America, and the typical fellow you are going to be covering and wanting to get into work quite likely is a man who is underemployed now, who is working at whatever jobs he can find, which are bean sacking or some kind of seasonal type work such as that. What sort of job do you figure that you are going to be able to provide for that kind of man?

Secretary HODGSON. The lower the level and the narrower the number of jobs that are available in any area will increase obviously the difficulty in effecting early placement or quick placement of these people.

It will be necessary in each of these circumstances, whether rural, urban, suburban or whatever, to analyze that labor market in their area and to emphasize what opportunities do exist, and place your attention on those rather than——

Senator HARRIS. But no present opportunities exist, when these are, by and large, people who are of lower skills and of educational attainment, and that is one of the reasons why they are in this lower income bracket.

We understand that there are fewer jobs now in the country privately than there were earlier. But where is the opportunity for that fellow? Unless you go along with something like the O'Hara bill or the Nelson bill or the Talmadge amendment or something like that, where are we going to find jobs for these people?

Secretary HODGSON. Well, as we said earlier, Senator, the economic health of the Nation as a whole, of the respective sectors of the Nation will be a very major determinant in the effectiveness with which we move people, especially with rapidity, from welfare to the world of work.

Senator HARRIS. What do you expect the present 5 percent unemployment rate to do in the future?

Secretary HODGSON. What we are experiencing now is a start in pickup of productivity or in production. The second quarter of this year was slightly higher than the first quarter. We think the third quarter will be higher than the second, and the fourth above that, so we expect a pickup in production.

Traditionally, unemployment lags a little bit behind the pickup in production, as you know, with our experience in previous periods of economic slowdown, but we feel this present level of unemployment will probably vary, as it has done in the last 2 or 3 months, slightly up or slightly down. I would not say it is at the maximum at the present time. In fact, it may go up a little bit over what it is at the present time. How much is a little bit I do not know, but I would not expect that we would have a pick-up of unemployment into, or a lowering of unemployment quite as rapidly as production picks up just on historical experience.

But I would feel the fourth quarter we would have some distinct improvement.

Senator HARRIS. You think that by the fourth quarter the 5 percent unemployment rate would come, is that what you are saying?

Secretary HODGSON. Yes.

Now of course this bill, even as contemplated at the present time, does not have an effective date until July 1, 1971.

Senator HARRIS. Well, of course you know that is no answer for the fellow who is out of a job.

I think we ought to be doing for him right away.

But I take it that you are not for any kind of job creation, for the subsidization of private industry for additional jobs or for subsidization of local or State or other public jobs.

Secretary HODGSON. I think you generally have assessed our position.

But specifically, we have said there are circumstances where we feel that special work projects can be created that would be useful and helpful. The characterization that we give to these is, No. 1, that they be special; No. 2, that they be temporary and constantly checked on to see that they are accomplishing what they are intended to accomplish, and that they can be helpful in strategic situations in moving people from welfare to work. But we do not think, as a broadly applicable concept, that we would want to use the approach that has been sometimes characterized as having a welfare job rather than a welfare check.

Senator HARRIS. Well, I would not want to do that either. But I would rather we would be realistic about the opportunities for work and try to expand those opportunities if we could, because I do not see how you are going to put that fellow to work over in eastern Oklahoma under your bill. I guess people are going to go home and say we are going to put all these welfare people to work as a result of this bill, but I have my doubts.

Secretary HODGSON. Well, we are not saying that, Senator.

Senator HARRIS. No, that is right.

I mean we are saying, that is what the public thinks.

Secretary HODGSON. Not that everybody is going to work under our bill. We are saying we are going to speed this process. We are going to provide the opportunities, and to the extent the opportunity exists, we are going to reinforce the ability to work by providing training, by having employment development teams in the employment service and in all the other mechanisms we have outlined for this committee. But this is not a 100-percent overnight remedy, and we would be remiss if we offered it to the American public on that basis.

Senator HARRIS. Right. You are going to try to get them to the opportunity, but not particularly expand the opportunity for work which now exists?

Secretary HODGSON. Well, we have to think that the private sector itself traditionally has been the place where that expansion has occurred and that is the place where we think in the future it will occur.

Senator HARRIS. But is it not true that the public service type jobs are the ones that are expanding most rapidly generally, and is it not true that we have personnel shortages in such fields as education and health and police work and rebuilding of cities and so forth, and would that not be a proper use of the public resources? At the same time people would be doing useful work and would be building toward long-range careers.

Secretary HODGSON. Well, some of these things you described are already being undertaken in our public service careers program; for instance, the increase in expenditure in vocational training by HEW in the medical field, that you have made reference to. So there is no question but what, particularly in the State and local world of employment, there has been a considerable expansion in the past couple of decades, and it remains a market for employment.

But there are a lot of other areas that do, too. The service sector has expanded rapidly. The construction sector looks to us to be an enormous area for expansion in the next 10 years.

So we think that there will be some expansion in this, particularly State and local public sector, but there will be enormous private expansion, too.

Senator HARRIS. Do you think you can put these people to work without reducing even prevailing wages in fields where the minimum wage does not apply?

Secretary HODGSON. We do not believe that the effect of FAP on wages is going to be substantial either way. There are some who feel that it might depress wages. There are others who feel that the level of support suggested in the bill may increase wages, raise the level. We do not really think that is the way the wage system in this country works and it will not be affected very much.

WORKING POOR

Senator HARRIS. How do you envision using the work requirement with respect to those who are already fully employed?

Secretary HODGSON. Maybe I do not understand your question.

Senator HARRIS. Suppose a fellow is fully employed but still——

Secretary HODGSON. He is a member of the working poor and not covered by this bill.

Senator HARRIS. But would he be covered by your bill?

Secretary HODGSON. There is no work requirement for the working poor.

Senator HARRIS. What about the training and so forth, would he be required to train for a better job or will he have an opportunity to do that?

Secretary HODGSON. We are going to provide, 75,000 upgrading training opportunities in the first year for members of the working poor who would profit by that, but it is not a mandatory requirement.

Senator HARRIS. So a person who is already working, but a member of the working poor, would not be required to go into some other kind of job or training; is that correct?

Secretary HODGSON. We certainly do not expect to take him off of his existing job and ask him to undertake training in order that he get another one. That is not our intent.

Mr. ROSOW. I might supplement there, Senator Harris, by pointing out that our data show that about 50 percent of the working poor change jobs during the year, and we would hope to intervene at the point when they are not employed. By virtue of the fact they are registered, we would have much more access to them.

Then there is also the possibility that we could refer them to better jobs that might be available since we would have access to their prior employment history and so forth.

But our training intervention would be when they are not employed, during periods of unemployment.

Senator HARRIS. That is all I have, Mr. Chairman.

EXHIBIT 2

MAJOR NEW FEATURES OF ADMINISTRATION'S REVISED REVISION OF H.R. 16311—MATERIAL PREPARED BY THE FINANCE COMMITTEE STAFF, NOVEMBER 5, 1970

INTRODUCTION

Original Proposal.—On April 29, 30, and May 1, the Committee on Finance began its public hearings on H.R. 16311, the Family Assistance Act of 1970. During these three days of hearings with the Administration, it became clear that the bill had many defects. Accordingly, the Committee afforded the Administration an opportunity to reconsider its proposal in light of the hearings and recommend appropriate changes. In particular, the Committee was concerned about the serious work disincentives under the bill in view of its proclaimed intention to aid persons to become independent through employment.

June Revision.—In June, the Administration submitted its revised version of H.R. 16311 to the Committee. Many changes in the bill were proposed, including changes unrelated to the immediate problem of work disincentives. The revised version proposed the elimination of State supplementary payments to families headed by an unemployed father; a new method of requiring State supplementation which would result in a welfare reduction or cut-off for about 1½ million recipients in 22 States; and a new social services title designed to unite all social services programs presently linked to the cash assistance program in a new combined program administered by a separate agency.

The revised bill did not deal with the major work disincentive problems raised at the hearings. Instead, it was proposed that three major problem areas be handled separately, either administratively or through new legislation. First, it was proposed that the schedule of entitlement to food stamps be revised administratively to insure that an increase in family income would not result in a net loss to the family because of a larger decrease in the food stamp bonus. In the public housing area, the Administration had proposed language for inclusion in the 1970 housing bill to require families in public housing to contribute a fixed percentage of their income as rent so that the value of public housing would diminish gradually as income rose. Finally, the Administration announced its plan to submit legislation next February to replace the present Medicaid program for families with a wholly Federal Family Health Insurance Plan paid for in part by the recipients, whose premium would be related to their income.

The cost of the revised bill was $1.1 billion higher than the cost for the same year associated with the House bill in the House report. The increased cost resulted from three major factors: (1) a $500 million increase in the estimated cost of cash welfare payments, based on more recent experience under present welfare programs; (2) a new proposal to permit welfare recipients to purchase food stamps through the welfare agency, expected to result in higher participation in the program at an estimated cost of $400 million; and (3) the new social services proposal was projected to cost an additional $200 million.

The Committee subsequently held hearings on the revised version of the bill, during which time all modifications proposed were thoroughly explored, often with the Secretary's agreement that some of the proposals should be eliminated or substantially modified.

Presentation of October Revised Revision.—On October 13, Under Secretary Veneman presented to the Committee in executive session a revised revision of H.R. 16311 representing the Administration's current proposal. In view of the numerous new

changes and modifications proposed in this version, the Committee directed that the revised revision be printed together with accompanying material explaining the new version and estimating its cost and impact on welfare case loads, and a staff analysis. The material contained in this document differs somewhat from the October 13 version since the Department made changes fairly continuously between that date and the date of final printing. The Committee staff has prepared the following materials on the revised revision: (1) a brief analysis, with comments, on the major new features of the revised revision; (2) a short table comparing the major features of the June revision with the October revised revision; and (3) a number of charts showing the major features and impact of the various versions.

MAJOR FEATURES OF OCTOBER REVISED REVISION

Pretest of Family Assistance Plan and Effective Date.—The October revised revision proposes that the Family Assistance Plan be pretested in not more than two areas of the country, once appropriations become available, between January 1, 1971, and March 1, 1972. By March 1, 1972, the Secretary of Health, Education, and Welfare would have to report to the Congress on the results of the pretests. The Family Assistance Plan would become effective on January 1, 1972, for families headed by a mother or by a father who is either disabled or unemployed (in a State which makes payments to families with unemployed fathers). The Family Assistance Plan would become effective for other families (those headed by an employed father, or by an unemployed father in those States not now aiding the families of unemployed fathers) on July 1, 1972. The revised revision assumes that the Congress would have an opportunity between March 1, 1972, and July 1, 1972, to make any desirable modifications in the Family Assistance Plan before it became effective for most families headed by a father.

The staff notes that under the provision in the revised revision pretesting could not begin until the Congress has appropriated funds, presumably in a supplemental appropriation early in the first session of the 92nd Congress. In recent years, no general supplemental appropriation has been signed into law before April.

Following the appropriation, some time would be required to negotiate pretesting contracts. In order to prepare a report by March 1, 1972, it would be necessary to begin at least a month in advance. Thus it is highly unlikely that the two pretests could involve more than 8 months of experience at the most. Furthermore, the Family Assistance Plan is scheduled to become effective for families headed by mothers, disabled fathers, and unemployed fathers (in States which now aid families headed by unemployed fathers) on January 1, 1972—two months before the Congress will even receive the report on the pretesting. Those families which will begin receiving family assistance in January 1972 represent more than half of the total caseload. It is apparently assumed that the pretesting will result in no suggestions for modifying the Family Assistance Plan as it relates to these families.

Even supposing that an effective pretest could be mounted in such a brief time and that it could result in recommendations for changes in the law, the Congress would be required to act on this legislation in a very short period (4 months). If the Congress were to make any substantial changes in the legislation during the four-month period, this would require a sudden change in the program for the more than 50 percent of the potential case load already on the rolls beginning January 1972, and it would require that plans be changed in a very short time for the more than 1½ million families headed by a father who would become eligible for the first time beginning July 1, 1972. It seems unlikely that the Administration seriously contemplates that the pretesting will result in any change in the legislation, except perhaps for minor changes affecting administrative procedure.

State Supplementary Payments.—The Administration's June revision proposed that the Secretary determine the level at which the States would be required to supplement family assistance payments to needy families, based on the level of payment to a family with no income in January 1970. Since 22 States now make welfare payments on a basis of meeting less than full need as determined by the State, the effect of the proposal would have been to reduce or cut off welfare payments to most families with some income in those States. Estimates presented by the Department of Health, Education, and Welfare at the hearing projected that about 1½ million persons would face a reduction as a result of this provision.

The Administration's June revision also proposed the elimination of Federal participation in State supplementary payments to families headed by an unemployed father (the House bill by way of contrast would require all States to make such payments). Some 450,000 welfare recipients would face a substantial reduction in their payments if this provision became law.

At the hearings on the Administration revision, Secretary Richardson stated that it might be desirable to have some kind of "grandfather clause" to protect individuals who would face a welfare reduction or cut-off under the proposed provision in the revised bill. The October revised revision contains such a "grandfather clause." Under this provision, any family receiving welfare as of the date of enactment of the bill would be protected for two years from a reduction in assistance as a result of the provision relating to State supplementary payments. While the "grandfather clause" would protect close to 2 million persons now on the rolls, it would not protect individuals who come on the rolls between the date of enactment of the bill and January 1, 1972, nor would it provide protection for longer than two years.

Areas of Secretarial Discretion.—Throughout its consideration of H.R. 16311, the Committee has been struck by the unusual number of provisions in the bill according the Secretary broad discretion in setting policy. Rather than reducing them, the June revision expanded the number of places in the bill where the Secretary would be given such wide discretionary authority. The October revised revision, on the other hand, seriously attempts to deal with a number of these areas by writing the policy into the statute rather than leaving policy to be determined in later Department regulations. However, a number of important areas remain with little or no indication of the direction of Departmental policy.

Child Care.—The provisions of the bill relating to child care are a prime example of an area of Secretarial discretion with no indication of intended policy. It is generally agreed that lack of sufficient day care has been a major contributing factor in the failure of the Executive branch to implement the Work Incentive Program. It is also generally agreed that a broad expansion of child care is a key element if the work features of the Family Assistance Plan are to be realized.

The child care features of the October revised revison would confer upon the Secretary unusually broad authority relating to child care. Child care would be arranged for by the Secretary of Health, Education, and Welfare. Through regulation, he would set Federal standards for child care which would supersede all related State and local codes. Unlike the Chairman's child care bill (S. 4101) which would also permit preemption of State and local ordinances, the October revised revision and accompanying explanatory material give no indication what the Secretary's regulations would be. S. 4101 would write the specific Federal standards into the law.

The October revised revision would also retain the proposed provision in the June revision authorizing the Secretary to fund the construction of child care facilities when he finds that alteration of existing facilities is not feasible. Federal construction grant programs typically contain many provisions to assure equitable distribution of construction funds among the States. No such safeguards are included in the revised revision.

Social Services.—In the October revised revision, the Administration has abandoned its proposal for a new social services title to the Social Security Act.

Obligation of Deserting Parents.—H.R. 16311 contains a provision (unchanged in the June revision) which would make any father who deserts his family obligated to the Federal Government for the Federal portion of welfare payments made to his family during the period of his desertion. A modification proposed in the October revised revision would limit the deserting father's liability to instances in which it can be proven that the family's receipt of welfare payments was due to the desertion of the father. It might be expected that this new modification would seriously weaken the provision in the House bill.

Work Disincentives.—During the April hearings on the original Administration bill, three areas were highlighted as contributing to serious work disincentives because they could in some cases result in a decrease in total family income if the family's earnings increased. In the June revision, the Administration proposed handling each of these three areas outside the scope of the welfare bill itself.

First, the Administration proposed in June that the schedule of entitlement to food stamps be revised administratively to insure that an increase in family income will not result in a larger decrease in food stamp entitlement. This administrative action has not yet been undertaken.

Second, the Administration has proposed language for inclusion in the 1970 housing bill to require families in public housing to contribute a portion of their earnings as rental payment so that the value of public housing would diminish gradually as family income rose. The Senate, in action on the housing bill, has rejected this provision recommended by the Administration.

Third, the Administration stated its intention of submitting to the Congress next February a legislative proposal to repeal the present Medicaid program for families and replace it with a wholly Federal Family Health Insurance Plan with premiums, related to family income, paid by the families enrolled in the Plan. There has been no change in the Administration's plan to submit the legislation next February.

A serious work disincentive problem that has not been given sufficient attention to date relates to day care. The revised revision apparently contemplates that day care would be made available only to persons participating in the work and training programs under the bill. Thus it may be expected that situations would arise in which mothers were eligible for free or partly subsidized child care while receiving family assistance but would become ineligible for any child care aid if they worked themselves off of family assistance.

When these various work disincentive features are combined, it becomes apparent that under the October revised revision as under the earlier versions of the bill, there would be many situations in which a family would suffer an economic loss if its earnings rose.

Cost.—The cost of the October revised revision in its first full year is estimated by the Department of Health, Education, and Welfare at somewhat more than $4 billion. The cost of the June revision was also esti-

mated at about this level, but the fiscal year impact was different. In the June revision, the full $4 billion impact was attributed to fiscal year 1972, since the Family Assistance Act would have become effective on the first day of that fiscal year. Because of the delayed effective dates in the October revised revision, the $4 billion cost would be postponed until fiscal year 1973.

THE FAMILY ASSISTANCE ACT (H.R. 16311)

(Major changes made by the administration in June revision and October revised revision)

House bill	June revision	October revised revision
Authorization of pretests: No provision.	No provision.	Authorizes appropriation of "such sums as may be necessary" to enable the Secretary of Health, Education, and Welfare to evaluate State general assistance programs for the "working poor" and to conduct and evaluate 1 or 2 programs designed to test the cash assistance and the work and training provisions of the family assistance plan. These tests would generally be limited to families which are ineligible for aid under present Federally funded public assistance programs and which include a fully employed adult. The Secretary must report his evaluation of the programs to the Congress by Mar. 1, 1972.
Amount of State supplementation: Requires the States to supplement Federal payments to families in accord with the State needs standards under AFDC for January 1970. It would also require continued application of the reduction provisions incorporated in the plans of approximately 22 States under which families are generally paid assistance amounting to something less than the difference between their countable income and the State standard.	States would be required to supplement Federal payments to families in accord with a payment level set by the Secretary of Health, Education, and Welfare based on payments to families under the existing AFDC program in the State if they had no other income. The effect of the provision would be to reduce the amount of assistance for families with any other income in those 22 States which now pay less than the full difference between countable income and the State needs standard.	Largely the same as the June revision. However, the Secretary would be required to consult with the States in setting the payment levels, in accord with the amount generally paid families of given sizes without including certain extra amounts for special needs. Also would add a temporary savings clause for those families in 22 States who would otherwise have their assistance reduced under the revised revision. Under this clause, such families (if the State wishes), could continue to get assistance at the higher rate for the first 2 years after the family assistance plan goes into effect.
Work requirement: Provides $300 reduction in family assistance for refusal of work or training.	Increases family assistance reduction to $500.	Same as June revision.
Individual may refuse work if he has demonstrated capacity, through other available training or employment opportunities, of securing work that would better enable him to achieve self-sufficiency.	Provides that an individual may refuse work if he has ability to acquire such employment and if Secretary of Labor is satisfied that the employment is available and the individual has not had adequate opportunity to secure it.	Changes "refusal" provision to allow individual to refuse work that is not "suitable" as described in the bill. "Suitability" is related to wages, working conditions, the individual's prior experience, and other factors.
Secretary of Labor decides who to train and in what order of priority.	Same as House bill.	Adds provision specifying priority: (1) for unemployed fathers and volunteer mothers; (2) for other unemployed adults and youths age 16 and over, who are not regularly attending school and not employed full time; (3) for employed persons; and (4) for all others registered.
Child care: The Federal Government would pay up to 100 percent of the cost of child care projects for children whose parents are or have been participating in work and training programs under the bill.	Basically same as House bill, but also authorizes the Secretary to construct facilities to whatever extent he determines this is necessary.	Adds requirement that Secretary of HEW prescribe standards pertaining to all aspects of child care provided under the bill. Child care and facilities provided under the bill would not be subject to licensing or other requirements of State and local governments with respect to which the Secretary had prescribed standards.
Unemployed fathers: States would be required to supplement family assistance payments for families headed by an unemployed father; 30-percent Federal matching would be provided. Families would be covered under medicaid program.	Eliminates requirement for State supplementation of payments to families headed by an unemployed father. Also eliminates Federal matching for such families if covered on a voluntary basis. Medicaid coverage optional, with Federal matching.	Adds requirement that States which pay families with unemployed fathers under present law must, for up to 2 years, provide supplementation to the families receiving payments at the time the supplemental payments program becomes effective. After 24 months no matching for unemployed fathers would be provided. Medicaid coverage optional, with Federal matching.
Federal income tax exclusion: No provision.	Allows an exclusion from income, for purposes of determining the amount of assistance, equal to any Federal income tax paid or withheld—in effect, reimbursing the recipient for income tax payments.	Eliminates the Federal income tax exclusion provided in the June revision.
Mandatory application for benefits under other programs: No provision.	No provision.	Provides that no assistance will be payable for any family member who refuses to apply for unemployment, social security, or other such benefits for which he is apparently eligible.

THE FAMILY ASSISTANCE ACT (H.R. 16311)—Continued

(Major changes made by the administration in June revision and October revised revision)

House bill	June revision	October revised revision
Obligation of deserting parents: Makes deserting parents obligated to the United States for any family assistance benefits and for the Federal share of any State supplemental benefits paid to his family during the period of the desertion. This liability would be reduced by the amount of any support payments the deserting parent actually made and would not exceed the amount of any support payments required by a court order.	Same as House bill.	Limits the liability of deserting parents for repayment to the United States of family assistance benefits to instances in which it can be shown that the family is getting family assistance as a result of the desertion.
Family relationship: In determining family relationships for purposes of the family assistance plan, appropriate State law would apply.	Deletes House provision.	Same as June revision.
Administration of programs: (a) For aid to families, 3 alternatives are provided: (1) Federal administration of the Federal payment and, under agreement with the State, of the State supplement; (2) under agreement with HEW, the State could administer both payments; (3) Federal administration of the Federal payment and State administration of the supplemental. The Federal Government would pay the cost of administering the Federal payment. It would pay 100 percent of the cost of administering the State supplement if it is federally administered, and 50 percent if the State made its own supplemental payments.	Adds provision that if an agreement for Federal administration was made having an effective date not later than 2 years after the date of implementation of FAP, the Federal Government would assume 100 percent of the cost of administration during the period after the execution of the agreement and before Federal administration began.	Adds provision which prohibits the Secretary from making agreements with the States for State administration of Federal payments to the working poor after Jan. 1, 1974. Adds provision preventing States from returning to State administration once they have chosen Federal administration. Adds provision for 100 percent Federal matching for administrative costs for programs to establish paternity of illegitimate children and to secure support payments.
(b) For aid to the aged, blind, and disabled, States could continue to administer assistance to adult recipients or make an agreement with the Federal Government for Federal administration. If the Federal Government performed the administration, it would pay full administrative cost.	Same as House bill.	Adds requirement that administration of cash assistance and social services be separated.
(c) No provisions related to Federal administration of other programs.	Adds authority for Secretary of HEW to enter into agreements with States for Federal administration of the food stamp program (with the State paying the cost of administration), Federal eligibility determination for medicaid (with 50–50 matching by the State and Federal Governments of the cost of making the determinations), Federal determination of eligibility for surplus commodities (with the State paying the full cost of the determination), the Federal administration of State general assistance programs (with the States paying the full cost of administration).	Same as June bill.
"Savings clause": Provides generally that in the first 2 years after enactment the cost to a State of payments under the bill would not be greater than it would have been for payments required under present law.	Eliminates the 2-year restriction on the saving provisions. Changes the basis for determining the amount to be paid by the State from "what would have been" paid under existing law in each future year to what was actually paid by the State in fiscal year 1971, increased as the cost of living rises. Would require State to bear the cost of increases in welfare payment levels, but not the full cost of caseload increases.	Essentially the same as June revision.
Effective dates: Provisions for the payment of Federal family assistance and of State supplemental payments would be effective as of July 1, 1971. Child care provisions would become effective upon passage of the bill.	Same as House bill.	Effective date for family assistance and State supplemental payments Jan. 1, 1972, but payments to families headed by an employed father would not become effective until July 1972. Child care and new pretest provisions would become effective upon passage of the bill.
Social services: Maintains present law, under which States receive 75 percent Federal matching for social services provided under State plans, with open-end appropriation.	Repeals present law provisions for social services. Adds provision for new title XX of the Social Security Act to provide Federal matching funds for a variety of social services to be provided by States under State plans, with complex administrative relationships.	Eliminates new title XX in June revision. Same as House bill.

EXHIBIT 3

[From the Washington Post, Nov. 24, 1970]

SENATOR HARRIS ON THE NIXON FAMILY ASSISTANCE PLAN

The editors of *Newsweek* are said to reject dull copy with the notation, "EGO," which stands for "Eyes Glaze Over." The principal difficulty with any discussion of welfare legislation is that it is so tedious and detailed that the listener's eyes often glaze over after the first introductory phrases.

That has been one of the great barriers many of us have faced in trying to get people to understand what wretchedly wrong provisions are contained in President Nixon's Family Assistance Plan.

We have faced other barriers. Administration spokesmen have tried from the first to make it appear that any opposition from the progressive side of the political spectrum would be motivated purely by jealousy of Mr. Nixon's getting the credit for long overdue reform. And as the editor of one newspaper put it, "We've opposed him on everything else, and we just have to support him on something."

In the closing days of the 1967 session of Congress, the late Senator Robert F. Kennedy and I opposed our party leadership in the Senate and our President—and risked killing pending Social Security benefit increases—to try to stop punitive and regressive welfare legislation from being enacted.

"True," some said then, "this bill will hurt present welfare recipients, but we just have to pass it if we're going to give an increase to social security beneficiaries, since both are tied together in one bill."

Senator Kennedy and I thought that was a cruel trade-off, which should not in good conscience be agreed to.

A similar argument made in support of President Nixon's Family Assistance Plan—that we should aid some new recipients at the cost of reducing the benefits and repealing the rights of present recipients—is equally indefensible.

The Nixon Family Assistance Plan, which was inadequate to start with, got worse, not better, as it was considered and modified by the Senate Finance Committee. What the Finance Committee rejected last Friday was not the original Nixon proposal, nor even second or third version of that proposal. What we voted against Friday was the fifth administration version of the Family Assistance Plan.

Day by day over the past weeks of debate in the Finance Committee, the Department of Health, Education, and Welfare gave ground on the more progressive parts of their welfare bill in order to secure conservative votes. Day by day, nearly every change in this legislation made it less consistent with the principles which were said to have motivated its introduction.

For example, the bill we rejected would have ended federal support for the present limited unemployed-parent program, which permits men to register for work or work-training, remain with their families, and still qualify for welfare benefits. Repeal of this program would have had an intolerable impact on poor families because it would have given greater encouragement than does the present system for fathers to desert their wives and children in order to let them qualify for welfare benefits.

Further, during the hearings in the Senate Finance Committee, I asked then-Secretary Finch whether it would be possible under the Family Assistance Plan for welfare officials in the State of Mississippi to force the mother of a school-age child to put her children in a questionable day-care program after school hours, against her will, and to force her to pick cotton at the going local wage. Secretary Finch agreed that this could result. It could still result under the present version of the plan, and I find it horrifying that anyone today would advocate such a system.

The bill we rejected would have reduced welfare payments for hundreds of thousands of present welfare recipients across the nation. Few of those people, even under the present system, receive an income they can live on.

The bill we rejected would have created a bureaucratic monstrosity. Each state would have had sixty-four different options of how to structure its relationship with the Federal Government under various combinations of the Family Assistance Plan, Medicaid, food stamps and other related programs.

The National Welfare Rights Organization gave strong and highly impressive testimony against these and other provisions of the Nixon plan in special hearings sponsored by Senator McCarthy just prior to the Finance Committee action last week.

It is not too late for real reform. The administration has not lost anything—since they say they will offer the Family Assistance Plan as an amendment on the Senate floor—except the momentum they would have gained if I and others had voted to report the bill out for consideration on the Senate floor. This remains true even though I and other senators had made it very clear to the administration from the first that we would try to amend or kill the Family Assistance Plan on the floor.

When I told Secretary Richardson I had decided not even to vote to bring the bill out of Committee, I told him also I would be glad to work with him to produce an acceptable bill if he would be willing to negotiate with those who agree with the basic principles involved rather than those who do not.

There must be a recognition of the right of people to a decent minimum income, with a cash payment of $2464 provided right now. No present recipient can be hurt or present rights under the law lost. No mother of school-age children must be forced to work. No person should be forced to work in a substandard job at substandard pay; any system that requires either depresses wages and makes it less likely that poor people can escape poverty by working full time. There should also be greatly expanded job opportunities for the millions of people who are now looking for work in this country.

One member of the Senate Finance Committee said to me last week, "What President Nixon is trying to do with this bill is to get both the Wallace voters and the Humphrey voters on his side, and it cannot be done."

It cannot be done. And between now and the time the measure comes up in the Senate, the President had better decide which he wants.

EXHIBIT 4

NOVEMBER 24, 1970.

HON. JOHN G. VENEMAN,
Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. UNDER SECRETARY: Enclosed is a statement I recently wrote for the Washington *Post* concerning the Family Assistance Plan.

The statement lists my more major objections. If you will let me know whether there is any hope the Administration feels it can agree on elimination of these objections, I will be glad to set forth in specific detail what minimal requirements I think ought to be met before the Family Assistance Plan is agreed to in the Senate.

The present welfare system cries out for real reform. I am eager to join with you and others to achieve it. I look forward to hearing from you at your earliest convenience.

Sincerely yours,

FRED R. HARRIS,
U.S. Senate.

EXHIBIT 5

DECEMBER 1, 1970: MINIMUM DEMANDS FOR ALTERNATIVE PACKAGE—HARRIS

(1) Adequate income goal, a level defined by the Bureau of Labor Statistics Lower Living Standard, and an intent to move toward it.

(2) A federal floor of $2,464, cashing out food stamps and adding the bonus value of stamps on to present benefits.

(3) No forced work requirement for mothers with school children and a guarantee that no one will be forced to take a job paying below the minimum wage.

(4) Retain the states' standard of need and mandate AFDC-UP.

(5) Maintain all benefits recipients now receive.

(6) Provide an annual cost-of-living increase.

(7) Ensure the rights of recipients and applicants:

(a) the right to a full due process fair hearing

(b) abolish third party payments

(c) maintain present law on step-parent liability

(8) Full federal administration of basic federal floor and state supplementation.

EXHIBIT 6

STATEMENT OF SECRETARY OF HEALTH, EDUCATION, AND WELFARE ELLIOT L. RICHARDSON TO A MEETING ON WELFARE REFORM CONVENED BY COMMON CAUSE, DECEMBER 3, 1970

I greatly appreciate your attendance this morning because, with your help, the fight for meaningful welfare reform this year can be won. Never since the Social Security legislation was first enacted have so many people been able to agree on both the need for reform and the principles of change.

There has been so much dispute in recent weeks over possible amendments to the President's proposed Family Assistance Plan that the wide areas of consensus have often been obscured. Let me review for a moment what I think we do agree on and what this bill will accomplish.

First, the bill would establish a nationwide floor under assistance payments, and national eligibility standards for both the family and adult categories. This change alone involves a massive reform by eliminating the geographic inequities present under current law. Ten percent of present AFDC recipients and 36 percent of the aged, blind and disabled caseload would immediately receive higher benefits as a result of these changes.

Second, the bill provides for strong movement in the direction of Federal administration of all income assistance programs. The new working poor program would be Federally administered in every State and attractive options are created for the States to delegate to the Federal Government administration of the full range of associated programs, including State supplementation, food stamps, general assistance, and Medicaid eligibility determination.

Third, we would for the first time extend assistance to the working poor—a group comprising over 40% of the poor which is now ineligible for Federally-supported welfare. This is the heart of the reform and combines an important work incentive with effective action against poverty.

Fourth, the plan would greatly expand quality child care and manpower training programs, with over $600 million in new funds committed in the first full year of operation.

Fifth, Family Assistance improves the work incentive and work requirement provisions of current law. The several work disincentive notches now found in AFDC are eliminated, and mothers with preschool children are given the option to remain with their children—which is not the case under current law.

These are reforms that should not be permitted to die. We have calculated that almost 14.5 million people will be eligible for benefits that will make them better off than under current law. Anyone who contends that this bill is somehow worse than current law, or should be defeated if it is not further liberalized, must answer to these 14.5 million people.

This is not to say, of course, that there are no legitimate ways to improve the bill still further. Indeed, I believe that the bill has been much improved in the 13 months since it was introduced. The Administration has been discussing with a number of Senators a range of possible additions to the so-called "core bill" or October revision of Family Assistance for the purpose of attaching it by floor amendment to the Social Security Act. In particular, you are probably familiar with the list of 10 possible amendments which Senator Ribicoff has suggested as a result of his conversations with a number of Senators. We have given most careful attention to these ideas in an honest effort to develop an acceptable compromise. It is in that spirit that I can now present the Administration's response to those proposals:

1. We accept the idea that the bill should state a national goal of providing to every family, through work or assistance, an income adequate for their needs. This is a laudable goal which fully befits a Nation of our capacity.

2. We agree that the language of the President's original proposal, passed by the House of Representatives, should be restored providing for mandatory coverage of families headed by an unemployed father (AFDC–UF).

3. We agree that the effect of section 452 of the House-passed bill, maintaining current benefit levels for families with income, should be restored. (The October revision of Family Assistance has provided for a more limited provision "grandfathering in" persons now receiving payments at these higher levels for a period of two years.)

4. We cannot fully accept the proposal that no one be referred to a job under the work requirement that pays less than the Federal minimum wage of $1.60 per hour. There are now, after all, about 7 million persons who are working for less than this wage, and to state that no welfare recipient had to take such a job would be most inequitable to these low wage workers. Nevertheless, there could be cases where referral to jobs paying substantially less than the minimum wage would be unconscionable. Therefore, we would propose instead an amendment which would provide that no person could be required to take a job paying less than $1.20 per hour, which is 75% of the minimum wage. In any case, anyone working for between $1.20 and $1.60 per hour would be eligible for income supplementation under Family Assistance which would raise his total income from wages plus assistance to a level comparable to the Federal minimum wage.

5. We agree that public service jobs should be provided for welfare recipients, and will support an earmarking of $150 million in Labor Department funds for this purpose. The Federal matching formula for these jobs should be consistent with whatever formula emerges from the Senate-House Conference Committee now considering the Comprehensive Manpower Act (the matching rate currently in that bill is 80%).

6. We agree that the programs that are fully financed by the Federal Government should be administered by the Federal Government. This would apply to family assistance benefits for female-headed families in those States which have no State supplementation.

7. We agree that adequate protection should be provided to local and State welfare employees transferred to the Federal system as a result of the bill. We have been working with employee groups and the Civil Service Commission for some weeks to develop such a provision as an amendment to the bill.

8. Family Assistance makes a major change in current law regarding the impact of the work requirements on female heads of families. Under AFDC, women with *preschool* children may be required to take a job; under Family Assistance, that mandatory feature is applied in the case of mothers only to those with school age children. Moreover, priorities have been added to the bill governing the order of referral of persons to training and jobs which indicate that all male heads of families and all women who volunteer for employment are to be taken before the nonvolunteering mothers are reached. We feel, therefore, that the work requirement is humane and responsible, particularly in view of our latest proposals with regard to the minimum wage. However, there is a lack of clarity on the face of the bill as to whether the arrangement of child care is a precondition to requiring a mother to take a job, and we would accept an amendment clarifying that this precondition must be met.

9. We would accept an amendment which would continue the practice under AFDC in following State court decisions as to whether a step-parent has an obligation to support step-children.

10. Budgetary limitations preclude the Administration from accepting an increase in the basic $1600 payment for a family of four. An increase equal to the rise in the cost of living between the date of enactment and the 1972 implementation date could cost as much as $400 million in additional funds. In any case, the Administration's original proposal assumed an effective date of January 1972, so that no cost of living updating is relevant.

In short, we are able to accept 7 of 10 of the Senator's proposals, and to offer counter proposals on two others. Beyond this I do not think we can go. I recognize that many Senators may wish to go further on some of these items, and we fully recognize their right to offer such proposals through amendments which are separate from this consolidated floor amendment which we can accept.

I know that Senators Ribicoff and Bennett are working earnestly to prepare a bipartisan amendment attaching Family Assistance to the Social Security bill on the Senate floor. I sincerely hope that these responses by the Administration will provide a basis for that amendment. I believe that these two Senators have been magnificent in their commitment to welfare reform and their continuing effort to seek a balanced bill acceptable to a wide group of Senators. I would also like particularly to note and welcome Senator Hartke's statement yesterday that he will support a coalition effort. I believe that this battle can be won; we cannot afford to lose it.

PERSONS BETTER OFF UNDER H.R. 16311 (OCTOBER VERSION) THAN UNDER CURRENT LAW

Client group	Number families	Number recipients	Percent of current cases
Family assistance:			
(1) Working poor	1,861,300	10,840,000	
(2) AFDC cases with benefit increases in the 9 [1] jurisdictions with the lowest payments	211,300	845,000	9.9
(3) State supplemental cases not now eligible for AFDC	375,300	1,500,000	
(4) Current AFDC cases benefitting from simplified payment standard	([2])	([2])	([2])
Subtotal, family assistance	2,447,900	13,185,000	9.9
Adult categories:			
(1) Adult cases in the States [3] paying less than $110 monthly per recipient		1,109,700	36.3
(2) New cases made eligible by the minimum payment standard		105,400	
(3) New APTD cases made eligible by the national definition of disability		64,700	
Subtotal, adult categories		1,279,800	36.3
Total, all programs		14,464,800	16.9

[1] Alabama, Arkansas, Georgia, Louisiana, Mississippi, Missouri, South Carolina, Tennessee, and Puerto Rico.

[2] Sec. 452 of the bill requires that States simplify need and payment standards in order to reduce the number and complexity of such standards. This simplification is likely to be resolved in such a way that benefits will be computed on the basis of a higher standard than that now used for many current AFDC cases, but estimates of this impact cannot be made until such time as the Secretary develops definite guidelines for this simplification of standards.

[3] For Old Age Assistance recipients, 22 out of 54 jurisdictions now pay less than $110 monthly to a single recipient, and 47 jurisdictions now pay less than $220 to an aged couple.

AMERICA'S HUMANENESS

Mr. HANSEN. Mr. President, last evening Vice President AGNEW was in New York City to receive an award from the board of directors of the Boys' Clubs of America. This award is known as the "Uncommon Man" Award.

Upon accepting the award, the Vice President spoke concerning the faith and devotion which the majority of Americans feel for our country and the part that this majority has played in making the United States the great country it is today.

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

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

ADDRESS BY THE VICE PRESIDENT

It is indeed a privilege to be with you tonight and to receive this "Uncommon Man" award from what is probably the most uncommon collection of men in America. I consider it a rare honor and I am very grateful.

When I reflect on the talent that fills this room, the success that each of you has achieved in his chosen profession, and the fact that you have gone beyond that to dedicate your energies to helping hundreds of

thousands of boys become appreciative of and contributive to the greatness of America, I am doubly impressed.

Nor am I unmindful of the role that two Presidents of the United States have played in this organization—Herbert Hoover, who was your chairman for 28 years and considered that it was the most meaningful experience of his life, and Richard Nixon, who took seriously his responsibilities as your chairman for four years preceding his inauguration as President last year.

It is also a real pleasure to share this platform tonight with the greatest baseball player of our era—and one of the greatest of all time—Brooks Robinson. I consider myself fortunate that Brooks helped me campaign for Governor of Maryland four years ago instead of running against me. Seriously, he's as great off the field as on it; he gives unstintingly of his time to numerous worthwhile religious and charitable causes. You and the 850 thousand boys' club members throughout the United States can indeed be proud that Brooks is an alumnus of one of your clubs—Little Rock, Arkansas.

Earlier this year, I had the opportunity to learn something about the work of one of your clubs—the Silesian Boys' Club of Los Angeles. I was very impressed with the work of this Club with underprivileged boys of the Spanish-speaking minority in the Los Angeles area. Through the courtesy of certain "Spiro Agnew" wristwatch manufacturers, the Silesian Boys' Club received a $10,000 check to assist in their good work. I hope Mickey Mouse will not be offended at our effort to build up the Silesian Boys' Club's treasury.

I can't commend too highly the work that has been done by your national organization since 1906 and by some individual clubs for more than a century. America urgently needs more of this kind of interest in our young people from the private sector—intimate, personal leadership that inspires them to achieve and excel in our strongly competitive society. A boy, discouraged and on the ropes from initial failure, needs an experienced, understanding hand to set him squarely on his feet and point him in the right direction.

One of my duties as Vice President is to serve as Chairman of the President's Council on Youth Opportunity. One of the responsibilities of the Council is the support of state and local youth coordinators. These coordinators serve on the staffs of Governors, mayors and county officials. They try to coordinate and energize public and private efforts in the area of youth opportunity—not an easy task.

These men and women must sort out and keep up with more than 200 Federal programs which directly or indirectly relate to children and youth.

It has been disturbing to me that, as the Federal government has created and publicized more and more programs, people have turned increasingly to government to solve their problems. This applies to youth work as well as to other fields.

At a meeting of the youth council a few weeks ago, I remarked on the need to reverse this trend by preventing the erosion of private group interest. In too many cases, we have regarded the availability of Federal money as an excuse to cease private support or to restrict the effort to that which the Federal funding will finance. We have fallen into the habit of saying, "that's all we can do because that's all Washington will give us." Many projects could be accomplished if the energy spent badgering Washington for more money would be applied to raising money for the project itself.

I do not deny that public assistance is useful and sometimes necessary. But if the Federal money is imaginatively utilized by local and state governments to stimulate activity and production in the private sector, the positive good resulting can be doubled or even trebled.

And it's important to remember that success depends on something more than money. The involvement and dedication of people, working shoulder to shoulder for a cause in which they are deeply committed, can overcome seemingly insurmountable obstacles. That participation is far more powerful than an impersonal signature on a check.

If we could use more of our Federal funds to stimulate private endeavors such as yours, instead of smothering initiative in a blanket of bureaucracy and a proliferation of programs. America would be a stronger nation for it.

Tonight, I am honored to be in the company of men who intensely enjoy their work of serving others. But what makes your willingness to help especially important is that you are successful products of our free enterprise system. You are representative of our fine institutions and of the professional freedom enjoyed in the United States. Everyone of you, by virtue of his own intelligence, vigor, stamina and fight, has attained a high peak of accomplishment in some field—be it government, labor, law, the military, sports, or some other business or profession. In short gentlemen, you are the establishment. And because you are the establishment—which is fashionably characterized as cold, crass, brutal, and selfish—you are confounding the critics of the American way by your willingness to help others less fortunate than yourselves. To prove their thesis, they would prefer that you spend your time exploiting the poor, evading the law, cheating the consumer, and terrorizing all of lesser position by your arrogance and insensitivity.

In these times it is vital that you continue to stand in obvious refutation of the minority of our fellow citizens who have lost their faith in American values. Your respect for our competitive system coupled with your sincerity and companion for the underprivileged and faltering among our youth help to repulse the current attacks on our traditions.

I believe it is appropriate tonight to discuss the challenges to our traditional values.

In particular, the competitive, ambitious, aggressive side of our outlook is under attack: the businessman's drive for profit is labeled money-grubbing, the politician's joust with his opponent is branded as vicious and divisive, the military commander's desire for victory is mocked as jingoistic heroics. The urge to fight one's way to the top in any undertaking is sneered at as inhumane and unworthy.

In the public mind, this attack on traditional values is believed to represent the feeling of most of our youth. I do not think this is fair or accurate. There are many, many young people, in my opinion the vast majority, who believe firmly in the American system and in traditional American values; while at the same time many of those who attack our values are no longer youths, but full grown adults.

Nevertheless, because the report of the President's Commission on Campus Unrest, of which I have been both critical and commendatory, has given such an excellent description of the new "anti" culture, I should like to read you a few passages. The report is speaking of what it calls "youth culture," but I want to emphasize that I consider that label a misnomer.

But here are some passages:

"This subculture took its bearings from the notion of the autonomous, self-determining individual whose goal was to live with 'authenticity,' or in harmony with his inner penchants and instincts. It also found its identity in a rejection of the work ethic, materialism, and conventional social norms and pieties. Indeed, it rejected all institutional disciplines externally imposed upon the individual, and this set it at odds with much in American society.

"Its aim was to liberate human consciousness and to enhance the quality of experience; it sought to replace the materialism, the self-denial, and the striving for achievement that characterized the existing society with a new emphasis on the expressive, the creative, the imaginative. The tools of the workaday institutional world—hierarchy, discipline, rules, self-interest, self-defense, power—it considered mad and tyrannical. It proclaimed instead the liberation of the individual to feel, to experience, to express whatever his unique humanity prompted."

Now in this much lionized subculture, three aspects strike me in particular. First, the avoidance of ambition and the retreat from power, struggle and greatness. Second, the emphasis on the abandonment of discipline, on hedonism; and "doing your own thing." Third, a gradual turn to solipsism, to the notion that there are no standards beyond oneself.

These three traits derive from an unwillingness to look beyond oneself or go beyond oneself. The retreat from ambition and from the arena of great affairs is justified by the emphasis on chucking societal restraints and "doing one's own thing." Older standards and principles that transcend the individual and have often called him forth to something nobler than self, are rejected, and the rejection is justified by reliance upon one's individual standard of values.

There is a positive side to this. After all, no less a personage than Plato once described justice as "doing one's own things." And none of us is naive enough to believe that there are not abuses in the accumulation as well as in the exercise of power. Prestige is not always well-earned.

But there is also a negative side. The reward of ambition is responsibility as well as power and prestige. And since power is an increment of achievement, no one will want power if achievement is considered an unworthy objective. And if there is no competition for power, it will fall into the hands of those least qualified to use it constructively.

There is little doubt that this new "anti" culture is opposed to what is generally considered to be the traditional, American values. To use the modern jargon, they are two different "life styles." I favor the traditional, but I firmly believe that both have the right to exist. Men can live in differing ways; they have the right to choose and tolerance demands that we try to see the good aspects of other ways of life.

I must state very emphatically that I have not given this description of the new way of life, juxtaposed to ours, for the purpose of criticism. Rather, I have given it in the desire simply to delineate, because I feel it is a phenomenon worthy of attention. However, I believe we should also be aware of what this new outlook signifies, not so much in moral terms as in practical terms—what it means for us and for our country.

Let us consider for a moment what this country stands for. It stands for freedom. It stands for equality of opportunity, and for justice. I realize that these concepts will always be ideals, goals; that they do not exist in perfection here. Our principal minorities still suffer from inequality of opportunity. But we have improved greatly in the past two decades, and with the help of all fair-minded citizens we shall conquer this defect. The beauty of our system is that it dramatizes flaws rather than conceals them.

In spite of our imperfections, I believe that our country remains the bulwark of freedom in the world today. With us rests the responsibility and the capacity to see that freedom does not die. Most of you remember well the Second World War and how this country armed itself to fight one of the greatest threats to freedom the modern world has seen, the Nazi Reich. If we had not gone to war and fought for 4 long years, it is possible that freedom would have perished from this earth. The Communists had already extinguished liberty in Russia, and were on their way to doing so in China. Britain would surely have fallen, and I doubt that we in

America would have remained free from invasion after the Nazis and the Communists had divided the vast Eurasian continent among themselves.

But we did go to war and, because of our decision to fight, freedom was preserved. Freedom is very precious, but it is fragile—it does not survive by itself. It must be fought for, every year, every day. Not always with arms, but always with will. Sometimes the threats to freedom are not readily apparent as threats—isolated acts of violence—an anarchist's bomb thrown in the name of peace—a policeman murdered in the name of freedom itself.

It is worth remembering that freedom is not something common in the world, nor has it always been there. Free, representative government was first developed as a political goal in Ancient Greece, and it remained for a long time a peculiarly Western response to communal needs.

We have inherited a firm belief in the correctness of an unfettered citizenry partly through the survival of great literatures from Greece and Rome, and partly through the success of nations that were founded on the principle of liberty. Athens reached the peak of her attainments as a democracy. Rome grew to world power through a constitution based on self-government. But our own country is perhaps the greatest example the world has ever known of the success that freedom brings.

But the men who founded our country did find a ready model for their concepts of free government. Because freedom at that time was languishing. There was a King in England, and a King in France; an Empress in Russia and an Emperor in China. Self-government did not exist in any major power in the world at the end of the 18th century.

The men who founded this nation therefore drew their concept of freedom in large part from their reading of ancient literature, and from their reading of authors who themselves were influenced by the Ancients. The example of a government by the people did not exist for them to observe in their contemporary world, because it had been extinguished with the founding of the Roman Principate, 1800 years before.

And so we see how rare a thing freedom really is, and how few nations and how few people in the history of the world have been able to enjoy it. Even today, a great portion of the world's population is not free.

These facts illustrate quite vividly that freedom does not simply take root and perpetuate itself, but must be established, cultivated and guarded—consciously and diligently.

It is because freedom requires vigilance and effort to survive that I am worried about the "anti" culture of today. I fear that those who espouse this way of life do not realize how quickly a massive individual rejection of responsibility and power could snuff out the freedom that makes their style of life possible. They say, "Make love, not war"; and their slogan has appeal. But it misses the point because it suggests that those of us who believe that there are times when freedom must be defenced, would rather make war than love. This is not true. No thinking person desires war. All sane Americans want peace. But we must face the fact that there are some in this world who are not interested in peace—at least not until their dreams of conquest are fulfilled. Therefore, we must retain the power and capacity to deter them and defend ourselves, if necessary.

It has been made clear throughout our history that we do not covet the resources of others. Certainly, all Americans want peace; all Americans want happiness; and all Americans want freedom. On this we are agreed—both we who believe in traditional values and those who profess the new "anti" culture.

What sets us apart is not the ends, but the means: is freedom best preserved by striving or by resting? Are the things we value most—justice, equality, peace—best secured by effort or by ease? Perhaps there is nothing intrinsically wrong with a society of civilized withdrawal and relaxation, but in view of the terrible fragility of freedom, can such a society be preserved in today's aggressive world?

Freedom always demands unceasing wakefulness, but most especially now, when her enemies are both powerful and aggressive. We need men in America who are strong as well as humane. We need men who understand that leadership requires effort and who are willing to make that effort—men who go beyond themselves both in joining the battle for prizes and in serving others generously.

You directors of the Boys' Clubs of America are such men. You have competed with other men and you have served other men. And the boys you have helped get a start on a better life than they were born to, will not forget. They have noticed what sort of men you are, the sacrifices you make, the generosity you have shown, and to them you will remain an example.

Because of you, they will be better able to believe in the American dream, to trust in American freedom, to have confidence in their ability to compete and to accept responsibility. They will not need to find a cheap outlet for their desires or live a degrading life in a fantasy world of dangerous drugs and narcotics.

They are strong boys. I believe they represent the great majority of American youth today. I do not think that, in honesty and fairness, we can tar the bulk of our young people with the brush of "anti" culture. In my view, our young people are too energetic, too positive. Some of the more vocal elements in our society may disagree and if you spend a great deal of time before the television tube, you too may wonder where I get my optimism. Well, I get it from my own observations—from traveling the length and breadth of this great country—seeing all those fresh young faces at airport fences, on city streets, even at political meetings—and hearing them say in a hundred ways that they believe in America. My judgment is that the youth of America is sound.

That is why I am optimistic: because we have fine young people and men like yourselves who together have accepted the responsibility of all Americans: to keep the United States strong as a guarantee of freedom in the world.

All of us want our country to be great, not only in her power, but especially in her humaneness. We want justice and equality and happiness for all our citizens. These are gentle aspirations, and it may seem strange to the advocates of the "anti" culture that there is also a tough side to happiness. But I believe that even in this sleek and prosperous age we would do well to heed the words of the great Athenian statesman, Pericles, who once said to his countrymen over 2400 years ago, that "the secret to happiness is freedom, and the secret to freedom is courage."

A BUSY WEEKEND ON THE PETROLEUM FRONT

Mr. McINTYRE. Mr. President, I wish to commend President Nixon for his long overdue action this past weekend in announcing two modest steps to bring a small bit of competition to bear on oil prices.

By freeing up a portion of Canadian oil imports to the United States, and by reducing the extent of State control over drilling on some Federal leases, the President has taken a step in the direction which I and others have urged for years—the direction of ending the controlled market of petroleum which has resulted in exorbitant prices of oil for U.S. consumers.

These steps are clearly in line with those which I and other Members of Congress had suggested to the White House. I ask unanimous consent that the text of my latest letter to General Lincoln on this subject be printed at this point in the RECORD.

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

DECEMBER 1, 1970.

Hon. GEORGE A. LINCOLN,
Director, Office of Emergency Preparedness, Washington, D.C.

DEAR GENERAL LINCOLN: We hereby submit comments in response to the Federal Register Notice of November 17, 1970, "Crude Oil and Gasoline, Notice of Investigation of Recently Announced Increases in Prices" (F.R. Doc. 70–15548).

We should like to make some initial general comments, to outline specific factors and questions for consideration in your investigation, and finally to recommend certain courses of action.

GENERAL COMMENTS

First, we commend you, Dr. McCracken and others in the Executive Branch for instituting this investigation under the authority of Section 6(a) of Presidential Proclamation 3279, as amended. We consider a review of petroleum prices to be long overdue; we are pleased that the responsibility imposed on the Office of Emergency Preparedness and Council of Economic Advisers under the Proclamation is being exercised.

Because of the failure of the Executive Branch to act in so many cases of price increases in the past, your responsibility is particularly heavy now.

Second, we urge that you take interim action necessary to roll-back the recent price increases, pending completion of your investigation. As you know, a number of companies, the most significant being Humble Oil, have announced increases since the announcement of the investigation. This arrogant action by the majors is, we believe, a direct challenge to your authority and to the public interest and may render the investigation useless.

Third, we urge that the investigation be thorough and incisive. We are mindful that concern has been expressed that there will be only cursory examination of limited evidence, an innocuous report and no action. Some critics have pointed to the tone of the letter sent by OEP last week to the major oil companies, requesting submission of evidence, and have expressed the fear this letter may reflect a decision to "go easy" on the companies.

Fourth, we believe that the burden of proof to justify the recent crude oil and gasoline price increases rests with the major oil companies; the burden is upon those companies to justify maintenance of the rigid import controls on crude oil, which make it possible to institute such price rises. The domestic crude oil market is insulated from the world market and protected from competition. Those who wish to maintain this deviation from our free enterprise system—and who wish at the same time to raise prices—must bear a heavy burden of proof. They cannot merely provide you with declaratory statements about "national security"; they must provide convincing, factual data.

Fifth, as you are undoubtedly aware, over the past few years crude oil and petroleum product price increases have contributed significantly to the inflationary pressures in our economy. The recent price moves, if allowed to stand, will mean nearly $2 billion in added annual costs in our economy. A 1 cent per

gallon rise in gasoline prices will cost American consumers nearly $1 billion per year; a 1 cent per gallon rise in home heating oil will cost the consumers along the East Coast nearly $150 million per year and the consumers of the Middle West nearly $50 million. Oil is an essential product; increases in its cost are felt throughout our economy. But the impact is particularly severe for low and middle income consumers.

If we are to fight inflation this must be the place to start, for petroleum imports, and hence prices, are under the direct control of the Executive Branch. This is the only area in our economy where the Government has so much influence over prices—and so much responsibility to act.

SPECIFIC QUESTIONS

In the interests of an effective investigation we strongly urge that you examine carefully—and seek convincing response and comment from the oil industry—to the specific questions and factors set forth in Appendix A of this letter.

As you know, many of us have, over the past several years, urged substantial changes in the Oil Import Program to stabilize petroleum prices, cool the inflationary pressures in our economy and strengthen U.S. security. We believe—and the evidence of recent months has demonstrated—that the present import control system both weakens our security and is a major cause of inflation. We believe that the conclusions reached earlier this year by the Cabinet Task Force on Oil Import Control, supported by the Secretary of State, Secretary of Defense, the Director of the Office of Emergency Preparedness and the Council of Economic Advisers are even more relevant today: "The present import control program is not adequately responsive to present and future security considerations . . . The present system . . . has imposed high costs and inefficiencies on consumers and the economy, and had led to undue government intervention in the market and consequent competitive distortions."

We hope that your investigation will be a thorough, serious one and will help to educate the American people to the facts and the reality of present U.S. oil policies. The Cabinet Task Force Report contains much data relevant to the current investigation; we trust that you and your staff will make full and effective use of that Report.

While we are not privy to all the facts and intra-corporate manipulations of the major oil companies, we do not believe that the recent increases in crude oil and gasoline prices are warranted either from the point of view of national security or from the point of view of our national economic interests. We believe that these increases, as in the case of past increases, will lead, not only to higher profits by the big oil companies, but will also sap our nation's strength through more inflation in our economy.

PROPOSED ACTION

We therefore urge that your investigation give careful consideration to the following steps to reverse these price increases:

A. Immediate decontrol of imports of crude oil and other petroleum products from Canada.

B. Substantial relaxation of import controls on crude oil from the Western Hemisphere.

C. Immediate decontrol of No. 2 fuel oil imports into the East Coast.

D. Permanent removal of crude oil production on Federal lands from state pro-rationing controls.

E. Suspension of the provisions of the Connally "Hot Oil" Act.

F. Immediate decontrol of residual fuel oil imports into Districts II through IV.

We also urge that under the authority of Section 6(a) of the Presidential Proclamation 3279, as amended, you order an immediate investigation of:

(a) The cargo price increases of No. 2 fuel oil for delivery to the U.S. East Coast instituted by Esso and Shell in August, 1970, in the Caribbean; we understand that within three weeks these two companies raised the price from 6.5 to 8.5 cents per gallon, more than 30%.

(b) The cargo price increases of No. 2 fuel oil instituted by Humble and other refiner-suppliers on the East Coast over the past two years.

(c) The cargo price increases of No. 6 fuel oil instituted by Humble and other refiner-suppliers throughout the country over the past year; in some instances these increases have been more than 100%.

In view of the gravity of the situation and the terrible toll inflation has taken in our nation, you cannot afford to do nothing. We view the current investigation and the action which will result from it as a test of our nation's commitment in the fight against inflation and a test of the commitment of this Government to serve the interests of all Americans, not just the richest and most powerful of our industries.

In conclusion, we again commend you and the Council of Economic Advisers for your prompt initiation of this investigation. We look forward to your report and your recommendations for action.

Thank you very much for your consideration.

Sincerely,

——— ———.

APPENDIX A

1. What has been the relationship between U.S. crude oil and product prices and corresponding world prices since World War II? Have world crude oil prices declined, while U.S. prices have increased?

2. What is the relationship of earnings and costs of the domestic operations of U.S. oil companies, as compared to earnings and costs of their foreign operations? To what extent are the losses and increased costs claimed by the majors due to foreign operations? (The price increase sought relates, of course, to domestic operations).

3. According to the First National City Bank compilation of 37 petroleum producing and refining companies, after-tax (net) income in the third quarter of 1970 is 2% higher than in 1969 and 7% higher than in the second quarter of 1970, while companies in other industries have experienced corresponding average declines of 11 and 13%. How do these figures, particularly when coupled with the strong oil earnings predictions for the 4th quarter of 1970, affect the justification for the industry's case?

4. What increased savings, and hence profits, will accrue to each integrated oil company under the depletion allowance as a result of the increase in crude oil prices?

5. What would be the impact on U.S. crude oil prices if Canadian imports were decontrolled? If imports from all Western Hemisphere sources were decontrolled? (The answers must assume, in the case of Western Hemisphere imports, that the oil will be carried on tankers at the lower rates available under long-term charter. As you know, 90% of the world's oil is carried in tankers owned by or under long-term charter to major oil companies.)

6. What is the national security justification for maintaining controls on Canadian imports? Western Hemisphere imports? In view of continued inflationary pressure exerted by oil prices in the U.S., are these justifications sufficient?

7. What are the facts on drilling, exploration and reserves in the United States? Isn't U.S. production higher than ever before? Are the drilling statistics misleading, in that modern technology enables producers to drill fewer wells and get more oil?

8. Who does most of the drilling and who owns most of the reserves—the majors or the independents? Why, despite record profits over the past decade, have the majors not done more drilling? Have the majors deliberately held back in order to maintain prices at a high level?

9. Will a crude oil increase really lead to an increase in exploration and drilling?

10. What was the impact on exploration of the crude oil price increase in 1969? Since that increase was justified as an incentive for more drilling, why has drilling continued to decline?

11. If there is so much need to encourage domestic production, why has the Texas Railroad Commission ordered a cut-back in December production in Texas?

12. How high must crude oil prices go to provide "sufficient reserves"? Would it not be less expensive and contribute more to U.S. security if existing domestic reserves were preserved for emergencies and imports, particularly those from the Western Hemisphere, were relied on to a greater extent in times of peace?

13. Why has so much drilling and discovery taken place abroad despite substantially lower world wide crude oil prices?

14. What will be the impact of these recent crude oil price increases on the petrochemical industry, in particular on its ability to compete in world markets?

15. What will be the impact of the recent crude oil price increases on independent refiners? Will these increases make it more difficult for the independents to compete effectively with major oil companies?

16. On September 29 the OEP justified the residual price increases of recent months, amounting to more than 100% in some cases, on the grounds that they would provide incentive for domestic production of the product. Won't the new crude oil price increase result in even higher prices for residual fuel oil? How much more "incentive" will be needed to provide adequate domestic production of residual oil?

17. As long as the import program is continued, state pro-rationing controls maintained, and competition in U.S. markets stifled, isn't it true that there will be no effective means to prevent an endless series of price increases?

Mr. McINTYRE. Mr. President, I will lend my full support on petroleum matters to President Nixon if he shows signs of continuing to follow a policy for freeing up the oil markets and does follow such a policy. Much remains to be done.

Nevertheless, I have reason to believe that the two steps announced this weekend may not necessarily be indicative of the direction that the administration plans to be taking on oil matters. Only yesterday, the Washington Post contained a fine investigative piece, written by Bernard Nossiter, about a proposal now under study in the White House to turn the naval petroleum reserves over to private oil companies.

I ask unanimous consent that the article entitled "White House Considers Selling Navy Oil Reserves," be printed at this point in the RECORD.

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

WHITE HOUSE CONSIDERS SELLING NAVY OIL RESERVE

(By Bernard D. Nossiter)

The White House is considering a plan that meets a long-cherished goal of the oil industry, sale of the Navy's petroleum reserves.

Paul McCracken, the President's chief economist, is now circulating the proposal to members of the Domestic Council's Energy Subcommittee. It is embodied in an eight-page paper whose contents have been made available to The Washington Post.

The paper argues that the Navy's holdings in Alaska, Wyoming and California are too

insignificant for strategic purposes. The document proposes three other methods to provide a reserve for a wartime economy and calls on the subcommittee to adopt a blueprint for disposing of the Navy's oil.

Almost since the day President Taft established the Naval oil reserves in 1912, the industry has eyed them with a mixture of fear and desire. Much of the oil costs comparatively little to bring to the surface and private companies have wanted it as a source of ready profits.

In addition, the reserves "overhang" the oil market and companies have worried lest some administration might use them to bring down oil prices.

By coincidence, disclosure of the disposal recommendation comes on the heels of President Nixon's announcement of a modest move to roll back the new, 25-cent-a-barrel increase in oil prices. There is no known connection between the two events, however.

Many administration officials would like to follow the paper's recommendation and lease the reserves to private firms. However, they fear this would touch off political repercussions and especially a charge of a "second Teapot Dome."

Teapot Dome is the name of the Naval Reserve in Wyoming. In 1929, President Harding's Interior Secretary, Albert Fall, was convicted of taking a $100,000 bribe for leasing Teapot Dome and the Elk Hills, Calif., reserve to some oil friends.

An indication that the administration's fears are justified came yesterday from Sen. Thomas McIntyre (D-N.H.).

Apprised of the new plan, he said:

"I find it incredible that an administration which continues to impose import quotas on oil in the name of national security would at the same time be considering the proposal to sell the naval petroleum reserves to private oil companies.

"Given the oil industry's enormous financial support to this administration's campaign efforts, I think that this proposal can be reasonably and moderately characterized as similar to the Harding administration's effort to sell the Teapot Dome naval petroleum reserves."

McIntyre is a leading foe of the quotas which currently limit oil imports to 1.3 million barrels daily. The system is justified as a device to encourage the search at home for new oil fields to enlarge the capacity for war needs. By keeping out low-cost foreign oil, it is estimated to cost consumers $5 billion a year.

QUOTAS NOT DISCUSSED

The new White House paper does not discuss quotas. It was drawn up by David Freeman, a member of the energy policy staff of the President's Office of Science and Technology.

In his covering letter, economist McCracken tells the energy subcommittee members that it is "important" for them to consider the document because they are charged with developing an "acting program" by the end of January.

The paper is titled "A Strategic Oil Supply and the Naval Petroleum Reserves."

(Proven reserves in the Navy's California holdings are 1,350,000,000 barrels; at Teapot Dome, 50 million barrels. The estimated but unproven Navy reserves in Alaska are 10 billion barrels.)

The paper urges the White House Domestic Council to select one of three other ways of insuring a reserve. They are:

1. Limiting production at every well, or at least those under federal lease, so that a predetermined reserve capacity is maintained.

2. Building up federal stockpiles of oil or holding back production entirely from some wells.

3. Continuing to rely on the production limits set by state regulatory bodies, notably Texas and Louisiana that hold back output to prop up prices.

The paper concludes:

"Once the Domestic Affairs Council makes the basic policy determination, the oil policy committee should be required to develop the detailed implementation plans including recommendations for the disposition of the existing naval reserves."

The paper is said to be one of a dozen or so dealing with different energy questions and now working their way through the White House staff.

Last summer, the former Interior Secretary, Walter Hickel, won the administration's blessing for a plan to sell off Navy oil and use the money to compensate potential polluters who are losing their leases in the Santa Barbara channel.

But the industry was so divided on this idea that it sank out of sight in the Senate Interior Committee.

Mr. McINTYRE. Mr. President, the single most frustrating obstacle to providing the American consumer with the benefits of a free and competitive market in oil is the import quota system. This system is based exclusively upon a questionable premise—that restrictions on oil supplies are needed for the national security. And while this premise continues to be the foundation of U.S. oil policy, it is not rational to consider selling off our naval oil reserves.

The naval oil reserves provide a sure, reliable, and safe supply of petroleum to be used to provide fuel for our naval and air fleets, but they also provide a much more important contribution to our national security. These reserves provide an economic support for the Department of Defense in its negotiations with private oil suppliers. As long as the naval reserves are available, the Department of Defense need never be totally at the mercy of the major oil companies.

We in New England have learned to our sorrow just how unfortunate that situation can be. Totally dependent upon the major oil companies, we have seen prices of residual fuel oil triple, and supplies of both residual and home heating oil threatened.

It would be a sad day for the national defense if, operating in a market controlled by State prorationing codes and national import quotas, the Department of Defense did not maintain its own, independent assurance of vital fuel.

So, Mr. President, I find it strange indeed that on the same weekend that the President announced that he would take limited steps to free up the oil market, the White House staff is taking steps to make our national security apparatus more dependent upon the giants of the oil industry.

I repeat, that whenever the President of the United States takes steps to support consumers, as opposed to major oil producers, he will have my full support. But I am hopeful that the White House will clarify its proposal for selling off the naval petroleum reserves, for such a step would, in my opinion, completely wipe out any of the possible benefits which could accrue from the actions announced by President Nixon this past Friday evening.

Perhaps the most significant development over this weekend in the direction of giving the Nation's consumers a fair break in the oil market was taken by the Governors of the six New England States. Meeting as the New England Governors Conference in Boston on Friday, the six Governors approved a policy resolution which will have far-ranging implications.

I ask unanimous consent that it be printed at this point in the RECORD.

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

RESOLUTION OF DECEMBER 4, 1970

Whereas, fuel oil prices to New England consumers have increased drastically during the last six months; and

Whereas, much of this increase can be attributed to the adverse impact of the oil import quota program established by Executive Order of the President of the United States; and

Whereas, efforts to acquaint the President with the detrimental effects of the oil import program on the citizens of New England have proved fruitless;

Now therefore be it resolved that as Governors of the six New England States, we reaffirm our commitment to secure the elimination of the oil import program because of the continuing burden it places on the New England economy. To achieve this objective, we declare our intention to join in a legal suit to question the constitutionality of the quota program. We therefore request the New England Attorneys Generals Conference to prepare the legal groundwork necessary to file this suit. We resolve to develop the statistical information required to establish the validity of our case.

GOV. KENNETH M. CURTIS,
GOV. DEANE C. DAVIS,
GOV. JOHN DEMPSEY,
GOV. FRANK LICHT,
GOV. WALTER R. PETERSON,
GOV. FRANCIS W. SARGENT.

Mr. McINTYRE. Mr. President, as is evident from a reading of this resolution, the New England States, backed by the legal skills of the many fine lawyers in that region, with well developed skills in Federal litigation and oil import policy areas, intend to challenge the domination of the major oil companies head-on.

To begin with, the New England States believe, and I fully agree, that the present oil import control program is unconstitutional. Accordingly, the validity of that program will be challenged head-on.

There are two significant implications to this move. The first is that the President of the United States presently has it in his power to end this unconstitutional program, and can do so by a single stroke of his pen.

I urge the President to take this step promptly.

The second implication deals with the trade legislation which may soon be before the Senate. I would not have the record of the debates on the trade legislation later this month contain any implication that those of us who under certain circumstances, may vote for the bill, whether it contains language on oil import quotas or not, are implying by our votes that the oil import program is constitutional. Far from it, the record should be clear that this program is invalid, and nothing that the Congress does to limit the effect of the program should be construed as implying that it is valid.

I am particularly pleased, Mr. President, to note my understanding that the

New England States will be gathering material which may be used to bring antitrust actions against the major oil companies. Perhaps this way, we can truly bring well deserved price relief to our oil consumers.

THE PRESIDENT'S ACTION ON OIL PRODUCTION

Mr. BELLMON. Mr. President, while I strongly disagree with the reasons given for the President's action in moving for maximum production of crude oil, consistent with good conservation practices, on the Outer Continental Shelf, I find much in the President's address to the National Association of Manufacturers which is heartening.

The President's statement should do much to help end the feeling of pessimism which seems to have grown up in the country since mid-September. The President pointed up the dramatic progress which is being made toward slowing inflation and producing a stable economy. His report should improve the national economic psychology.

In addition, I applaud the President's rejection of wage and price controls and his decision to cast his lot with the American private economy system. In my opinion, wage and price controls are unwanted by the citizens of the United States. They are unworkable, unneeded, and in the long run would be unhealthy, if not deadly, since they would tend to freeze our economy into an immovable posture.

I strongly support the President in his decision to retain the freedom for producers to respond to the incentives of the marketplace.

THE TRADE BILL

Mr. JAVITS. Mr. President, yesterday in a speech entitled "The Trade Bill: Invitation to National Disaster," before the Commerce and Industry Association in New York, I commented that "the bill is the most significant—and potentially dangerous—piece of foreign affairs legislation of recent years." I am mindful that Secretary Stans has urged that the rhetoric be cooled and that "inflammatory terms such as trade war and retaliation tend to oversimplify very complex problems, and today's problems cannot be approached effectively from these antagonistic positions."

Yet, 1 day's reading of the press again is enough to convince me that the liberal trade foes of the bill are only doing their manifest duty. I refer to the article entitled "Soviet Intelligence Role in Latin America Rises," written by Benjamin Welles and published in yesterday's New York Times. The article states:

That the Soviet Union has re-organized and modernized its intelligence network in the Western Hemisphere in the last decade toward the goal of diminishing, and possibly replacing, United States influence.

To do this, the American specialists say:

The Soviet Union is moving on a wide variety of fronts to capitalize on Latin American discontent with protectionist United States trade policies and with what many Latin Americans believe to be Washington's neglect of their problems.

Second, I refer to an editorial entitled "A Bad Neighbor Policy," published in yesterday's Wall Street Journal. The Wall Street Journal writes:

While the total U.S. trade has weakened in recent years, this country's exports to Latin American nations have continued to far exceed imports from the area. In a number of Latin American countries, moreover, major exports to the United States are the two top targets of the pending measure: Textiles and shoes. If the move is ridiculous from an economic standpoint, its political aspects are downright appalling. The protectionist gambit can hardly help but fuel the growing anti-U.S. sentiment in Latin America, a development that, among other things, poses dangers to U.S. security.

Last, but not least, I would like to return to yesterday's New York Times and a story by Anthony Lewis, filed from Brussels. Mr. Lewis writes:

That the irony is one way of measuring the unwitting self-destructive effects that are likely if the Mills bill or something like it become law. The United States will be doing the most effective single thing it could possibly do to build up a rival economic power in the world—and to make it more antagonistic.

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

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

SOVIET INTELLIGENCE ROLE IN LATIN AMERICA RISES

(By Benjamin Welles)

WASHINGTON, December 6.—United States intelligence specialists are distubed by what they regard as a steady increase in the number and quality of Soviet agents in Latin America.

These specialists say that the Soviet Union has reorganized and modernized its intelligence network in the Western Hemisphere in the last decade toward the goal of diminishing, and possibly replacing, United States influence.

To do this, the American specialists say, the Soviet Union is moving on a variety of fronts to capitalize on Latin-American discontent with protectionist United States trade policies and with what many Latin Americans believe to be Washington's neglect of their problems. A major part of the Soviet campaign, the specialists feel, is intelligence operations conducted by "a new breed" of agents.

"In 1965, about 85 per cent of the Russian intelligence agents in the hemisphere were over the age of 40," one United States intelligence specialist said recently. "Now most are under 40. Some have even studied as exchange students in Ivy League colleges." The specialist described a typical Soviet agent today as personable, gregarious, cosmopolitan and fluent in Spanish and often in English.

Even the tailoring has improved, the specialist said. Ten years ago, he explained, a Soviet agent was easily identified by his baggy pants, a style favored by Eastern Europe's tailors. Now the typical agent is reported to be, among his other attributes, well dressed.

American analysts believe that approximately two-thirds of all Russian agents in Latin America work for the K.G.B., the Soviet intelligence agency, and the rest for the G.R.U., Soviet Army intelligence. About half the Soviet personnel accredited to Latin countries are intelligence operatives, the analysts report, saying that the proportion fluctuates from a high of 85 per cent in Mexico to a low of 25 per cent in Uruguay.

INCREASE IN RELATIONS

The steady increase in intelligence personnel and activities throughout the hemisphere is said to parallel the steady expansion of Soviet diplomatic relations with Latin-American states. The Soviet Union, the analysts say, regards secret intelligence as an arm of foreign policy, along with traditional diplomacy, force, the threat of force and propaganda.

Before World War II, the Soviet Union had diplomatic ties with three Latin-American countries: Mexico, Uruguay and Colombia. Now Moscow has embassies in 11 Latin-American countries—Cuba, Mexico, Colombia, Venezuela, Brazil, Uruguay, Argentina, Chile, Bolivia, Peru and Ecuador—is about to open an embassy in Costa Rica and is negotiating for an embassy in Guyana.

The growth of relations, specialists in Washington say, has been accompanied by a change in policy. "Soviet policy in Latin America began changing, after Khrushchev's fall in 1964, from the hard-line to a soft, smiling approach," said one analyst. "The Russians had seen the bad Latin reaction to Castro's attempt to export revolution. They didn't quarrel with Castro; they just went their own way and Castro went his. Their tactics differ—but not their strategy."

A GOAL OF PERSUASION

Soviet policy is said now to be aimed at convincing Latin Americans that its diplomatic personnel are personable, professional, responsible people—always correct, as one informant put it.

"The Soviet is taking advantage of every local situation to increase influence at the expense of the United States, but it's not blowing trumpets," he added.

On the clandestine side, the sources added, the Soviet Union is seeking to recruit adherents among the Latin-American diplomats stationed in Moscow and is trying to build an organization of young Latin leftists to serve as Soviet advocates.

"The average Latin leader thinks he can handle the Russians in his country," one source said. "Sometimes this satisfies his vanity if he's inherently anti-United States, sometimes it pleases his leftist backers. Whatever the reasons, the Soviet Union is making political headway throughout Latin America."

KEY GOAL OF STRATEGY

On primary aim of Soviet strategy is said to be to counter the long-standing collaboration of United States and Latin-American agencies. This collaboration began during World War II, increased with the start of the cold war in the late nineteen-forties and accelerated in the early nineteen-sixties when the Cuban Government of Premier Fidel Castro began exporting revolution.

The collaboration now appears to be threatened, informants say, as Soviet intelligence seeks to extend its influence—at high levels in Latin governments and in police and security services—as a step toward eliminating the United States' influence.

The number of Soviet male officials accredited to Latin countries is still relatively small, analysts say—in 1960 it was about 150, today it is about 300—but it is growing. It includes embassy personnel from ambassadors to chauffeurs as well as men in trade missions, press and cultural offices and commercial enterprises such as shipping lines.

SPY'S RULE OF THUMB

By the rule of thumb that about half a country's accredited personnel are intelligence operatives, this would indicate a Soviet intelligence force of 150 in the hemisphere. However, specialists say this number is effectively doubled by the presence of wives. Additionally, significant numbers of unmarried Soviet women who are attached to

overseas missions as secretaries or code clerks are believed to perform other tasks, including espionage.

One of these women—Raisa Kiselnikova, a 30-year-old translator, defected from the Soviet Embassy in Mexico City last March after 18 months' duty. She reportedly told the Mexican authorities that eight of the nine officials of the Soviet trade mission were intelligence agents.

A MOSAIC IS ASSEMBLED

The testimony of Soviet defectors and the use of surveillance techniques have helped the United States intelligence network and its Latin collaborators assemble a mosaic of clandestine Soviet activities in the Western Hemisphere. Some workings are said to be these:

Soviet intelligence activities are normally directed by a K.G.B. representative posted as an embassy official—a political or economic counselor, a trade or cultural aide—even as a chauffeur. Intelligence officers—of both the K.G.B. and the G.R.U.—have been identified while traveling in Latin America as diplomatic couriers or as correspondents of such Soviet press agencies as Tass and Novosti.

Intelligence personnel report directly to Moscow through their own codes and communications systems. They bypass the ambassador unless he belongs to the 125-member Central Committee of the Soviet Communist party.

Since the early nineteen fifties, Soviet intelligence operations in the Caribbean, in Central America and in the northern half of South America have been directed from Mexico City; those in the southern half of Latin America have been directed from Montevideo. The Soviet Embassy staff in Mexico City numbers 62 men, plus as many wives. At least 40 of the men are said to be intelligence officials. In Uruguay, the male embassy staff has 32 men, plus as many wives. Eight of the men are reportedly intelligence personnel.

CUBA THE OVERALL BASE

The main base for all Soviet activities in the hemisphere is still Cuba, the experts here say. Approximately 400 intelligence officers are said to have been assigned to Cuba since 1961.

Between 1961 and 1969, the experts add, approximately 2,500 Latin Americans have been trained in Cuban schools for political subversion. About 10 per cent have been Communists but the overwhelming majority reportedly have been young men and women of leftist—but not necessarily Communist—ideology. Several hundred are believed to have gone on to Moscow for further training.

Cuban personnel, trained by the Soviet experts, have been assigned to teach and direct subversion in other Latin countries, informants report.

"Che Guevara's failure to start a rural guerrilla movement in Bolivia and his death there in 1967 delayed but didn't really stop Castro's plans to export revolution," one analyst here said.

"Castro pondered long and hard about switching to urban warfare techniques," he continued. "It wasn't until last April, for instance, that he finally announced that he would back urban revolutionaries in the kidnapping of foreign diplomats, assassination and so forth—but only if they proved effective."

TIME AND PLACE VITAL

United States specialists believe that the Soviet Union will quietly back both rural and urban revolutionary movements in Latin America, depending on the time and place.

Soviet and Cuban influence is reported to be rising in Chile, which has installed an elected leftist Government headed by Dr. Salvador Allende Gossens, a Marxist.

In Dr. Allende's Cabinet, analysts note, socialists—some of whom are more extreme in Chile than the Communists—now hold such policy posts as the Foreign Ministry, the Interior Ministry, with control of the police, and the key position of secretary general of the government. Chilean Communists, by contrast, hold the patronage ministries of finance, labor and social welfare, public works, education and mines.

As further proof of Soviet and Cuban influence, informants here note that the Chilean "grupos móbiles," traditional antisubversive and riot-control units of the constabulary have been replaced by "committees for the defense of the community," modeled on a system installed throughout Cuba at Soviet suggestion. The committees will reportedly be manned by Communist and Socialist party stalwarts.

ACTIVITIES ELSEWHERE

Other aspects of Soviet intelligence activity in the hemisphere are listed by American sources here as follows.

Peru: Last February, when the first Soviet mission was accredited to the military government of President Juan Velasco Alvarado, five of the first nine Soviet Embassy officials came directly from Havana.

The Soviet Union has three military attachés in uniform in Lima, more than it has in the rest of Latin America. All three have been identified by United States sources as G.R.U. officials. Their relations with the Peruvian Government are reportedly correct and cordial and Soviet influence in Peru is said to be growing.

Argentina: The Soviet Embassy staff consists of 34 male officers of whom about a third are thought here to be intelligence personnel. Col. Sergei Sokolovski, the Soviet defense attaché, is more publicly prominent in embassy contacts with the Argentine Government than is Ambassador Yuri Volski, according to sources here.

Brazil: Soviet intelligence activities have been held to a minimum, informants here say. Most activity consists of making contacts. The embassy staff consists of 60 officers in Rio de Janerio, Brasilia and São Paulo, with as many wives. About half the men are identified here as intelligence personnel.

Uruguay: Although Montevideo is reportedly a base for Soviet operations, these have not been increasing. No clear links have been detected between Soviet intelligence agents and the Tupamaro, the antigovernment terrorist organization.

FEW ARMS SUPPLIED

The Soviet Union is not thought to be supplying appreciable quantities of arms to Latin America. Some arms—mainly Czech—have recently been detected being moved to subversive groups in Uruguay, Argentina and Chile, but not in significant quantities.

While the Soviet Union's clandestine activity is steadily rising in the hemisphere, informants say, its trade with Latin America remains static. For the last 10 years exports and imports have remained at approximately $130-million yearly, less than 2 per cent of Latin America's world trade.

Significantly, the analysts report, three-quarters of the trade is concentrated in two countries with strong, right-wing military governments—Brazil and Argentina. The remaining quarter is divided among all the other hemisphere countries, where the analysts, note, Moscow concentrates on buying commodities such as coffee, whose sales—and prices—often balance the budgets of such states as Ecuador, Colombia and Costa Rica.

[From the Wall Street Journal, Dec. 7, 1970]

A BAD NEIGHBOR POLICY

A major argument used to support the protectionist legislation now in Congress is that other countries discriminate against U.S. exports, so why shouldn't we do the same to theirs. The chief example cited is Japan whose trade restrictions, while decreasing, do indeed remain severe.

Even if an economic attack on Japan made sense, and we don't for a moment think it does, the pending legislation is not selective enough to hit only the Japanese. The proposed quotas on textiles and shoes, and possibly later other products, would hurt a great many countries, including the neighboring nations of Latin America.

An attack on Latin America surely has nothing to recommend it. While the total U.S. trade position has weakened in recent years, this country's exports to Latin nations have continued to far exceed imports from the area. In a number of Latin countries, moreover, major exports to the U.S. are the two top targets of the pending measure: Textiles and shoes.

If the move is ridiculous from an economic standpoint, its political aspects are downright appalling. The protectionist gambit can hardly help but fuel the growing anti-U.S. sentiment in Latin America, a development that, among other things, poses dangers to U.S. security.

Of course that sort of reasoning carries little weight with U.S. businessmen hungry for new protection; they don't like competition, whatever its source. Members of Congress, however, certainly have an obligation to think long and hard before embarking on a Bad Neighbor Policy.

[From the New York Times, Dec. 7, 1970]

THE TRADE REVERBERATIONS

(By Anthony Lewis)

BRUSSELS.—The builders of postwar Western Europe used to say, as their continent revived in strength and unity, that in gratitude they really ought to erect a statue of Stalin. The point of the joke was of course that Soviet intransigence had spurred the Marshall Plan, the North Atlantic Treaty and the beginnings of collaboration in Western Europe.

The next statue, someone suggested here the other day, ought to be of Wilbur Mills. For if the European Economic Community grows in size and cohesion and economic and political power over the next decade, Mr. Mills and his trade bill will deserve some of the credit.

That little irony is one way of measuring the unwitting self-destructive effects that are likely if the Mills bill or something like it becomes law. The United States will be doing the most effective single thing it could possibly do to build up a rival economic power in the world—and to make it more antagonistic.

Now the sophisticated men and women who inhabit the ugly new maze that is E.E.C. headquarters here are much too smart to think that Wilbur Mills is a primitive tyrant. They know that he is a shrewd legislator whose bill reflects genuine forces in the United States.

They know that these are hard times in America, that there is a climate of economic fear. They know that protectionism is not going to be dispelled by hope or even logic.

The Europeans have had enough experience with entranched economic forces in their own community to understand that particular American regional or industrial interests, with political weight, really feel threatened by free trade. But they expect more of national leadership, and they wonder whether Washington appreciates the dangers of protectionism.

Consider the question of enlarging the Common Market to include Britain and the other applicant countries. American Establishment opinion, long favoring that enlargement, has turned a little sour at the edges lately because of the E.E.C.'s tough trade tac-

tics. But it still tends to favor Britain's entry, on the ground that she will hopefully make the market less selfish, more outward-looking.

Passage of the Mills bill would propel the E.E.C. enlargement negotiations toward a successful conclusion. The specter of American protectionism would incline even the doubters inside the market to want a larger, stronger community.

The psychology of a community enlarged under those impulses is likely to be defensive. The momentum will be toward division of the world into trade blocs.

The retaliatory mood in Brussels is already evident. The reaction to the Mills bill is not so much fearful as determined. And the talk is not only of specific retaliation against sensitive American products. You keep out our shoes and textiles, we'll keep out your vegetable oil.

There is the broader and more dangerous possibility of the E.E.C. trying to undercut whole markets for American products by preferential trade agreements. Those agreements, for mutual trade advantages, have so far been made only with countries in the Mediterranean area, where U.S. trade interests are not so large. Suppose the community should now seek agreements in Latin America? Or suppose it should move toward restrictions on American investments in Europe?

Some Americans may still be thinking, "They can't do that to us." But they can. The European community is now a significant economic power, second only to the United States. And it is growing—a gain of 7 per cent in gross product last year over the year before, compared with less than 3 per cent in the U.S.

With the applicant countries in, the E.E.C. would have a population of more than 250 million.

We have learned, latterly, that the United States cannot have its own way in the world militarily or politically. There are other people with power, and we have to deal with them.

The same is true economically: We have tremendous firepower, but in any conflict we are going to be hurt ourselves. The textile manufacturer in South Carolina may not care about that; so long as he is protected, he may think, it's just too bad about the farmer down the road. But the understanding and the responsibility ought to be greater in Washington.

Mr. JAVITS. Finally Mr. President, I would like to return to Secretary Stans December 1 speech in which he stated:

The fundamental point to realize about this bill is the fact that on every major issue it delegates responsibility to the President to act. This being so, the concern should not be with the law itself, but with the way it will be administered if it becomes law.

I would point out that the greatness of this Nation is based on the fact that it is a nation in which the rule of law is supreme. If we pass bad laws with the hope that the administration of them will be benevolent we will have taken a long step toward weakening the separation of authority to the executive that racy. I would also point out that the Senate has had experience with delegation of powers and in turn our democ- rightfully belongs in the Congress to the President. I remember some rather bitter struggles in this regard and again it was in the foreign policy field. I hope my colleagues will not find me remiss or not find my rhetoric inflammatory if I again characterize this bill as the "Tonkin Gulf Resolution" in the trade field.

OKLAHOMA'S 4–H CLUB DELEGATION TO THE NATIONAL 4–H CONGRESS

Mr. BELLMON. Mr. President, for years, Oklahoma youths have made an impressive showing in the National 4–H Club Congress. This year Oklahoma's delegation compiled a truly outstanding record by winning a total of 21 national awards, more than any other State, and the most honors ever won in the 49-year history of the congress.

Oklahoma's delegates to the meeting in Chicago last week also won an unprecedented $12,200 in scholarships, the most money ever taken home by a single State.

Topping the list of achievements were three Presidential awards. This is the highest honor which can be given a 4–H Club member in the National, and Oklahoma won half of the six awards. This is the first time in the history of the congress that half of the awards went to members from one State.

In addition to these recordbreaking accomplishments, Clayton Taylor, president of Oklahoma's 60,000 4–H'ers, was chosen as one of five members of the team of 4–H reporters to the Nation for 1971. The team will visit national leaders, businessmen, and civic organizations throughout the Nation to explain new trends and developments in the 4–H program.

This year's 39-member delegation from Oklahoma surpassed a previous record of 19 national winners set in 1964. Ray Parker of Oklahoma State University, a member of the State 4–H Club staff, said he had never witnessed a more enthusiastic, ambitious group of youthful Oklahomans. Another 4–H Club leader, Dr. Pete Williams of Stillwater, Okla., said the amazing record was possible because of long hours and devotion by hundreds of adult leaders across the State, as well as the parents and others who take the time to give these young people encouragement and help them.

As one whose family has been closely involved with 4–H work for many years, I have a great appreciation for the opportunities provided by this organization for guiding young lives into useful and enjoyable activities. And while I share with all Oklahomans the feeling of pride for the performance of our young people at Chicago this year, there is also an inspiration for all Americans in their accomplishments.

These young men and women, who come from communities of all sizes and from different family backgrounds, will join the ranks of tomorrow's leaders in this Nation. The training and experience they have gained from the 4–H program and the sense of achievement through individual effort will equip them well for the challenges they must face.

Mr. President, I ask unanimous consent that the list of Oklahoma's 21 national 4–H winners be printed in the RECORD.

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

LIST OF 4–H WINNERS

Clayton Taylor, Oktaha, top 4-H boy for leadership and presidential award.

Latriece Baker, Cater, top 4-H girl for citizenship and presidential award.

Larry Mark Shockey, Chickasha, top 4-H boy for citizenship and presidential award.

Gwen Etta Shaw, Darlington, consumer education and home economics.

John Lawler, Orlando, agriculture.

Tony Engelke, Amber, Automotive project.

Vicki Hutchens, Tishomingo, dress review.

Jimmie Williams, Smithville, electrical project.

Cathy Bennett, Guthrie, sheep project.

Alane LeGrand, Stillwater, health.

Denise Welson, Carrier, food nutrition.

Jane Mayer, Hooker, women's achievement.

John Roush, Cherokee, men's achievement.

Randy DuBois, Grove, veterinary science.

Ted Weber, Carmen, swine training.

Yvonne Moore, Ninnekah, food preservation.

Janet Johnson, Mulhall, bicycle program.

Bill Stasyszen, Tecumseh, overall 4-H achievement.

Lanny Bates, Ada, overall 4-H achievement.

Roellen Gentry, Shawnee, overall 4-H achievement.

Lou Ann Schiltz, Ponca City, overall 4-H achievement.

Payne County team of Jim Hiner, Barbara Knorr, Cora Ann LeGrand, and Duane Williams, all of Stillwater, won first place in poultry judging.

CAMBODIA

Mr. SYMINGTON. Mr. President, this morning in executive session the Foreign Relations Committee heard an interesting and informative report on Cambodia from two staffmen—Messrs. James G. Lowenstein and Richard M. Moose. They have just returned from a factfinding mission to that country on behalf of the committee.

The Lowenstein-Moose report is by far the clearest statement I have heard of the story on Cambodia. It provides indispensable background for decisions the Senate is shortly going to have to make with regard to U.S. aid programs in Cambodia, and the deeper U.S. involvement which would inevitably follow.

Unfortunately, the report is highly classified. It could be declassified in major part, and I think that should be done. Every Senator should have the benefit of the information it contains before he votes on the supplemental aid authorization for Cambodia.

The American people also are entitled to know where we are going and why.

WHAT THE AGRICULTURAL CONSERVATION PROGRAM MEANS TO FARMERS

Mr. COOPER. Mr. President, for some years I have observed firsthand what the agricultural conservation program means to farmers and the great influence it has had in restoring our national landscape. I have seen ravaged land become a place of beauty. I have seen burned over forests become green with pine and gullied hillsides flourish with clover. These improvements as well as maintenance of our basic natural resources of soil and water, can in many cases be attributed to the work of the ACP. I find it very regrettable that a program which has

served us so well, and one with such outstanding prospects for future service, may be eliminated.

For many years the ACP has encouraged farmers to plant green cover crops to protect the soil and control erosion, to construct terraces and plant in contour strips, construct dams, pits, and ponds, plant trees and shrubs, construct sod waterways, and install farmland drainage systems. While the main emphasis behind these practices has been toward more productive farming, we now find that these same agricultural practices have been effective in controlling agricultural pollution. As ranking Republican member of the Committee on Public Works, I am working with the problems of water and air pollution and solid waste disposal, over which my committee has legislative jurisdiction. It is my belief that the ACP is an ongoing program which can be of great value in helping to solve the problems of agricultural pollution.

On February 10, 1970, in a message to the Congress on environmental problems, the President stated:

> Water pollution has three principal sources: municipal, industrial, and agricultural wastes. All three must eventually be controlled if we are to restore the purity of our lakes and rivers. Of all these three, the most troublesome to control are those from agricultural sources: animal wastes, eroded soil, fertilizer and pesticides. Some of these are nature's own pollutions.

With the ACP we have in full operation a program which is dealing effectively with these problems which the President placed so high on his own list of priorities. To abandon the ACP, at a time when it is successfully fighting one of our most pressing national problems, is unthinkable.

It seems obvious to me that if the ACP is not continued, it will be necessary to create a new program to combat agricultural pollution and agricultural conservation. I later find it difficult to understand the rationale behind the discontinuance of an established, effective, low cost program for a new and untried program which could be plagued with organizational and implementational difficulties. Apparently, many of those who would discontinue the ACP are not fully aware of the services it now provides and the necessity for an expansion of these services.

The Congress has recently voted to limit commodity payments to $55,000 per farm in response to growing concern about large payments that go to a small number of large farm operators. The ACP does not suffer such criticism because payments are limited to a fraction of that amount. The national average of ACP payments is about $200 and has broad participation nationwide. I know of no program which better lends itself to support of the small family farm with such broadly distributed benefits.

I believe it is a real paradox that at a time when there is so much concern about ecology and the problems of our environment, that an established program which has helped not only farmers, but has resulted in restoring natural beauty and enhancing the environment, should be abandoned or reduced. It is my hope that the President will direct the Bureau of the Budget to announce the ACP for 1971 so that farmers may enter their requests for participation.

Mr. President, I have written to the President and Secretary of Agriculture Hardin expressing my thinking on this subject. I ask unanimous consent that these letters as well as the reply I have received from Secretary Hardin be inserted into the RECORD at this point.

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

OCTOBER 26, 1970.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I hope very much that funds will soon be released so that the 1971 Agricultural Conservation Program may be announced, and farmers can make application for ACP participation, as in previous years.

I have seen the results of the ACP in Kentucky—gullied slopes now in clover; farm ponds; multi-flora rose fence rows, fields once brown now green. I believe the ACP has done a great deal to restore the natural beauty of rural areas, and to maintain our basic national resources of soil and water. At a time when there is much concern about ecology and the environment, I believe it would be a mistake to abandon or sharply reduce the program.

Second, farm commodity programs have been increasingly criticized because of large payments to a small number of operations, so that the Administration this year recommended and the Congress adopted a $55,000 per farm limitation. But the ACP has for many years been limited to a fraction of that amount, and the average payment is around $200 per farm. With the possible exception of the county agent system, I know of no farm program which better lends itself to support for the family farm, or which in fact has provided such broadly distributed benefits.

While it is true that the Soil Conservation Service provides essential technical assistance to farmers, I doubt it would be so effective on many smaller and family farm operations without the incentive provided by the ACP for them to undertake the long-run conservation measures.

I do not say that the ACP should not be redirected. Rather, the program lends itself to different local needs and revised national priorities. For example, agricultural pollution abatement practices, to be carried out through the ACP, have recently been developed and are being encouraged by the Department of Agriculture.

To this point, I may say that my early experience with, and strong support for, the ACP came during the years I served as a member of the Committee on Agriculture. Now, as the ranking Republican member of the Committee on Public Works, I find myself working on the problems of water and air pollution and solid waste disposal, over which that Committee has legislative jurisdiction. I am sure that agricultural sources of pollution will require increasing attention next year and in the years to come. With the ACP, it seems to me we have a program which can deal effectively with a number of these problems.

I should think it much better to redirect the ACP program, with increasing emphasis on pollution control, than to try to bring forward a new program to deal with farm sources of pollution.

I say that because new programs take time, organization, involve additional authorizations and expenditures, and in this case might lack the effectiveness of the ACP, which already has acceptance in the Congress and in the country.

I know you are familiar with the Agricultural Conservation Program as it has worked for many years. However, because a decision now about the future of the ACP involves not only the continuation of soil and water conservation practices on thousands of farms, but also the development and application of effective anti-pollution measures in the years ahead, I thought you would like to have and wanted me to present my views for your consideration at this time.

With kind regards, I am

Yours sincerely,

JOHN SHERMAN COOPER.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., November 18, 1970.

Hon. JOHN SHERMAN COOPER,
U.S. Senate.

DEAR SENATOR COOPER: This is in further reply to your letter of October 21, 1970, urging the release of funds for the Agricultural Conservation Program (ACP). We should also like to comment on your letter to the President of October 26, a copy of which you sent to us, expressing the hope that it might be helpful.

No final decision has been made to announce a 1971 program. However, we are continuing our discussions with the Office of Management and Budget on this matter and are hopeful that a decision on the program can be reached soon.

There is, of course, a serious problem in determining the items of sufficiently high priority for inclusion in the budget at a time of increasing demand for needed programs. The budgetary pressure and the lower priority assigned to the ACP have led to the difficulty in getting this program released.

As you point out, however, the ACP has been recently redirected to make it a more effective program and to better meet today's environmental and conservation problems. This has been done with the President's expressed goals for environmental improvement and the problems of agricultural pollution in mind. We are hopeful that this effort to redirect ACP will result in a much higher priority for this program.

The comments in your letter to the President concerning probable future legislation dealing with agricultural sources of pollution are especially noteworthy and timely. This Department is vitally concerned with environmental problems associated with agriculture and is actively working toward solutions in several fields. It would certainly seem appropriate to consider the adaptation of accepted and workable programs such as ACP to assist with the overall Department effort in helping to solve environmental problems in the rural areas.

Your views on this matter are very much appreciated as well as your support for the ACP.

Sincerely,

CLIFFORD M. HARDIN,
Secretary.

OCTOBER 21, 1970.

Hon. CLIFFORD M. HARDIN,
Secretary of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: I have noted with great concern that this year the Bureau of the Budget recommended elimination of the Agricultural Conservation Program for fiscal year 1971. I believe I understand the ACP program, not only from my observation of it in my own State of Kentucky, but through my years of services as a member of the Senate Committee on Agriculture. It has been a good program—for individual farmers and for the country. I believe it can meet new challenges and will be needed in the years ahead.

While I know you are familiar with the strong support for the ACP in the Congress and in the country, I would like to direct my comments to two or three points which I believe ought to be considered at this time:

I recall that opposition to the ACP developed in the Bureau of the Budget years ago, where it was argued that the conservation

practices increased soil fertility and eventually production. Of course, such assumptions could also be used to argue against the good work of the County Agent and the Land Grant College systems. I think it should be more widely recognized that since that time the ACP has been directed to long-range conservation measures, including dozens of conservation practices serving specific needs, and can now be adopted to meet more recently recognized problems. For example, you are to be commended for developing the new practices encouraging the abatement of agricultural-source pollution.

I now serve as the ranking Republican member of the Senate Public Works Committee, which has legislative jurisdiction over water and air pollution control, and solid waste disposal. I am sure that agricultural sources of pollution will require increasing attention next year and in the years to follow. With the ACP, a program is already at hand which can be of great value. If it is ended or sharply curtailed, some new and untried program to deal with farm sources of pollution will have to be developed—and there is often much waste of time and funds in establishing new programs.

Second, for years there has been a growing concern about farm programs which result in large payments to a small number of large farm operations. Now we are moving to place a limit on crop payments. But beneficiaries of the ACP have always been widely spread, the ACP has had a limit of $2500 per farm, and the average payment is about $200–$173 in Kentucky. With the possible exception of the County Agent system, I know of no program which better lends itself to support for the family farm and smaller operations, and which in fact has provided such broadly distributed benefits. Further, there is a clear national benefit in saving the hillsides, in renewing our soil and, as we are especially aware today, in protecting clean water from the beginning—where the raindrop falls.

Finally, it seems to me that the technical assistance offered by Soil Conservation Service would be less effective—especially on small family farms—without the possibility of cost sharing for specific practices.

I should think it an anomaly indeed, when there is so much talk and concern about ecology and the environment, if an established program which not only has helped farmers but which has resulted in restoring natural beauty and enhancing the environment, should be abandoned or reduced.

I hope very much that funds may soon be released so that the 1971 ACP programs can be promptly announced, and farmers may enter their requests for participation.

With kind regards, I am

Yours sincerely,

JOHN SHERMAN COOPER.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. 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.

DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1971

The PRESIDING OFFICER (Mr. BYRD of Virginia). The hour of 12 o'clock having arrived, the Chair now lays before the Senate the unfinished business, which the clerk will state.

The legislative clerk read as follows:

H.R. 19590, making appropriations for the Department of Defense for the fiscal year ending June 30, 1971, and for other purposes.

The Senate proceeded to consider the bill.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. ELLENDER. Mr. President, it is again my privilege to present to the Senate the Department of Defense appropriation bill at the request of the chairman of the Committee on Appropriations and the Department of Defense Subcommittee, the distinguished senior Senator from Georgia (Mr. RUSSELL).

The committee considered budget requests totaling $68,745,666,000 for the various programs of the Department of Defense, excluding military construction, family housing, civil defense, and regular military assistance. This amount is approximately 46 percent of the total fiscal year 1971 budget requests of $148.1 billion that have to be considered by Congress.

The committee recommends appropriations totaling $66,417,077,000 which are—under the budget estimates by $2,328,589,000—under the House bill by $389,484,000—and under fiscal year 1970 appropriations by $6,249,955,144.

However, I want to call attention to the fact that additional funds in the amount of approximately $1.6 billion will be required during this fiscal year for pay increases for civilian and military personnel that are already in effect. These additional funds will be included in the second supplemental appropriation bill for fiscal year 1971 that will be considered early in the next session. When this additional requirement of $1.6 billion is considered, a more valid comparison with the fiscal year 1970 appropriation is a reduction of approximately $4.6 billion.

I am quite sure that many Members of the Senate are surprised that the most recent 6-percent general pay increase will require an additional $1.6 billion for the military and civilian personnel of the Department of Defense. It will be recalled that when this matter was considered by the Senate in connection with the increase for postal employees, I tried to make clear what the total cost would be. If the Congress really wants to help the President in his fight against inflation, we have to stop granting these large pay increases for military and civilian personnel as well as employees on the legislative branch of our Government. How can we expect labor and industry to respond to pleas to hold costs down while we go on granting these annual increases?

For the period from fiscal year 1964 to the present, Congress granted increases of 65.3 percent for basic military pay and 43.6 percent for classified employees. During this same period, the Department of Commerce's noncompensation component of its index of Federal purchase of goods and services increased only 20.6 percent. I ask unanimous consent to have printed in the RECORD at this point two tabulations prepared at my request by the Department of Defense entitled "Pay and Price Increases Since Fiscal Year 1964" and "Military and Classified Civilian Pay Raises Since Fiscal Year 1964."

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

PAY AND PRICE INCREASES SINCE FISCAL YEAR 1964

Fiscal year	Purchased goods and services [1]	Military basic pay [2]	Classified civilian salaries [3]
1964	100.0	100.0	100.0
1965	101.8	105.2	106.3
1966	103.7	114.7	109.2
1967	106.2	120.3	113.3
1968	109.1	125.3	117.1
1969	113.3	135.8	124.2
1970 (in January 1970 budget	117.6	152.9	135.5
1971 estimates, as submitted)	120.6	152.9	135.5
1970 (reflecting Jan. 1, 1970, pay increase—not in 1971 budget estimates)	117.6 120.6	159.1 165.3	139.6 143.6

[1] Source: Noncompensation component of index of Federal purchase of goods and services, Department of Commerce, for calendar year 1963 through calendar year 1969. Further price increases were estimated at 3 percent for calendar 1970 and 2 percent for calendar 1971. The calendar year data were then converted to fiscal years as follows: Fiscal year 1969 index =(calendar year 1969 index+calendar year 1968 index)÷2.

[2] Source: Specific pay increases enacted by Congress. Details as to effective dates and percentages are in the following table.

MILITARY AND CLASSIFIED CIVILIAN PAY RAISES SINCE FISCAL YEAR 1964

[In percent]

	Military basic pay	Classified civilian salaries
Oct. 1, 1963	14.2	
Jan. 5, 1964		4.1
July 1, 1964		4.2
Sept. 1, 1964	2.3	
Sept. 1, 1965	10.4	
Oct. 1, 1965		3.6
July 1, 1966	3.2	2.9
Oct. 1, 1967	5.6	4.5
July 1, 1968	6.9	4.9
July 1, 1969	12.6	9.1
July 1, 1970	8.1	6.0
Base prior to fiscal year 1964 raises	100.0	100.0
Effective rate in fiscal year 1964	110.65	102.05
Cumulative effect of above raises from base 100	182.90	146.58
Ratio of current rate to average amount paid fiscal year 1964 (line 3÷line 2)	165.3	143.6

Mr. ELLENDER. Mr. President, as the bill passed the other body, it included appropriations totaling $66,806,561,000. This total included $653,935,000 for items not included in the President's budget. I ask unanimous consent to have printed in the RECORD at this point a tabulation marked exhibit A listing each of the nonbudgeted items included in this total.

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

EXHIBIT A

Items in House bill, totaling $653,935,000 for which there is no budget estimate

Operation and Maintenance, Army: Floor amendment to cover unfunded requirements	$50,000,000

Operation and Maintenance, Navy:	
Floor amendment to cover unfunded requirements	50,000,000
Project DEEPFREEZE	4,000,000
Operation and Maintenance, Air Force:	
Floor amendment to cover unfunded requirements	50,000,000
Retention of 5 Air Reserve units	23,900,000
National Board for the Promotion of Rifle Practice: General increase (understatement of estimate)	35,000
Shipbuilding and Conversion, Navy:	
Nuclear submarine (SSN)	166,000,000
Advance procurement for submarines 1972	22,500,000
Submarine tender (AS)	102,000,000
Destroyer tender (AD)	103,000,000
Service craft	24,000,000
Combat Readiness, South Vietnam Forces, Defense: Revision (September 9, 1970) of original budget request	58,500,000
Total, nonbudget items added by House	653,935,000

Mr. ELLENDER. Mr. President, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff appeared before the Department of Defense Subcommittee on November 20 and requested that the House bill be increased by $1,368,116,000, of which $1,008,534,000 was for budgeted items disallowed by the House and $354,599,000 was for additional nonbudgeted items—many of which require annual authorization but which were not considered in the Department of Defense Procurement and Research and Development Authorization Act, 1971—Public Law 91-441. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a tabulation marked exhibit B listing each of the items included in this total of $354,599,000 and indicating those items that require annual authorization.

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

Non-budget items in DoD reclama

AUTHORIZED

Military personnel, Army:	
Civil disturbance training	$1,262,000
Military personnel, Air Force:	
Servicemen's group life insurance	9,300,000
Medical continuation pay	1,500,000
Airlift service rate increase	4,300,000
Basic allowance for subsistence	10,400,000
Oahu cost-of-living allowance	2,100,000
National Guard personnel, Army:	
Additional drills for civil disturbance training	16,976,000
Operation and maintenance, Army:	
Second destination transportation	32,634,000
Change in RVN deployments	40,800,000
Operation and maintenance, Air Force:	
P.L. 91-258 Airway and Airway Development Act	5,300,000
Stock fund surcharge increase	3,100,000
MAC passenger rate increase	3,000,000
MAC cargo and special assignment rate increase	20,000,000
MSC rate increase	3,500,000
Conversion to new type foam for aircraft fires	10,000,000
Operation and maintenance, Defense Agencies:	
Computer services, Sec/Def activities, Computer Access to Public Statements (CAPS)	300,000
Operation and maintenance, Army National Guard:	
Protective equipment for civil disturbances	4,777,000
Operation and maintenance, Air National Guard:	
Force change to more modern weapons systems	2,500,000
Classification of air technicians	1,400,000
Other procurement, Air Force:	
Additional war readiness munitions (WRM)	$168,400,000
Total	241,549,000

NOT AUTHORIZED

Procurement of aircraft and missiles, Navy:	
RH-53D mine countermeasure helicopter	39,100,000
Airborne electronic countermeasures	49,800,000
Research, development, test, and evaluation, Army:	
Heavy lift helicopter	10,000,000
Research, development, test, and evaluation, Navy:	
Airborne electronic warfare equipment	9,700,000
Submarine sonar development	2,900,000
Research, development, test, and evaluation, Air Force:	
Armament/Ordnance equipment	500,000
Research, development, test, and evaluation, Defense Agencies:	
ARPA—Strategic technology	1,050,000
Total	113,050,000
Grand total	354,599,000

Mr. ELLENDER. Mr. President, the committee's recommendations for reductions totaling $389,484,000 are the net of increases totaling $766,151,000 for budgeted items disallowed by the House and recommended additional reductions of $1,155,635,000. These reductions include:

Nonbudgeted items included in the House bill, $653,935,000; reductions based on the use of funds transferred to appropriations in this bill from stock funds, $200,000,000; reductions based on recent review of budgeted programs, $301,700,000.

I stated earlier that the Secretary of Defense requested the committee to restore House reductions in budgeted items totaling $1,013,517,000. The committee's recommendations include $733,951,000 for these items. I ask unanimous consent to have printed in the RECORD at this point a tabulation marked exhibit C listing each of these budgeted items included in the Secretary's request and the commmittee's recommendation with respect to each.

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

LIST OF RESTORATIONS REQUESTED BY DOD AND COMMITTEE ACTION ON THESE

Item	Restoration requested by DOD	Restoration recommended by Senate committee
Military personnel, Army:		
Automatic data processing	$5,000,000	
Communications and intelligence	3,100,000	
Public affairs	1,450,000	
Permanent change of station travel	39,300,000	$39,300,000
Military personnel, Navy:		
Public affairs	1,100,000	
Headquarters staff	11,000,000	
Permanent change of station travel	17,000,000	17,000,000
Military personnel, Marine Corps:		
Shortfall in total strength	24,600,000	
Public affairs	700,000	
Communications and intelligence	1,100,000	
Permanent change of station travel	7,900,000	7,900,000
Automatic data processing	500,000	
Military personnel, Air Force:		
Automatic data processing	3,300,000	
Communications and intelligence	7,616,000	
Headquarters staff	7,000,000	
Permanent change of station travel	29,075,000	29,075,000
eserve personnel, Army: Overstated drill strength projection	1,750,000	
Operation and maintenance, Army:		
Civilian personnel	3,133,000	1,676,000
Safeguard contract support	3,100,000	
Automatic data processing	8,000,000	8,000,000
Field exercises	3,696,000	
Communications	2,926,000	
Public information	900,000	
Professional training: Long term courses	600,000	
Conversion of heating plants in Europe	8,000,000	
Operation and maintenance, Navy:		
Civilian personnel	$500,000	$500,000
Intelligence	1,500,000	
Communications	2,012,000	
Headquarters operation and maintenance	7,000,000	7,000,000
Operation and maintenance, Marine Corps:		
Civilian personnel	1,500,000	1,500,000
Headquarters operation and maintenance	1,300,000	1,300,000
Operation and maintenance, Air Force: Automatic data processing	3,000,000	
OPERATION AND MAINTENANCE, DEFENSE AGENCIES		
Armed Forces information and education:		
Contract services	213,000	
Supplies	275,000	
Other services	100,000	
Defense Supply Agency:		
Automatic data processing (SAMMS)	5,500,000	
Other purchased services	1,100,000	
Supplies and materials	2,075,000	
Defense Communications Agency:		
Civilian personnel	1,000,000	
Travel costs	205,000	
Supplies and Materials	241,000	
National Military Command System	2,000,000	
National Security Agency	1,200,000	
Defense Intelligence Agency	1,300,000	
Defense Atomic Support Agency	2,000,000	
Operation and maintenance, Air National Guard:		
Flying hour program	5,000,000	5,000,000
General reduction	1,000,000	1,000,000

Item	Restoration requested by DOD	Restoration recommended by Senate committee
Contingencies, Defense	$5,000,000	
Procurement of equipment and missiles, Army:		
Improved HAWK surface-to-air missile	38,200,000	$38,200,000
Nike-Hercules modifications	5,800,000	5,800,000
LANCE surface-to-surface missile	30,800,000	30,800,000
Lance modifications	3,000,000	3,000,000
Land combat support system	21,600,000	15,000,000
Lance spares	1,100,000	1,100,000
Land combat support system spares	9,700,000	5,000,000
Tracked command post carriers, M577A1	9,200,000	9,200,000
Trucks, 1¼ ton, XM-705	28,800,000	28,800,000
Truck spares, 1¼ ton, XM-705	1,100,000	1,100,000
RATAC field artillery radar sets	4,000,000	4,000,000
Landing craft (LCU, LCM)	9,600,000	5,200,000
Procurement of aircraft and missiles, Navy:		
A-6E intruder attack aircraft	40,000,000	40,000,000
S-3A antisubmarine aircraft	79,000,000	
E-2C Hawkeye early warning aircraft	92,300,000	92,300,000
A-6 aircraft modification (for Condor missile)	5,500,000	
Aircraft spares and repair parts:		
A-6E	5,700,000	5,700,000
E-2C	8,500,000	8,500,000
Common ground equipment:		
S-3A (versatile avionics shop test equipment)	34,400,000	34,400,000
E-2C (VAST equipment)	9,000,000	9,000,000
Sparrow missile, AIM-7E/F	16,000,000	
Technical engineering support	11,800,000	
Other procurement, Navy:		
Ship alterations (Shortstop electronic warfare system)	4,900,000	4,900,000
AN/SPS-40 radar sets	2,400,000	2,400,000
Cluster bombs, CBU-55/B	11,500,000	
Walleye	3,500,000	
MK-46 torpedo	14,500,000	14,500,000
MK-48 torpedo	30,000,000	30,000,000
Procurement, Marine Corps: Trucks, 1¼ ton, XM-705	4,200,000	4,200,000
Aircraft procurement, Air Force:		
B-52/FB-111 aircraft:		
Modifications for AN/ALR-37 (RASTAS)	8,000,000	
Modifications for SRAM	27,700,000	27,700,000
F-111 spares and repair parts	11,200,000	11,200,000
Missile procurement, Air Force:		
Operational base launch program (Minuteman)	3,200,000	3,200,000
SRAM missile, AGM-69A	49,500,000	49,500,000
SRAM missile spares, AGM-69A	5,400,000	5,400,000
Other procurement, Air Force: Operational base launch program (Minuteman)	6,400,000	6,400,000
PROCUREMENT, DEFENSE AGENCIES		
Defense Communications Agency: Automatic data processing equipment (WWMCCS)	$6,400,000	$6,400,000
Research, Development, Test, and Evaluation, Army:		
Aircraft: Advanced helicopter development	1,100,000	
Exploratory development	5,400,000	
Federal Contract Research Centers	300,000	
Pershing missile system	3,800,000	3,800,000
Sea-to-land logistics system	500,000	
Defense Communications Planning Group	4,000,000	4,000,000
Development of electric power sources	2,000,000	2,000,000
Research, development, test, and evaluation, Navy:		
Basic research	5,000,000	
Exploratory development	3,000,000	
Military sciences: Studies and analyses	200,000	
Center for Naval Analyses (FCRC)	1,000,000	
Applied Physics Laboratory of Johns Hopkins Univ. (FCRC)	3,000,000	
Aircraft: Destroyer helicopter system (LAMPS)	7,000,000	7,000,000
Avionics development, F-14C aircraft	5,200,000	
Surface effects ships	10,000,000	
Facilities and installation support	1,100,000	
Additional recoupments	10,000,000	
S-3A antisubmarine aircraft (transfer from PAMN)	−58,000,000	
Research development, test, and evaluation, Air Force:		
Aerospace biotechnology	2,000,000	
Subsonic cruise armed decoy	10,000,000	10,000,000
Minuteman rebasing	50,000,000	34,000,000
Airborne warning and control system (AWACS)	23,500,000	23,500,000
Operational base launch support (Minuteman)	19,800,000	19,800,000
RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE AGENCIES		
Defense Communications Agency	2,400,000	
Advanced Research Projects Agency (ARPA):		
Technical studies	500,000	
Climate modification research (NILE BLUE)	1,000,000	1,000,000
Defense Communications Agency	600,000	
Defense Supply Agency	250,000	
Studies and analyses	1,400,000	
Defense Atomic Support Agency	6,700,000	6,700,000
Total	1,013,517,000	733,951,000

Mr. ELLENDER. Mr. President, I do not intend to take time to explain the recommendations of the committee with respect to each appropriation in the bill. These recommendations are explained in detail in the committee's report.

I do want to call attention to the five volumes of hearings on the budget requests that total over 4,500 pages. Each of the programs and items included in the budget request are discussed in detail in these hearings.

Of the total amount recommended by the committee, approximately 60 percent—$39,990,246,000—is for the "Military Personnel" and "Operation and Maintenance" titles of the bill. These funds are required for the support of the active duty and reserve military forces, and for the most part, the level of these appropriations is determined by the strength of the active duty forces. The committee's recommendations are based on the fiscal year 1971 budgeted active duty military end-strength of $2,908,100 which includes:

Army	$1,239,600
Navy	643,800
Marine Corps	241,200
Air Force	783,500

Title III of the bill includes the budget request of $3,194,000,000 for "Military Retired Pay." The number of individuals on the retired rolls and the amount they receive is determined by law, and Congress must provide the funds. I call attention to the rate of increase in this appropriation. For fiscal year 1965, $1,339,000,000 was required, and, as I have stated, the requirement for fiscal year 1971 is $3,194,000,000. The projection for fiscal year 1975 based on the current rates for retired pay of $4.1 billion, and the projection for fiscal year 1980 is $4.9 billion.

The committee's recommendations include appropriations totaling $15,970,110,000 for the various procurement appropriations included in title IV of the bill. The committee's recommendation for each of these appropriations is explained in detail in the report.

For the research, development, test, and evaluation title, the recommendations of the committee total $6,960,100,000, and these recommendations are also explained in detail in the report.

Rather than go into the details of the committee's recommendations for the various procurement and research, development, test, and evaluation appropriations, I intend to comment on several of the major programs for which funds are recommended.

The total recommended for the various research, development, test, and evaluation appropriations is below the budget requests by $385,500,000; below the fiscal year 1970 appropriations by $446,648,694; and over the House allowances by $5,400,000.

The increase of $5,400,000 over the House allowance is the net of recommended increases in budget programs disallowed by the other body totaling $107,800,000 and recommended additional reductions in budgeted programs totaling $102,400,000, which are based on a recent review of requirements and involve reductions in more than 100 projects. I ask unanimous consent to have included in the RECORD at this point a tabulation listing each of the projects involved in the increases and decreases recommended by the committee.

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

R.D.T. & E. PROJECTS INCREASED OR DECREASED

Research, development, test, and evaluation, Army

(Dollars in thousands)

Project and recommended change	
Committee increases:	
Pershing missile system	3,800
Development of electric power sources	2,000
Total increases	5,800
Committee reductions:	
Aircraft and Related Equipment:	
Aircraft Weapons	1,500
Aeronautical Evaluation	400
Aerial STANO (Advance Development)	1,100
Air Mobility Support Equipment	600
Aerial STANO Systems (Engineering Development)	300
Missiles and Related Equipment:	
Surface-to-surface Missile Rocket System	1,200
Forward Area Air Defense	400
Missile Effectiveness Evaluation	900
Kwajalein Missile Range	2,000
White Sands Missile Range	2,000
Chaparral/Vulcan System	200
Military Astronautics and Related Equipment: Tactical Satellite Communications	1,000
Ordnance, Combat Vehicles and Related Equipment:	
Army Small Arms Program (Advance Development)	1,000
Infantry Support Weapons	600
Field Artillery Weapons and Munitions	500
Wheeled Vehicles	300
Fortifications, Mines, and Obstacles	600
TOW Anti-Tank Weapon	500

Other Equipment:	
Therapeutic Development	800
STANO Program (Advance Development)	1,000
Tactical Communications	1,200
Supporting Development for Communications	400
STANO Systems (Engineering Development)	300
Biological Defense Materials	600
Chemical Defense Materials	2,000
Testing	1,400
Desert Test Center	600
STANO Operational Development (General Purpose Forces)	700
Counter Intelligence Activities	500
Total reduction	24,600

Research, development, test, and evaluation, Navy

[*Dollars in thousands*]

Project and recommendation change

Committee increases:	
Destroyer Helicopter system (LAMPS)	$7,000
Committee reductions:	
Aircraft and related equipment:	
Early Warning Aircraft	700
Airborne ASW Detection System	800
Advance Airborne Reconnaissance	600
Airborne Life Support System	100
Avionics	300
V/STOL Developments	300
Missiles and related equipment:	
FBM Systems	5,500
ABM Support	500
Standard ARM	500
Advance ARM System Technology	500
A/L S/L Anti-ship Missile-Harpoon	2,500
Advance A/L ASM System	500
Submarine Tactical Weapon System (STAM)	300
Military Astronautics and Related Equipment: Satellite Communications	800
Ships and Small Craft:	
Submarine Silencing	200
NMSC System Wide Support	200
Aircraft Launching and Retrieving	300
Advance Submarine Surveillance Equipment Program	900
Advance Ship/Submarine Sonar Developments	500
BW/CW Countermeasures	100
New Ship Design	1,500
Advance Surface Craft	500
Advance Air Control	200
Advance Communications	300
HY–130 Steel	500
River and Shallow Water Warfare	1,000
Ship Contract Definition	1,000
Electronic Warfare Systems	800
Submarine Surveillance Equipment Program	500
Ordnance, Combat Vehicles and Related Equipment:	
ASW Torpedo Counter Measures Resistance	300
Advance Conventional Ordnance	600
Unguided Conventional Aircraft Weapons	1,000
Marine Corps Ordnance/Combat Vehicles	500
Hi Energy Laser	2,000
Conventional Ordnance Equipment	1,800
Other equipment:	
Marine Corps Operational Electronic Developments	100
Undersea Surveillance	700
Advance Undersea Surveillance	1,000
Training Development Technology	300
Advance Marine Biology	500
Programwide Management and Support:	
ASW Support	500
Strategic Support	500
Programwide Management and Support—Continued	
Atlantic Underwater Test and Evaluation Center	500
Total reductions	32,700

Research, development, test, and evaluation, Air Force

[*Dollars in thousands*]

Project and recommended change

Committee increases:	
Subsonic cruise armed decoy	$10,000
Minuteman rebasing	34,000
Airborne warning and control system (AWACS)	23,500
Operational base launch support (Minuteman)	19,800
Total increase	87,300
Committee reductions:	
Military Sciences:	
Environment	$1,300
RAND	1,000
Aircraft and Related Equipment:	
F–4 Avionics	5,000
Advance Aircraft Navigation	200
Advance Fire Control and Missile Technology	1,200
Advance Reconnaissance and Target Acquisition Capabilities	1,000
VTOL Engine Development	800
Aerial Targets	500
Missiles and Related Equipment:	
Rocket Propulsion	3,000
Air-launched Missile Propulsion	1,000
Advance ASM Guidance Technology	300
Military Astronautics and Related Equipment:	
TITAN III	6,900
Missile and Space Defense	3,200
Advance Space Power Supply Technology	300
Space Experiment Support	300
Advance Liquid Rocket	500
Space Craft Technology and Advance Re-entry Tests	400
Ordnance, Combat Vehicles and Related Equipment:	
Chemical and Biological Defense Equipment	300
Armament/Ordnance Development	500
Improved Aircraft Gun System	600
Truck Interdiction	2,500
Other Equipment:	
Common Mobility Support	2,600
Light Weight Precision Bombing	3,000
Tactical Electronic Operational Support System	1,000
Satellite Communications Terminal-Tactical	500
Airborne Satellite Communication Terminals-Strategic	900
Aeronautical Chart and Information Center	300
Helicopter-borne Radar	200
Advance Detection System Development	800
Tactical Information Processing and Interpretation	500
Tactical Jamming	200
Electronic Warfare Systems	500
Life Support System	300
Cobra Mist (Classified Project)	500
Information Analysis Center	200
Tactical Air Control System	300
Other Equipment—Continued	
100th Strategic Air Wing	500
Air Force Communications	500
Total reductions	43,600

Research, development, test, and evaluation, Defense Agencies

[*Dollars in thousands*]

Project and recommended change

Committee increases:	
Climate modification research (NILE BLUE)	1,000
Defense Atomic Support Agency	6,700
Total increase	7,700
Committee reductions:	
Advanced Research Projects Agency, laser program	1,500

SAFEGUARD ABM SYSTEM

Mr. ELLENDER. The recommendations of the committee include $1,079,900,000 for the continuation of the development and deployment of the Safeguard ABM system. The recommendations of the committee are based on the modified phase II deployment approved in the authorization act, which provides for the continuation of deployment at the Grand Forks, N. Dak., and Malmstrom, Mont., sites, the initiation of full deployment at the Whiteman, Mo., site, and advance preparation at the Warren Air Force Base, Wyo., site. The committee's recommendation for this system is discussed in detail on pages 23 to 25 of the report, and I ask unanimous consent to have these pages included in the RECORD at this point.

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

SAFEGUARD ANTI-BALLISTIC-MISSILE DEFENSE SYSTEM

The recommendations of the committee include $1,079.9 million for the continued development and deployment of the Safeguard anti-ballistic-missile defense system, which amount is a reduction of $13.1 million in the budget requests considered by the committee. In addition to these funds, the Military Construction Appropriations Act, 1971, includes $365.8 million for the Safeguard system. The amount included in the request for each appropriation and the amount recommended is set out in the following tabulation:

[In millions of dollars]

Appropriation	Budget request	Committee recommendation
Military personnel, Army	14.0	14.0
Operation and maintenance, Army	53.0	49.9
Procurement of equipment and missiles, Army [1]	661.0	651.0
Research, development, test and evaluation, Army	365.0	365.0
Total	1,093.0	1,079.9

[1] Discussed in detail on page 105 of this report.

The program requested in the budget and the program on which the committee's recommendations are based are set out in the following tabulation:

[In millions of dollars]

	Budget program	Recommended program
(a) Continuation of development (R.D.T. & E.)	365.0	365.0
(b) Continuation of deployment at phase 1 sites (Grand Forks, N. Dak., and Malmstrom, Mont.)	512.0	508.9
(c) Initiation of deployment at the Whiteman, Mo., site	178.0	178.0
(d) Advance preparation at the following sites: Northeast, Northwest, National Command Authority, Michigan/Ohio, and Warren Air Force Base, Wyo.	25.0	0
(e) Advance preparation at the Warren Air Force Base, Wyo., site	0	15.0
(f) Other modified phase 2 costs	13.0	13.0
Total	1,093.0	1,079.9

Attention is called to the fact that, while the committee's recommendations do not include any funds for the installation of additional Sprint missiles at the phase 1 sites (Grand Forks, N.D., and Malmstrom, Mont.), funds for this purpose are included in the Military Construction Apropriation Act, 1971. In its overall action on the Safeguard system, the committee has approved the installation of the additional Sprint missiles at these sites.

The committee's recommendation for the Safeguard system is in accord with the previous action of the Senate in acting on the Department of Defense Procurement and Research Authorization Act, 1971 (Public Law 91–441) which was based on the following recommendation of the Committee on Armed Services of the Senate:

"The committee has decided to confine the authorization for the continuation of the Safeguard program to those sites devoted to the defense of the deterrent. Thus the committee has approved continuation of the phase 1 sites at Malmstrom and Grand Forks, as well as full deployment at Whiteman and advance preparation at Warren Air Force Base.

"In taking this action, the committee wishes to establish the primacy of active defense to increase the survivability of the land-based deterrent. By striking from the authorization the House approved administration request to proceed now to advance preparation for four area defense sites, the committee affirms its conviction that there is no compelling need to move now to the deployment of an area defense of our population against Chinese Communist ICBM attack. (S. Rept. 91–1016, p. 19.)"

This recommendation of the Senate Armed Services Committee is implemented in Section 402 of the Department of Defense Procurement and Research and Development Authorization Act, 1971 (Public Law 91–441), and the funds recommended to the committee are subject to the restrictions imposed therein. This section reads as follows:

"SEC. 402. None of the funds authorized by this or any other Act may be obligated or expended for the purpose of initiating deployment of an anti-ballistic missile system at any site other than Whiteman Air Force Base, Knobnoster, Missouri; except that funds may be obligated or expended for the purpose of initiating advanced preparation (site selection, land acquisition, site survey, and the procurement of long lead-time items) for an anti-ballistic missile system site at Francis E. Warren Air Force Base, Cheyenne, Wyoming. Nothing in the foregoing sentence shall be constructed as a limitation on the obligation or expenditure of funds in connection with the deployment of an antiballistic missile system at Grand Forks Air Force Base, Grand Forks, North Dakota, or Malmstrom Air Force Base, Great Falls, Montana."

As indicated above, the committee's recommendations for appropriations in this bill directly related to the development and deployment of the Safeguard system total $1,079.9 million, and the Military Construction Appropriation Act, 1971, includes $365.8 million for this purpose for a total of $1,445.7 million.

In addition to these funds, the recommendations of the committee include $228.1 million for indirect support of the Safeguard system and other antiballistic missile efforts. The general purpose of these funds and the appropriation in which they are included are set out in the following tabulation:

Appropriation and purpose	*Amount (in millions)*
Army:	
Research, development, test, and evaluation:	
Advanced ballistic missile defense	$138.0
Army—Continued	
Range support (Kwajalein and White Sands Missile Range)	$35.0
Navy:	
Research, development, test, and evaluation:	
Sea-based missile defense	2.0
ABM support (Polaris targets for Safeguard test program)	6.5
Air Force:	
Research, development, test, and evaluation:	
Nike targets for Safeguard tests	8.0
Missile and space defense (ABM portion)	1.0
Advanced sensor technology	7.6
Defense agencies:	
Research, development, test, and evaluation:	
Advanced research projects agency, ABM activities	30.0
Total	228.1

NAVY'S F–14A FIGHTER AIRCRAFT

Mr. ELLENDER. Mr. President $932 million is included in the committee's recommendations for the continuation of development and initial production of the Navy's F–14 fighter aircraft. This program is discussed on pages 29–30 of the report, and I ask unanimous consent to have these pages included in the RECORD at this point.

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

F–14A AND F–14B FIGHTER AIRCRAFT PROGRAMS

The recommendations of the committee include $932 million for the continuation of development and production of the Navy's F–14A fighter aircraft. The funds are for the following purposes: procurement of 26 aircraft, $517 million, which does not include $8.5 million for advance procurement; procurement of initial spares and repair parts, $80.9 million; advance procurement to support the planned fiscal year 1972 procurement program, $60.1 million; and continuation of the development, test and evaluation program, $274 million.

F–14A will be the Navy's primary air superiority fighter aircraft in the future. In addition to providing fleet air defense, this aircraft will have an air-to-ground attack capability. The F–14A configuration will incorporate a modified version of the existing Phoenix AWG–9 fire control system and TF–30 engines. It will have an all-weather capability for delivery of Phoenix and Sparrow missiles and will also employ a 20-millimeter gun and Sidewinder missiles for close in, air-to-air combat. The F–14A is manufactured by the Grumman Aircraft Corp., Bethpage, Long Island, N.Y., and is powered by two TF–30–P412 engines manufactured by the Pratt & Whitney Division of the United Aircraft Corp., East Hartford, Conn.

The $517 million recommended for procurement of aircraft and $8.5 million in advance procurement will provide a total of $525.5 million for the procurement of 26 F–14A aircraft. The 26 aircraft, referred to as lot III, are required to continue an orderly, least cost and earliest initial operation capability for the introduction of this new aircraft. The first eight of these 26 aircraft will supplement the 12 (lots I and II) research and development aircraft to enable the Navy to complete technical evaluation, conduct board of inspection and surveys trials and provide aircraft for fleet test and evaluation. The remaining 18 aircraft in lot III will provide the fleet training squadron aircraft to commence training for initial operational capability in April of 1973.

This $274 million is recommended for the continuation of the development and testing program with the first flight scheduled for January 1971, and Navy preliminary evaluation scheduled for April 1971.

The F–14A is discussed on pages 576–580 and 935–936 of part 3 of the committee hearings on the Department of Defense appropriation bill, 1971.

In addition to the $932 million recommended for the F–14A program, the committee's recommendation for the appropriation entitled "Research, development, test, and evaluation, Navy" includes $45 million for the F–14B aircraft program. The F–14B is the basic F–14A airframe powered by the advance technology engine being developed jointly by the Navy and the Air Force. This program is discussed on pages 966–967 of part 3 of the committee hearings on the Department of Defense appropriation bill, 1971.

POLARIS-TO-POSEIDON CONVERSION PROGRAM

Mr. ELLENDER. Mr. President, the recommendations of the committee include $921.6 million for the continuation of the program to convert 31 of the existing 41 Polaris submarines to Poseidon-carrying submarines.

I wish to state in passing that early next year two of these conversions will be completed, and moneys have been provided to fund six more.

I wish to state further that when selections of the submarines are made, they are usually programed when it is time to change the nuclear core. By coinciding these two actions, the costs of the program are diminished.

This program is discussed on page 32 of the report, and I ask unanimous consent to have the committee's comments on this program included in the RECORD at this point.

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

POLARIS-TO-POSEIDON CONVERSION PROGRAM

The recommendations of the committee include $921.6 million for the continuation of the conversion of Polaris submarines to carry the new Poseidon missile. These funds are for the following purposes:

	Millions
Conversion of 6 submarines (total estimated cost, $436,000,000, less advance procurement of $143,600,000)	$292.4
Advance procurement to support the fiscal year 1972 conversion program	54.3
Advance procurement to support the fiscal year 1973 conversion program	24.5
Procurement of Poseidon missiles	540.5
Procurement of Poseidon missile spares and repair parts	9.9
Total	921.6

The current program calls for the conversion of 31 of the existing 41 Polaris submarines to carry the new Poseidon missiles, which will be equipped with a multiple independently aimed reentry vehicle (MIRV).

Through fiscal year 1970, eight of these conversions have been funded, and the first Poseidon submarine (funded in fiscal year 1968) is scheduled to be deployed early in 1971. The recently successful submerged test launches of the Poseidon missile indicate that this deployment schedule will be met.

The recommended conversion program for fiscal year 1971 is based on the conversion of six Polaris submarines that would otherwise have to go into the shipyard for a scheduled overhaul, including a replacement of the nuclear propulsion cores.

In addition to the funds referred to above, the committee's recommendation for the appropriation entitled, "Research, Development, Test, and Evaluation, Navy," includes substantial funds for the continuation of the

development and testing of the fleet ballistic missile system, the fleet ballistic missile defense, the fleet ballistic missile command and control.

The Polaris-to-Poseidon conversion program is discussed on pages 615–619, 700–705, and 972–973 of part 3 of the committee hearings on the Department of Defense Appropriation Bill, 1971.

DD–963 DESTROYER PROGRAM

Mr. ELLENDER. Mr. President, $459.5 million is recommended for the continuation of construction of the Navy's new destroyers, referred to as the DD–963 class. The funds recommended, along wth advance procurement funds provided in fiscal year 1971, will provide for the construction of six of these new ships. This program is discussed on pages 35 and 36 of the committee's report, and I ask unanimous consent to have the committee's comments included in the RECORD at this point.

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

DD–963 DESTROYER PROGRAM

The recommendations of the committee include $459.5 million for the Navy's new destroyer construction program. This new class of destroyers has been designated the DD–963 class. The sum recommended and $47.3 million for advance procurement made available in prior fiscal years will provide a total of $506.8 million for the construction of six of these ships.

On June 23, 1970, the Secretary of the Navy announced the award of a contract for the construction of 30 of these new class destroyers to Litton Systems, Inc. This contract provides for funding these ships in five consecutive procurement increments, each subject to congressional approval, from fiscal years 1970 through 1974. The first increment for three ships was funded in fiscal year 1970, and the program recommended by the committee for fiscal year 1971 provides for the second increment of six ships. The total estimated cost to the Government of the 30 ships under the contract, including the cost of Government-furnished radars and weaponry, is estimated to be $2,550 million. The delivery of the first ship of the new class is expected in the fall of 1974.

These new ships will have a displacement of 7,000 tons, and will be approximately 560 feet long, with a beam of 54 feet. They will be equipped with a gas turbine propulsion system and will have a speed of over 30 knots. Armament will consist of two 5-inch guns, Sparrow missiles configured for air defense, standard and rocket assisted projectiles, antisubmarine torpedoes, antisubmarine rockets, and an on-board helicopter. These new destroyers will have an electronic warfare capability and be equipped with air search radar, surface search radar, fire control radar, and long-range sonar. The crew will consist of about 270 officers and men.

This program is discussed on pages 672–674 and 737–741 of part 3 of the committee hearings on the Department of Defense appropriation bill, 1971.

MARK–48 TORPEDO PROGRAM

Mr. ELLENDER. Mr. President, the committee's recommendations include $146.9 million for the continuation of development and testing and limited procurement of the Navy's Mark–48 torpedo. The tremendous increase in the cost of development of this family of torpedoes and the delay in developing an operational weapon is a matter of great concern to this committee. However, when the fact that this torpedo will make the new nuclear attack submarines fully effective is considered, you can reach only one decision, which is to continue the program at the most economic rate; the recommendation of the committee is based on this conclusion. This program is discussed on pages 36 and 37 of the committee's report, and I ask unanimous consent that these comments be included in the RECORD at this point.

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

MARK 48 TORPEDO PROGRAM

The recommendations of the committee include $146.9 million for the Navy's Mark 48 torpedo program. The basic Mark 48 torpedo is a 3,600 pound, 21-inch diameter torpedo capable of being launched from torpedo tubes on both submarines and surface ships. The Mark 48 will have greatly improved capabilities over the Mark 37, which it will replace, in such areas as maximum speed, attack depth, acoustic acquisition range, and operating range. This torpedo will provide the Navy with an advanced wire guided torpedo capable of coping with today's high speed, deep diving nuclear submarine threat.

The program includes three versions of the basic torpedo. They are:

Mark 48, Mod 0 Torpedo.—This version is a high speed, long range, deep diving antisubmarine torpedo capable of operating with or without wire command guidance, using acoustic homing and conventional warhead. It has a secondary capability against surface ASW escort type ships. The propulsion system consists of a turbine engine and a pump jet propulsor. This version is ready for limited production.

Mark 48, Mod 1 Torpedo.—This version is a dual purpose antisubmarine/antiship, high speed, long-range, deep diving torpedo capable of operating with or without wire command guidance and using acoustic homing. Its propulsion system consists of a piston type swash plate engine powered by hot gas and a pump jet propulsor. This version is expected to be ready in the very near future for limited production.

Mark 48, Mod 2 Torpedo.—This version is also a dual purpose antisubmarine/antiship torpedo. It is a conversion of the basic Mark 48, Mod 0 torpedo, with an improved warhead and which makes it more effective against surface ships. This version is not ready for production.

Upon completion of the technical and operational evaluation in fiscal year 1971, either the Mark 48, Mod 1, or the Mark 48, Mod 2, will be selected for quantity procurement to meet fleet requirements.

The development of the Mark 48, Mod 0 is behind schedule by approximately 18 months and the estimated cost of development of the Mark 48 series of torpedos has increased from $75.1 million to $484.1 million. However, attention is called to the fact that the original estimate was for the development of only one type of torpedo and the current estimate is based on the development of three different versions of the torpedo. This tremendous increase in cost is the result of two factors; namely, (a) a stretchout of the program caused by technical difficulties, and (b) the requirement for the development of a dual purpose antisubmarine/antiship capability, replacing a separate antiship torpedo development.

Of the total recommended, $110.6 million is for the procurement of torpedoes and $36.3 million is for the continuation of development and testing. These programs are discussed in the following paragraphs:

Procurement.—The committee's recommendation for the appropriation entitled "Other procurement, Navy" includes $110.6 million for the procurement of a limited number of Mark 48, Mod 0, and Mark 48, Mod 1, operational torpedoes, and for the conversion of a smaller number of existing Mark 48, Mod 0, torpedoes to the Mark 48, Mod 2, configuration for operational evaluation.

Development and testing.—The committee's recommendation for the appropriation entitled "Research, development, test, and evaluation, Navy" includes $36.3 million for the continuation of the Mark 48 development and testing programs. Of this total, $25.3 million is to continue development through the completion of the technical and operational evaluation of the Mark 48, Mod 0 and Mod 2 versions of the torpedo. The balance of $11 million is to continue development through the completion of the technical and operational evaluation of the Mod 1 version. A determination will be made as to which version of the dual purpose torpedoes should be procured in quantity to meet inventory objectives.

It is the position of the committee that a dual purpose Mark 48 torpedo is an essential requirement for the fleet, and its recommendations are based on this position.

The Mark 48 torpedo program is discussed on pages 417–426, 860, 1083–1086, and 1183–1185 of Part 3 of the Committee hearings on the Department of Defense Appropriation Bill, 1971.

AIR FORCE'S F–111F TACTICAL AIRCRAFT

Mr. ELLENDER. Mr. President, the recommendations of the committee include $52.7 million for the Air Force F–111F tactical aircraft procurement program. The funds recommended provide for the completion of currently approved Department of Defense procurement plans for this aircraft. This program is discussed on pages 39–41 of the committee's report, and I ask unanimous consent that these comments be included in the RECORD at this point.

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

AIR FORCE PROGRAMS

F–111D/F TACTICAL FIGHTER AIRCRAFT

The recommendations of the committee include $562.7 million for the F–111D/F tactical fighter aircraft program. The F–111F is the latest model in a series of swing-wing F–111 tactical fighters. Like its F–111D predecessor, it will have the capability to operate from bases at extended range from its targets, to penetrate sophisticated defenses and to carry out attacks at night in all weather. The F model differs from the F–111D only in its engine and its avionics system. It is equipped with the new P–100 engine, which provides a 25-percent increase in thrust over the older model. Its avionics package is expected to be less costly than the Mark II system planned for the D model but will retain similar navigation capabilities and enable comparable air-to-ground attack performance against fixed targets.

In discussing the planned fiscal year 1971 procurement of the F–111 tactical aircraft the Secretary of Defense stated:

"I am sure that the committee shares my long-standing concern over the F–111 program, particularly in light of the difficulties that have been encountered. For the time being, we have retained in the budget request the planned funding for the F–111's noted above. However, I have asked the Secretary of the Air Force, in connection with an investigation of recent structural and operational difficulties, to examine in detail the alternatives to procuring F–111's in fiscal year 1971. I have postponed a final decision on this matter until this action is completed by the Air Force."

On September 17, 1970, the Deputy Secretary of Defense advised the Congress:

"The Air Force has now progressed sufficiently through the test program to permit me to conclude from the results obtained that the F–111 fleet will be structurally sound, and that it will indeed perform its intended missions. * * * Accordingly, I have

approved the program for the procurement of remaining F–111's in fiscal year 1971."

F/FB–111 Recovery Program.—A major accident on December 22, 1969, resulted in the grounding of all F–111 series aircraft. Following a comprehensive review of the F–111 primary structure by an Air Force/industry team and a special ad hoc committee of the Air Force Scientific Advisory Board, the "F–111/FB–111 recovery program" was formulated. Phase I of the recovery program was started in April of 1970 and includes the following sequential phases:

Nondestruct inspection.—Provides for the nondestructive inspection of 11 of the 15 primary forgings and the incorporation of several engineering changes."

Cold proof test.—Each aircraft is subjected to a series of positive and negative gravity loads up to and including design limits at −40°. This test is designed to stress all primary forgings to 100 percent to assure that the four forgings not covered by the nondestruct inspection are structurally sound.

Field operations and functional check flight.—Includes final reassembly, extensive systems checkout, functional check flight and preparation for delivery to the Air Force.

Acceptance.—Includes final Air Force acceptance inspection and flight check prior to delivery to the using command.

A total of 344 aircraft (inventory and production) are schedule to be processed through the recovery program. As of November 19, 1970, 228 aircraft have been processed successfully through the cold proof test, and there has been one failure. 146 aircraft have been returned to the users. According to the current schedule, the cold proof test phase of the Recovery Program will be completed in early April 1971.

Phase II of the program is now being defined and will include refined nondestructive inspection techniques and establishment of final inspection intervals.

It is estimated that the recovery program will cost approximately $35 million.

Section 503, Public Law 91–441.—Section 503 of the Department of Defense Procurement and Research and Development Authorization Act, 1971 (Public Law 91–441) provides that no funds shall be obligated for the procurement of F–111 aircraft unless the Secretary of Defense has determined that the aircraft has been subjected to and successfully completed a comprehensive structural integrity test program, and approved a program for the procurement of such aircraft. This provision reads as follows:

"SEC. 503. Of the total amount authorized to be appropriated by this Act for the procurement of the F–111 aircraft, $283,000,000 of such amount may not be obligated or expended for the procurement of such aircraft until and unless the Secretary of Defense has (1) determined that the F–111 aircraft has been subjected to and successfully completed a comprehensive structural integrity test program, (2) approved a program for the procurement of such aircraft, and (3) certified in a written report to the Committees on Armed Services of the Senate and the House of Representatives that he has made such a determination and approved such a program, and has included in such written report the basis for making such determination and approving such program."

On September 17, 1970, the Deputy Secretary of Defense advised the Chairman of the Committee on Armed Services of the Senate—

"a. 'The Air Force has now progressed sufficiently through the test program to permit me to conclude from the results obtained that the F–111 fleet will be structurally sound, and that it will indeed perform its intended mission.' and

"b. 'Accordingly, I have approved the program for the procurement for the remaining F–111's in FY 1971.' "

The total recommended includes funds for the following purposes: Procurement of aircraft, $283 million; prior year overtarget costs, $200.5 million; procurement of aircraft spares and repair parts, $31.6 million; and research and development, $48.2 million. Each of these is discussed below.

Procurement of aircraft.—$283 million is recommended for the procurement of F–111F aircraft and the recovery program. The sum recommended and the $60.9 million for advanced procurement provided in fiscal year 1970, will provide a total of $343.9 million. As presented in the budget request, the total of $343.9 million was to cover the cost of the F–111 recovery program and the procurement of up to 40 F–111F aircraft. However, the committee's recommendation is based on the use of approximately $35 million for the F–111 recovery program and the procurement of 24 F–111F aircraft. It is anticipated that the funds recommended will provide an adequate number of aircraft to equip the planned fourth wing, which will complete the planned F–111 production program. These funds are included in the committee's recommendation for the appropriation entitled, "Procurement of aircraft, Air Force."

Prior year overtarget costs.—$200.5 million is recommended to cover overtarget costs for F–111 aircraft funded in fiscal year 1969 and prior years. These aircraft were funded based on target costs, and the additional funds are required to cover the Government's obligation in additional costs up to contract ceiling costs. These funds are included in the committee's recommendation for the appropriation entitled "Procurement of aircraft, Air Force."

Procurement of aircraft spares and repair parts.—$31 million is recommended for the procurement of initial aircraft spares and repair parts to support F–111F aircraft. These funds are included in the committee's recommendation for the appropriation entitled "Procurement of Aircraft, Air Force."

Research and development.—The committee's recommendation for the appropriation entitled "Research, development, test, and evaluation, Air Force," includes $48.2 million for the continuation of the development and testing program for the F–111 aircraft.

The F–111 program is discussed on pages 283–290, 338–339, 414–420, 589–590, and 726–728 of part 4 of the committee's hearings on the Department of Defense appropriations bill, 1971.

C–5A STRATEGIC AIRLIFT AIRCRAFT

Mr. ELLENDER. Mr. President, $622.2 million is included in the committee's recommendations for the C–5A strategic airlift aircraft, including $200 million for program contingencies. The committee's recommendations are in accord with and subject to the provisions of the Department of Defense Procurement and Research and Development Authorization Act. This program is discussed on pages 41–44 of the committee's report, and I ask unanimous consent that these comments be included in the RECORD at this point.

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

C–5A STRATEGIC AIRLIFT AIRCRAFT

The recommendations of the committee include $622.2 million for the C–5A strategic airlift aircraft program. The C–5A is the largest aircraft ever built and has a basic mission payload of 100,000 pounds for a 5,560 nautical mile mission, a maximum speed of 470 knots, a ceiling of 43,500 feet and a ferry range of 7,200 miles.

The C–5A aircraft was designed for the specific role of carrying outsized (very large) equipment of the Army's combat divisions that no other aircraft can transport, such as tanks, self-propelled guns, and other equipment of mechanized and armored divisions. It is this capability used, along with other airlift aircraft (C–130's and C–141's) that will enable the United States to meet its military commitments through the rapid deployment of forces from a strong strategic reserve stationed in the United States. In commenting on the military requirement for the unique capability of the C–5A aircraft, Deputy Secretary of Defense David Packard, in a statement to the Committee on Armed Services of the Senate, said on May 27, 1970:

"As I have stated before, this airplane is critical to augment our airlift capability. We must have a rapid response posture to deploy Army units and their equipment to many areas of the world. *Only with this capability can we successfully withdraw a significant portion of our overseas committed forces and at the same time give positive assurance to our free world allies that we could rapidly redeploy our forces in time of tension.* Though the airplane is in its early stages of system test and qualifications, it clearly will have the capability to do the job it was intended to do." (Italics added.) (Committee on Armed Services, U.S. Senate, hearings on Authorization for Military Procurement, Research and Development, Fiscal Year 1971, and Reserve Strength, pt. 3, 2421.)

The recommendations of the committee are based on a C–5A buy of 81 aircraft (four squadrons) rather than the originally planned force of 120 aircraft (six squadrons). This force of 81 aircraft includes five research and development aircraft and 76 production aircraft.

The funds recommended are for the following purposes; funding for prior year deficiencies, $344.4 million; contingencies, $200 million; procurement of aircraft spares and repair parts, $66.2 million; and research and developnemt, $11.6 million. Each of these is discussed below.

Funding for prior year deficiencies.—$344.4 million is recommended to cover funding deficiencies for the 76 aircraft funded in prior fiscal years. Under the Air Force's interpretation of the contracts, it is estimated that the production cost of these 76 aircraft will total approximately $2,460 million. Through fiscal year 1970, approximately $2,033 million has been made available to cover these costs, leaving a balance of $427 million. The committee recommends the allowance of $344.4 million to cover the major part of this deficiency and calls attention to the fact that the balance of approximately $82 million will have to be funded in fiscal year 1972. The funds for fiscal year 1971 are included in the committee's recommendation for the appropriation entitled, "Procurement of aircraft, Air Force."

Contingencies.—$200 million is recommended for "Contingencies" to assure the continuation of production of the C–5A aircraft. Of the $344.4 million recommended to cover prior year deficiencies (discussed in the paragraph above), approximately $296 million is for the Lockheed Aircraft Corp. It is estimated that this amount would be adequate to assure the production of C–5A aircraft through December of this calendar year, at which time about 30 aircraft will have been delivered to the Air Force. The financial position of the Lockheed Co. is such that the Air Force must provide additional funds to assure the continued production of C–5A's.

It is the view of the committee that it is imperative to continue the production of these aircraft. This position is supported by the fact that if production is allowed to stop with the production of only 30 aircraft, the cost per aircraft will be approximately $125 million, whereas if production is continued through fiscal year 1971, 42 aircraft will be produced at a cost of $94 million per aircraft, and if the planned 81 aircraft are produced the cost per aircraft will be approximately $56 million.

The committee desires to call attention to the fact that there are a number of disputes between the contractor and the Air Force with respect to the Air Force's total liability for the planned 81 aircraft. These differences total some $400 to $500 million, and the

matter is now pending before the Armed Services Board of Contract Appeals. Of course, the recommended $200 million for contingencies will be an offset against any determination of the Board of Contract Appeals that is favorable to the Lockheed Corp.

The committee's recommendation is in accord with the provisions of the Department of Defense Procurement and Research Authorization Act, 1971 (Public Law 91–441), and the $200 million recommended for "Contingencies" is subject to the limitations imposed in section 504 of that act, which reads as follows:

SEC. 504. (a) Of the total amount authorized to be appropriated by this act for the procurement of the C–5A aircraft, $200,000,000 of such amount may not be obligated or expended until after the expiration of 30 days from the date upon which the Secretary of Defense submits to the Committees on Armed Services of the Senate and the House of Representatives a plan for the expenditure of such $200,000,000. In no event may all or any part of such $200,000,000 be obligated or expended except in accordance with such plan.

(b) The $200,000,000 referred to in subsection (a) of this section, following the submission of a plan pursuant to such subsection, may be expended only for the reasonable and allocable direct and indirect costs incurred by the prime contractor under a contract entered into with the United States to carry out the C–5A aircraft program. No part of such amount may be used for—

(1) direct cost of any other contract or activity of the prime contractor;

(2) profit on any materials, supplies, or services which are sold or transferred between any division, subsidiary, or affiliate of the prime contractor under the common control or the prime contractor and such division, subsidiary, or affiliate;

(3) bid and proposal costs, independent research and development costs, and the cost of other similar unsponsored technical effort; or

(4) depreciation and amortization costs on property, plant, or equipment.

Any of the costs referred to in the preceding sentence which would otherwise be allocable to any work funded by such $200,000,000 may not be allocated to other portions of the C–5A aircraft contract or to any other contract with the United States, but payments to C–5A aircraft subcontractors shall not be subject to the restrictions referred to in such sentence.

(c) Any payment from such $200,000,000 shall be made to the prime contractor through a special bank account from which such contractor may withdraw funds only after a request containing a detailed justification of the amount requested has been submitted to and approved by the contracting officer for the United States. All payments made from such special bank account shall be audited by the Defense Contract Audit Agency of the Department of Defense and, on a quarterly basis, by the General Accounting Office. The Comptroller General shall submit to the Congress not more than thirty days after the close of each quarter a report on the audit for such quarter performed by the General Accounting Office pursuant to this subsection.

(d) The restrictions and controls provided for in this section with respect to the $200,000,000 referred to in subsections (a) and (b) of this section shall be in addition to such other restrictions and controls as may be prescribed by the Secretary of Defense or the Secretary of the Air Force.

These funds are included in the committee's recommendation for the appropriation entitled, "Procurement of Aircraft, Air Force."

Procurement of aircraft spares and repair parts.—$66.2 million is recommended for the procurement of aircraft spares and repair parts for the support of the C–5A force. These funds are included in the committee's recommendation for the appropriation entitled, "Procurement of Aircraft, Air Force."

Research and development.—The committee's recommendation for the appropriation entitled, "Research, Development, Test, and Evaluation, Air Force," includes $11.6 million for the continuation of the C–5A testing programs.

The C–5A aircraft program is discussed on pages 291–294, 342–343, 424–432, 601–602, and 730–733 of part 4 of the committee's hearings on the Department of Defense appropriations bill, 1971.

MINUTEMAN MISSILE PROGRAM

Mr. ELLENDER. Mr. President, the committee's recommendations include $898.5 million for the continuation of the development and deployment of the Minuteman II and III systems, including $29.4 million for the operational base launch program. The Minuteman program is discussed on pages 46–48 of the committee's report, and I ask unanimous consent that these remarks be included in the RECORD at this point.

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

MINUTEMAN MISSILE PROGRAM

The recommendations of the committee include $898.5 million for the Minuteman II and II missile programs. The planned force of 1,000 Minuteman missiles was attained in April of 1967, with the deployment of 800 Minuteman I's and 200 Minuteman II's, and the current plan calls for the replacement of Minuteman I's with Minuteman II's and III's. The current operational force includes approximately 500 Minuteman I's, 500 Minuteman II's, and a limited number of Minuteman III's, which were initially deployed in June of 1970. The long-range plan calls for a force of 500 Minuteman II's and 500 Minuteman III's.

The Minuteman III provides a major improvement in capability over the Minuteman I and II. It has an improved guidance and control system, and its improved third stage provides additional throw weight to carry the MK–12 reentry system. The MK–12 system with its multiple independently targetable reentry vehicle (MIRV) and penetration aid capability will greatly enhance the Minuteman III's effetctiveness against ABM defenses, and the number of warheads is increased without increasing the number of missiles in the force.

Included in the total recommended for the Minuteman program is approximately $29.4 million for the support of the planned operational base launch program. The objectives of this effort is to flight test the Minuteman system from an operational silo in order to obtain as realistic a configuration and environment as possible. The first such test calls for the firing of a Minuteman II missile from an operational silo in the Malmstrom Air Force Base, Mont., Minuteman complex into the Pacific. The planned line of flight would be across the Northwestern portion of the United States into the Pacific Ocean area some 200 miles south of San Francisco over a corridor encompassing the least population density possible. It is the view of the committee that these flight tests should be conducted in order to demonstrate the reliability of the Minuteman system. In recommending funds for this program, the committee calls attention to the fact that three efforts to launch a modified Minuteman II from an operational silo all resulted in failures.

The funds recommended are for the following purposes:

Procurement of missiles.—$447.2 million is recommended for the procurement of Minuteman missiles and associated ground equipment. The sum recommended and $34.9 million advance procurement will provide a total of $482.1 million for this purpose. This recommendation is based on a 15-month production leadtime and support of the planned deployment rate during the fiscal year 1971 funding period. Funds are also included for the procurement of missiles to support the operational test program and to provide spare missiles for logistic support of the deployed forces. The total recommended includes $3.2 million for the procurement of range safety destruct equipment, operational qualification testing, and contractor support for the operational base launch program. These funds are included in the appropriation entitled, "Missile procurement, Air Force."

Advance procurement.—$28.5 million is recommended for the advance procurement of long leadtime components to support the planned fiscal year 1972 Minuteman missile procurement program. These funds are included in the appropriation entitled, "Missile procurement, Air Force."

Missile spares and repair parts.—$26.2 million is recommended for the procurement of initial missile spares and repair parts required for the support of the missiles and associated equipment in the fiscal year 1971 procurement program. These funds are included in the appropriation entitled, "Missile procurement, Air Force."

Force modifications.—$166 million is recommended for modifications of existing Minuteman missiles and associated equipment. Of the total, $69.7 million is for the modification of existing launch and launch control facilities from a Minuteman I to a Minuteman II and III capability. The balance of $96.3 million is for the update program that provides for correction of known deficiencies during testing or inservice use. These funds are included in the appropriation entitled, "Missile procurement, Air Force."

Other procurement.—The committee's recommendation for the appropriation entitled, "Other procurement, Air Force" includes $6.4 million for the procurement of telecommunications and electronic equipment for the support of the operational base launch program.

Research and development.—The committee's recommendation for the appropriation entitled, "Research, development, test, and evaluation, Air Force," includes $224.2 million for the continuation of the Minuteman development and testing program. Of the total recommended, $185.4 million is for such efforts as systems integration and testing, guidance and control support, postboost propulsion system testing and inplace and inflight hardness testing of the Minuteman III. The balance of $38.8 million is for general support and further inplace and inflight hardness testing of the Minuteman II. Within the total recommended, $19.8 million is for the support of the operational base launch program which will provide for the development of range safety destruct ordnance, missile integration, flight demonstration support, contractor support, and development of airborne equipment.

In addition to the above referred to funds the committee's recommendation for the appropriation entitled, "Research, development, test, and evaluation, Air Force" includes funds for the following efforts associated with the Minuteman system: Minuteman rebasing, $61 million, and command data buffer (ground base computer system), $10 million. The Minuteman program is discussed on pages 270–276, 364–365, 459–462, 577, and 795–797 of part 4 of the committee's hearings on the Department of Defense appropriation bill, 1971.

SUPPORT OF FREE WORLD FORCES

Mr. ELLENDER. Mr. President, section 838 of the bill as it passed the other body authorizes the use of appropriations available to the Department of De-

fense during the current fiscal year for the support of free world forces participating in the war in Southeast Asia without limitation. The use of funds for this purpose was authorized in section 502 of the Department of Defense Procurement and Research and Development Authorization Act, 1971 (Public Law 91–441). However, the Authorization Act provides for a limitation of $2.8 billion on the total that may be used for the support of these forces. The President's budget was based on the use of approximately $2.2 billion for this purpose. The committee recommends that section 383 be amended to impose a limitation of $2.5 billion.

The committee also recommends that section 838 be amended to include the restrictive language included in section 502 of the Authorization Act with respect to the support of free world forces in actions designed to provide military support and assistance to the Governments of Cambodia and Laos, and the use of funds for the payment of allowances to free world forces personnel in excess of such payments to U.S. military personnel.

These recommendations of the committee are discussed on pages 7 and 8 of the committee report. I ask unanimous consent to have these comments included at this point in the RECORD.

There being no objection, the comments are ordered to be printed in the RECORD, as follows:

SUPPORT OF FREE WORLD FORCES—SECTION 838

Section 838 of the bill authorizes the use of appropriations available to the Department of Defense to support Vietnamese and other free world forces in support of the Vietnamese forces and for the support of local forces in Laos and Thailand and for related costs. The recommendations of the committee include $2,165,300,000 for these purposes. These funds are included in the following titles of the bill:

	Millions
Military personnel	$145.0
Operation and maintenance	780.1
Procurement	940.2
Combat readiness, South Vietnamese forces	300.0
Total	[1] 2,165.3

[1] In addition, the appropriation entitled "Military Construction, Army" in the Military Construction Appropriation Act, 1971 includes $12 million for the support of free world forces.

Of the $2,165.3 million recommended, $1,749.2 million is for the South Vietnamese Forces (including $285.7 million for the modernizing program), and the balance is for the support of other free world forces in South Vietnam and for local forces in Laos and Thailand.

As the bill passed the House, funds would be available for the support of free world forces without limitation as to the amount. The committee recommends that Section 838 be amended so as to impose a limitation of $2,500,000,000 on the total that can be used for support of free world forces during fiscal year 1971. It is the view of the Committee that this limitation will give the Secretary of Defense adequate flexibility to meet any unforeseen costs of the Vietnamization program. The Committee also recommends that Section 838 be amended to include the restrictive language included in Section 502 of the Authorization Act with respect to the support of free world forces in actions designed to provide military support and assistance to the governments of Cambodia and Laos, and the use of funds for the payment of allowances to free world forces personnel in excess of such payments to United States personnel.

The funds recommended for these purposes are provided pursuant to and in accord with section 502 of the Department of Defense Procurement and Research Authorization Act, 1971 (Public Law 91–441), which read as follows:

"SEC. 502. Subsection (a) of section 401 of Public Law 89–367, approved March 15, 1966 (80 Stat. 37), as amended, is hereby amended to read as follows:

"'(a) (1) Not to exceed $2,800,000,000 of the funds authorized for appropriation for the use of the Armed Forces of the United States under this or any other Act are authorized to be made available for their stated purposes to support: (A) Vietnamese and other free world forces in support of Vietnamese forces, (B) local forces in Laos and Thailand; and for related costs, during the fiscal year 1971 on such terms and conditions as the Secretary of Defense may determine. 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, except for continuation of payments of such additions to regular base pay provided in agreements executed prior to July 1, 1970. 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.' "

INTRODUCTION OF AMERICAN COMBAT GROUND FORCES INTO LAOS, THAILAND, AND CAMBODIA

Mr. ELLENDER. Mr. President, as the bill passed the other body, it includes section 843 as proposed in the President's budget which prohibits the use of funds provided in the bill for the financing of the introduction of American ground forces into Laos or Thailand, and the committee recommends that this provision be amended to include Cambodia. The committee's recommendation is based on the fact that earlier in this session the Senate adopted a somewhat similar amendment on a rollcall vote of 58 yeas to 37 noes. This recommendation is discussed on pages 10 and 11 of the report, and I ask unanimous consent to have these comments included at this point in the RECORD.

There being no objection, the comments are ordered to be printed in the RECORD, as follows:

PROHIBITION AGAINST THE USE OF FUNDS FOR THE INTRODUCTION OF AMERICAN GROUND FORCES INTO LAOS, THAILAND, AND CAMBODIA

Section 843 of the bill as it passed the House provides that none of the funds appropriated by this Act shall be used to finance the introduction of American ground combat troops into Laos or Thailand. The committee recommends that this provision be amended to include Cambodia, so as to read as follows:

"SEC. 843. In line with the expressed intention of the President of the United States, none of the funds appropriated by this Act shall be used to finance the introduction of American ground combat troops into Laos, Thailand, or *Cambodia.*"

This matter was debated at length by the Senate earlier in this Session in connection with an amendment to the Foreign Military Sales Bill (H.R. 15628), and the Senate adopted, on a roll call vote of 58 yeas to 37 noes, an amendment which reads as follows:

"SEC. 7. The Foreign Military Sales Act is further amended by adding at the end thereof the following new section:

"'SEC. 47. Limitations on United States Involvement in Cambodia.—In concert with the declared objectives of the President of the United States to avoid the involvement of the United States in Cambodia after July 1, 1970, and to expedite the withdrawal of American forces from Cambodia, it is hereby provided that unless specifically authorized by law hereafter enacted, no funds authorized or appropriated pursuant to this Act or any other law may be expended after July 1, 1970, for the purposes of—

"'(1) retaining United States forces in Cambodia;

"'(2) paying the compensation or allowances of, or otherwise supporting, directly or indirectly, any United States personnel in Cambodia who furnished military instruction to Cambodian forces or engage in any combat activity in support of Cambodian forces;

"'(3) entering into or carrying out any contract or agreement to provide military instruction in Cambodia, or to provide persons to engage in any combat activity in support of Cambodian forces; or

"'(4) conducting any combat activity in the air above Cambodia in direct support of Cambodian forces.'

Nothing contained in this section shall be deemed to impugn the constitutional power of the President as Commander-in-Chief, including the exercise of that constitutional power which may be necessary to protect the lives of United States Armed Forces wherever deployed. Nothing contained in this section shall be deemed to impugn the constitutional powers of the Congress including the power to declare war and to make rules for the Government and regulation of the Armed Forces of the United States."

The committee's recommendation for the inclusion of Cambodia in this provision is based on this earlier action of the Senate.

ALLIED CONTRIBUTIONS TO NATO

Mr. ELLENDER. Mr. President, press reports in the past week indicate that 10 European nations of the North Atlantic Alliance have agreed on a defense improvement program in which, over a 5-year period, they will provide close to $1 billion to improve military installations and increase existing forces. According to the report, funds will be used for an integrated communications system and a new shelter program to provide a better aircraft survival system.

Some Members of the Senate will welcome this news as the initiation of a long overdue process aimed at equalizing, to a degree at least, the NATO burden that for so long has fallen disproportionately on the shoulders of the United States. Speaking for myself, I am not all satisfied with the proposal made. It is entirely too small.

For almost two decades I have urged every Secretary of Defense since Louis Johnson to secure from our NATO allies greater cooperation in the form of increased combat forces, installations, and improved equipment and materiel. During those years, I repeatedly stated that such an equalization of the burden was dictated by economic necessity as much as by fairness. To a large extent my pleas fell on deaf ears. Today, this is no longer solely my point of view. It is no longer an opinion; it is a fact. History has caught up with us. Our continued deficits, our

annual gold drain, the inflationary spiral, and our pressing needs in other areas of the Government make it imperative that we—and our allies—realistically face this fact. To do otherwise would be foolhardy. Early this year and again last month, I queried the Secretary of Defense about the matter. He promised to do something about it. It seems that my urging, and that of others, has finally borne some fruit. However, I must confess that this is but a very small beginning, that in the future even greater contributions must be forthcoming by our allies. I would also hope that all of the countries involved will cooperate in this common endeavor, that they will search their souls as well as their exchequers and assume their proper responsibilities.

Mr. President, I ask unanimous consent that the complete statement be included at this point in the RECORD.

My enthusiasm for this gesture of our allies was further limited by the statement made by the Secretary of State on behalf of the President to the NATO Foreign Ministers at Brussels recently. In this statement he said:

> We have agreed that NATO's conventional forces must not only be maintained, but in certain key areas, strengthened. Given a similar approach by our allies, the United States will maintain in and improve its own forces in Europe and will not reduce them unless there is reciprocal action by our adversaries . . .

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

STATEMENT DELIVERED BY SECRETARY ROGERS TO THE NATO MINISTERIAL MEETING

The meeting of the North Atlantic Alliance will be one of the most important conferences in the history of the alliance. This past year has witnessed the completion of a comprehensive review of alliance defense that can serve as the basis for a common effort throughout this decade. This review testifies to the continuing value of candid consultations based on mutual respect and to the common recognition that the prospects for peace rest primarily on our ability and willingness to maintain an alliance sufficiently strong to deter those who might threaten war.

After the most searching consultations, together we have arrived at several fundamental conclusions which will help us maintain NATO's strength while the alliance seeks to translate the promise of detente into the reality of a just and lasting peace.

We have reaffirmed flexibility of response as the proper strategy for a defensive alliance confronted by a formidable mix of a potentially hostile force, which is constantly improving.

We have agreed that NATO's conventional forces must not only be maintained, but in certain key areas, strengthened. Given a similar approach by our Allies, the United States will maintain and improve its own forces in Europe and will not reduce them unless there is reciprocal action from our adversaries. We will continue to talk with our NATO Allies with regard to how we can meet our responsibilities together.

The allies have agreed to move to transform the recommendations of the study into fact. This should provide NATO with an enhanced capability sufficient to make the strategy of flexible response a more credible factor in the equation of deterrence.

In the process of this review we were heartened by the efforts of several of the alliance's members to create a new and more equitable sharing of the burdens of the alliance through a greater effort by our allies to meet the challenges of NATO defense in the decade of the seventies. This European initiative gives concrete testimony to the vitality and spirit of the European allies. NATO has strong support among the American people. Successful efforts to improve European forces and absorb a greater share of the burden will insure continued support.

I welcome the achievements of the alliance. I am certain we can move from agreed goals to practical action with the same seriousness of purpose.

Mr. ELLENDER. Mr. President, again speaking personally, although I know I voice the views of many of my colleagues. I regret this stated commitment. Certainly I would welcome with all my heart some signal of reciprocity on the part of Russia and its own allies. They should recognize that a mutually beneficial lessening of tensions can only be achieved through reduced force levels, as the Secretary of State indicated—"in reciprocal action."

But this reciprocal action is equally applicable to our own allies. If it is the considered judgment of the NATO leaders that ground forces of the present size are needed, then it is incumbent upon our allies to increase their commitment to permit the withdrawal of sizable numbers of American troops from Europe. For this fiscal year, there will be appropriated approximately $14 billion representing the costs of supporting U.S. general purpose forces in Europe and similar forces maintained in this country as a European contingency.

I recently made a trip to visit most of the NATO countries, just as I did 10 years ago. To be frank and candid, I found very little difference in military preparations between 10 years ago and now, except as to Germany. We are continuing to bear a disproportionate share of the burden. In addition to our Armed Forces in Europe, we have a very large number of civilians; many of them are dependents. To maintain them is very costly to us.

Our 6th Fleet is in the Mediterranean. In addition, we have a large contingent in the Atlantic, the cost of which is being paid by Uncle Sam without any assistance from any of our Western allies in Europe. It is time for them to wake up.

On my recent trip, I found that a change of attitude has come about only in the last couple of years, since the Russians entered the Mediterranean. That seems to have awakened our allies a little. With all that is going on in Western Europe now, it strikes me that it is only a question of time before we should halt all of the aid we are giving to the countries in Western Europe that are well able to take care of themselves. Therefore, I think it is unnecessary for us to be carrying almost the entire load.

This $14 billion is what the American taxpayer provides annually for such military support. It is my considered opinion that we cannot continue this vast outlay indefinitely. I would look to our allies to recognize this and take immediate steps to relieve us of this onerous burden.

It is up to the Secretary of Defense, the Secretary of State, and the Chief Executive to impress upon these governments who for years have accepted our largesse and protection that the time has come for them to fully equalize the burden. They are hard realists. They know when we mean what we say. If the administration is unwilling or unable to convince the NATO countries of the urgency of our reducing American forces in Europe, then it is incumbent upon the Congress to make these decisions. This is a matter that the next session of the Congress must deal with. It is imperative that we do so. The welfare of our country demands it. As a member of the Committee on Appropriations of the Senate and its Department of Defense Subcommittee, I will do all that I can to present facts that will warrant our withdrawal of troops from Western Europe at a much earlier date.

I talked with a number of European NATO organization personnel, and in my judgment, there is little effort being made to assist us. When I talked about montary contributions, they said, "We cannot afford that. We might be able to increase our troops."

I said, "If you do, we will withdraw ours."

They said, "No, you must not withdraw yours."

I asked, "How long do you think we ought to stay here?"

"Ten years at least," was the reply.

Mr. President, as I told those people, we cannot do that. We cannot possibly afford to maintain a military umbrella of protection over Western Europe any longer. It is up to our allies in Western Europe to participate more fully in their own protection. I think Congress should be addressing itself to this subject when it meets next year.

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

Mr. ELLENDER. I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I wish to say that I am in full accord with what the distinguished acting chairman for the bill now under consideration has said about NATO and our position there.

It appears that we have, once again, been taken. I recognize the fact that at one time there were as many as 385,000 U.S. military personnel in Western Europe, and that that number has declined to a little under 300,000 at the present time, so that, overall, we have there about 525,000 military personnel and dependents—a quarter of a century after the end of the Second World War.

It is true that the direct costs to us are about $3 billion a year, which we can ill afford to lose—to squander, in my opinion—and that out of the defense budget, as the distinguished Senator from Louisiana has stated, it takes about $14 billion a year to maintain those elements which we have there.

The recent meeting, just a week or so ago, was to me a deep disappointment because of the firm pledge which the executive branch made as to what we would do in keeping our forces at their present level. There was a lot of talk and a lot of coverup, but in reality what it amounted to was only a delay in facing up to the problems which confront the NATO Alliance.

Our NATO partners are getting off very cheaply at a proposed figure of $195 million a year over the next 5 years. As far as contributing manpower, the United States is in just as bad a position

as ever and our European Allies are in just as good a position, to wit, no change at all.

The compromise reached between the administration and our NATO Allies is only a coverup for a situation which calls for drastic attention. What the United States supposedly got was a NATO capability for fighting a 90-day holding or conventional war. What the United States got, in effect, was nothing because there will be no such happening as a "90-day conventional war on the ground." The end result will be, in my opinion, a Western European Continent weaker than ever and a delay in the time when the issue will have to be faced.

Now it looks as if we are waiting for a quid pro quo to reduce our costly contest. Well, if that is the case, if we are waiting for the Soviet Union to get its troops out of Eastern Europe, I think we are going to wait a very long time and we had better become accustomed to a permanent American presence in Western Europe.

With them it is a matter of geography. As far as we are concerned, it is a matter of having a sizable contingent—say at most two divisions and our nuclear capability. That would bring about a reduction of two and one half divisions from the present four and one half or five as well as a large reduction in expenditures.

I had hoped that this administration, by applying the termination date of June 30, 1971, would after that time begin to bring about a substantial reduction in American troops and dependents in Western Europe.

I would like to find out just how many headquarters we have in Western Europe, just how many generals we have in Western Europe, just how many colonels we have in Western Europe, and the answers to a lot of other questions, because I must say that while economics influences my thinking, literally it is of secondary significance. The important thing is the principle.

A quarter of a century after the end of the war, with all these countries fully rehabilitated, as the distinguished Senator has indicated, and fully able to take care of their own needs, maintaining direct contacts with the countries of Eastern Europe, maintaining a trade contact with the Soviet Union, entering into consortiums to establish trade contacts such as the steel rolling mill with Communist China—all of which indicates a change which I think calls for a change in an outdated policy which has now, once again, been not inaugurated but maintained.

As I understood the Nixon doctrine, it was to maintain a low profile all over the world. It was to bring about a gradual withdrawal of American troops and gradually more dependence on the people in the regions concerned.

The low profile may be taking effect in Southeast Asia and in Asia generally, but it seems to be taking the opposite stance as far as Western Europe is concerned.

I assure the distinguished Senator from Louisiana that as far as I am concerned, I intend to do all that I possibly can—and not only through sense of the Senate resolutions—to try to bring about a rectification of this policy, to bring about a substantial reduction of American troops and dependents. It should be done over not too long a period of time, but still, on a gradual basis. I think the time is long overdue to face up to this matter. I think the American people want this done. I am certain that a majority of the Senate wants it done. Unless it comes about this spirit of permanency will continue to permeate our policies. Unless something is done in the Senate, apparently, we can look forward to a permanent stationing in Europe of U.S. military personnel and dependents, not for years but for decades.

The cost is too great and the principle of necessary change is too sound to let go of at this time.

I reiterate that it is the principle which counts, and it is long past time when a substantial part of the American military personnel and their dependents in Europe should have been brought home.

It is with a sense of gratification that I commend the distinguished Senator from Louisiana. He has been very consistent in his attitude toward this particular problem, and I wish to assure him once again of my wholehearted support of any initiative which he undertakes, both in committee and on the floor.

Mr. ELLENDER. I thank the Senator.

Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, and that the bill as thus amended be considered as original text for the purposes of further amendment, provided that no points of order be considered as waived thereby.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

On page 2, line 10, after the word "elsewhere", strike out "$7,822,450,000" and insert "$7,861,750,000".

On page 2, line 18, after the word "cadets", strike out "$4,360,100,000" and insert "$4,377,100,000".

On page 3, line 2, after the word "elsewhere", strike out "$1,422,700,000" and insert "$1,430,600,000".

On page 3, line 10, after the word "cadets", strike out "$5,973,350,000" and insert "$6,002,425,000".

On page 4, line 19, after the word "law", strike out "$86,200,000" and insert "$84,200,000".

On page 5, line 12, after the word "law", strike out "$108,500,000" and insert "$106,500,000".

On page 6, line 19, after the word "exceed", strike out "$4,000,000" and insert "$3,634,000"; and, in line 25, after the word "Government", strike out "$6,269,011,000" and insert "$6,228,687,000".

On page 8, at the beginning of line 7, strike out "$4,731,910,000" and insert "$4,685,410,000".

On page 9, line 1, after the word "salaries", strike out "$399,943,000" and insert "$402,743,000".

On page 10, line 5, after the word "Government", strike out "$6,167,136,000" and insert "$6,093,236,000".

On page 12, line 22, after the word "Bureau", strike out "$337,600,000" and insert "$343,600,000".

On page 13, line 11, after the word "Board", strike out "$100,000" and insert "$65,000".

On page 15, line 2, after the word "authorized", strike out "$2,933,100,000" and insert "$2,930,000,000, and in addition $50,000,000 shall be derived by transfer from the Army stock fund,"; and, in line 4, after the word "available", strike out "for obligation until June 30, 1973" and insert "until expended".

On page 15, line 21, after the word "plants", strike out "$3,005,800,000" and insert "$3,127,900,000, and in addition, $100,000,000 shall be derived by transfer from the Defense stock fund,"; and, in line 24, after the word "available", strike out "for obligation until June 30, 1973" and insert "until expended".

On page 16, line 13, after the word "amended", strike out "$2,694,400,000" and insert "$2,276,900,000"; and, in line 14, after the word "available", strike out "for obligation until June 30, 1975" and insert "until expended".

On page 17, line 12, after the word "plants", strike out "$1,443,400,000" and insert "$1,487,300,000"; and, in line 13, after the word "available", strike out "for obligation until June 30, 1973" and insert "until expended".

On page 17, line 23, after the word "only", strike out "$171,700,000" and insert "$175,900,000"; and, at the beginning of line 24, strike out "for obligation until June 30, 1973' and insert "until expended".

On page 18, line 16, after the word "things", strike out "$3,203,000,000" and insert "$3,201,300,000"; and, in line 17, after the word "available", strike out "for obligation until June 30, 1973" and insert "until expended".

On page 19, line 6, after the word "things", strike out "$1,372,300,000" and insert "$1,380,400,000, and in addition, $50,000,000 shall be derived by transfer from the Defense stock fund,"; and, in line 8, after the word "available", strike out "for obligation until June 30, 1973" and insert "until expended".

On page 19, line 24, after the word "amended", strike out "$1,381,200,000" and insert "$1,345,100,000"; and, in line 25, after the word "avoidable", strike out "for obligation until June 30, 1973" and insert "until expended".

On page 20, line 14, after the word "amended", strike out $38,910,000" and insert "$45,310,000"; and, in line 15, after the word "available", strike out "for obligation until June 30, 1973" and insert "until expended".

On page 20, line 24, after the word "law", strike out "1,608,500,000" and insert "$1,589,700,000"; and, in line 25, after the word "available", strike out "for obligation until June 30, 1972" and insert "until expended".

On page 21, line 6, after the word "law", strike out "$2,156,200,000" and insert "$2,130,500,000"; and, in line 7, after the word "available", strike out "for obligation until June 30, 1972" and insert "until expended".

On page 21, line 14, after the word "law", strike out "$2,701,100,000" and insert "$2,744,800,000"; and, in line 15, after the word "available", strike out "for obligation until June 30, 1972" and insert "until expended".

On page 21, line 26, after the word "available", strike out "for obligation until June 30, 1972" and insert "until expended"; and, on page 22, line 1, after the amendment just above stated, strike out "$438,900,000" and insert "$445,100,000".

On page 22, line 23, after "$50,000,000", strike out the comma and "and, in addition, not to exceed $150,000,000, to be used upon determination by the Secretary of Defense that such funds can be wisely, profitably, and practically used in the interest of national defense and to be derived by transfer from such appropriations available to the Department of Defense for obligation during the current fiscal year as the Secretary of Defense may designate: *Provided*, That any appropriations transferred shall not exceed 7 per centum of the appropriations from which transferred".

On page 23, line 16, after the word "transferred", strike out "$358,500,000" and insert "$300,000,000"; and, in line 17, after the amendment just above stated, strike out

the comma and "to remain available for the period of availability of the appropriation to which transferred, and in addition $150,000,000 to be derived by transfer from such appropriations available to the Department of Defense for obligation in the current fiscal year as the Secretary of Defense, with the approval of the President, may designate: *Provided*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority".

On page 24, line 7, after the word "available", strike out "for obligation until June 30, 1973" and insert "until expended".

On page 26, line 20, after the word "exceeding", strike out "$134,400,000" and insert "$136,700,000"; and, on page 28, line 11, after the word "amended", insert a semicolon and "(1) under regulations approved by the Secretary of Defense, for transportation from their homes to rest and recuperation centers in the Pacific area and return, plus per diem payments of not to exceed $30 per day for each dependent for periods not over two weeks, for dependents of military personnel assigned as province or district senior advisers in Vietnam on voluntarily extended tours of duty totaling not less than 18 months, during periods when such military personnel are granted special incentive leaves at such rest and recuperation centers."

On page 42, after line 24, strike out:

"SEC. 836. During the current fiscal year, the Secretary of Defense may, if he deems it vital to the security of the United States and in the national interest to further improve the readiness of the Armed Forces, including the reserve components, transfer under the authority and terms of the Emergency Fund an additional $300,000,000: *Provided*, That the transfer authority made available under the terms of the Emergency Fund appropriation contained in this Act is hereby broadened to meet the requirements of this section: *Provided further*, That the Secretary of Defense shall notify Congress promptly of all transfers made pursuant to this authority."

And, in lieu thereof, insert:

"SEC. 836. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $700,000,000 of the appropriations contained in this Act between such appropriations: *Provided*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority.".

On page 44, line 3, after "(a)", strike out "Appropriations" and insert "Not to exceed $2,500,000,000 of the appropriations"; and, in line 10, after the word "determine", insert a colon and "Provided, That none of the funds appropriated by this Act 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, except for continuation of payments of such additions to regular base pay provided in agreements executed prior to July 1, 1970: Provided further, That nothing in clause (1) of the first sentence of this subsection 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."

On page 46, after line 8, strike out:

"Sec. 842. Appropriations heretofore made available for Procurement of Equipment and Missiles, Army; Procurement of Aircraft and Missiles, Navy; Other Procurement, Navy; Procurement, Marine Corps; Aircraft Procurement, Air Force; Missile Procurement, Air Force; Other Procurement, Air Force; Procurement, Defense Agencies; and Special Foreign Currency Program shall not be available for obligation after June 30, 1973. Appropriation heretofore made available for Shipbuilding and Conversion, Navy, shall not be available for obligation after June 30, 1975. Appropriations heretofore made available under the headings Research, Development, Test, and Evaluation, Army; Research, Development, Test, and Evaluation, Navy; Research, Development, Test, and Evaluation, Air Force; and Research, Development, Test, and Evaluation, Defense Agencies shall not be available for obligation after June 30, 1972.

And, in lieu thereof, insert:

"SEC. 842. (a) Amounts, as determined by the Secretary of Defense and approved by the Office of Management and Budget, of any appropriations of the Department of Defense available for procurement (except Shipbuilding and Conversion, Navy) which (1) will remain unobligated as of the close of any fiscal year for which estimates are submitted and (2) which have been available for obligation for three or more fiscal years, shall be withdrawn and shall revert to the general fund of Treasury.

"(b) Amounts, as determined by the Secretary of Defense and approved by the Office of Management and Budget, of any appropriations of the Department of Defense available for Shipbuilding and Conversion, Navy which (1) will remain unobligated as of the close of any fiscal year for which estimates are submitted and (2) which have been available for obligation for five or more fiscal years, shall be withdrawn and shall revert to the general fund of the Treasury.

"(c) Amounts, as determined by the Secretary of Defense and approved by the Office of Management and Budget, of any appropriations of the Department of Defense available for research, development, test and evaluation (except Emergency Fund, Defense) which (1) will remain unobligated as of the close of any fiscal year for which estimates are submitted and (2) which have been available for obligation for two or more fiscal years, shall be withdrawn and shall revert to the general fund of Treasury.

"(d) The Comptroller General of the United States shall examine the internal system upon which the determinations required by this section are based and shall submit to the Congress, prior to April 1, 1971, a report as to the adequacy of such internal system.

"(e) Section 642 of the Department of Defense Appropriation, 1970 (Public Law 91-171, approved December 29, 1969), is hereby repealed."

On page 48, line 14, after "Laos", strike out "or" and insert a comma; and, in the same line, after "Thailand", insert "or Cambodia".

On page 48, line 17, after the word "purposes", strike out "which would be authorized by section 610 of the Military Construction Authorization Act, 1971, as passed by the Senate" and insert "authorized by section 610, Public Law 91-511, approved October 26, 1970".

On page 48, after line 20, insert a new section, as follows:

SEC. 845. No part of the funds appropriated in this Act may be used to carry out any research project or study unless such project or study has a direct and apparent relationship to a specific military function or operation.

At the top of page 49, insert a new section, as follows:

SEC. 846. After June 15, 1971, no part of the funds in this Act shall be available to support in excess of 138,000 personnel of the Department of Defense (military and civilian) assigned to activities managed under the Intelligence and Security Program of the Department of Defense.

Mr. ELLENDER. Mr. President, before I yield the floor, I wish to take this opportunity to express my deep appreciation to the distinguished Senator from North Dakota (Mr. YOUNG) who has contributed so much to the formulation of the bill before the Senate. His pertinent questions at the daily hearings that he regularly attended, his breadth of knowledge of the issues involved, and his wise and impartial counsel in the determination of the proper course of action have been of inestimable aid to the committee and to Congress.

The PRESIDING OFFICER. The Chair recognizes the Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, I deeply appreciate the very kind comments of my friend, the distinguished Senator from Louisiana, the acting chairman of the Defense Appropriations Subcommittee.

The bill does represent a great amount of hard work for almost an entire year by the chairman of this committee. This is also true of the entire Senate Appropriations Committee and the very able staff members, William W. Woodruff, Edmund L. Hartung, Fran Hewitt and Guy McConnell. The bill probably does not represent as much money as many would like. Certainly, the military would like to have more money, and certainly could justify more. But, on the whole, I believe it represents the most reasonable budget which we could come up with at this time.

Mr. President, the Defense Appropriations bill which we are now considering providing $66,417,077,000 does represent a very sizable budget.

It also represents a considerable reduction over the budget of 2 years ago. It is $389,484,000 below the amount approved by the House and $2,328,389,000 below the 1971 budget estimates. That is a sizable reduction. Further, Mr. President, it is $6,249,955,144 below the 1970 appropriation.

In the past 2 years there has been a reduction of approximately $12 billion in the amount requested by the Bureau of the Budget. During this period we have experienced severe inflation, so the purchasing power of the budget we are providing today would be approximately $17 billion below the purchasing power of the money appropriated 2 years ago.

I realize there are some who very sincerely believe this is still too big a budget and that it should be cut further. It certainly can be argued that there is some waste in a Federal budget this size, whether it be for the Department of Defense or any other agency of the Government. The same arguments would be appropriate even if it involves a budget of $5 or $10 billion.

Great progress has been made in the last few years, however, toward eliminating wasteful and unnecessary expenditures. I will have more to say on this later.

Mr. President, few realize that nearly $40 billion of the $66.4 billion contained in this bill goes to pay for costs of personnel of the Department of Defense, both military and civilian. Great strides have been made toward reducing the number of personnel in the Defense Department

in the past 2 years. If we are to further reduce the defense budget, it is absolutely necessary that further deep cuts be made in personnel in the Department of Defense if we are to provide anywhere near the amount of money necessary for the modernization of our Armed Forces. Military and civilian personnel have been reduced from 4,735,000 on July 1, 1969, to an estimated low of 4,053,000 on July 1, 1971, or a reduction of 682,000. The Secretary of Defense has announced that still more cuts are scheduled.

In the last 2 years, 32 major military bases around the world and in the United States have been closed and still other bases are expected to be closed. Seventy-one military bases have been closed during the same period. Two hundred sixty-six ships have been retired from the Navy. These are important steps, too, toward reducing the appropriations for the Department of Defense and making possible more and much needed additional funds for the modernization of our Armed Forces.

Mr. President, as I mentioned previously, great progress has been made toward eliminating wasteful and unnecessary expenditures. Some old contract procedures which resulted in huge overruns in cost have been eliminated. A new so-called fly before you buy procedure of the Defense Department with respect to planes and even missiles has resulted in great savings to the Government and in better military equipment.

I share the views of a great many people that this budget is not adequate to carry on the war in Vietnam and all of our other worldwide commitments and still maintain a strong national defense. Under all the circumstances, however, I believe it is a reasonable budget and one with which the Department of Defense can live.

Ever since the advent of World War I, in which we became involved at a time when we had an obsolete and inadequate national defense, I have been deeply concerned about the need for the United States to have the most modern and best military equipment of any other nation in the world.

With the new foreign policy announced by President Nixon, we are reducing our worldwide commitments. This new policy is long overdue. This will mean far less manpower in the Department of Defense, which, in turn, would result in further savings. This will go a long way toward making possible a program of increased modernization in our armed services.

With the many costly domestic and foreign programs along with the war in Vietnam, our overall budget has become so huge that we have been cutting back too severely on the modernization of our armed services—and this at a time when Russia has been increasing their budget year after year to provide the most modern of all kinds of military hardware, such as missiles, planes and tanks.

Unless this trend is reversed, we will soon be a second rate military power to Russia. We are already second rate in certain areas of military hardware.

Mr. President, whether it is popular or unpopular to maintain an adequate national security, I shall continue to do whatever I can toward providing the necessary funds to make sure that we are not a second rate power and thus subjected to all of the blackmail that is sure to result.

While the Navy has retired 266 ships in the past 2 years, Russia has been making great strides forward in building a bigger and more modern Navy. If we want to even keep abreast of Russia, we must provide more new and modern ships, such as nuclear submarines. In order to effect a savings and make some reduction in this Defense budget, a start on a nuclear submarine was deleted from the House-passed bill. This is a cut that is going to hurt and the kind that we cannot continue indefinitely in the future.

Russia is building new nuclear submarines at a rate approximately eight times that of the United States, and in the matter of a short while could well surpass us in this very important area of national defense.

Because of some serious problems we have experienced in the acquisition of new and more modern fighter planes, we are slipping behind Russia in this important phase of military defense. Their newest fighter planes are equal or superior to anything we have in our inventory today.

We have two new fighter planes which we believe will be superior to anything Russia has—the F–14 and the F–15. The F–14 will not be operational, however, until the spring of 1973; and the F–15 will be operational in mid-1975. Even this schedule would be delayed if we fail to provide the necessary funds for the research and development of these new and absolutely necessary planes. Fortunately, there are funds in this bill to continue with the research and development of these planes.

The Soviet Government has been working feverishly to surpass us in both the number and effectiveness of intercontinental missiles. Their SS–9 carries a far bigger megatonnage than any of our intercontinental missiles. We believe, however, that our Minuteman, which we think has a more modern and sophisticated warhead, is still superior for the time being. The Russians have announced just recently their first long-range test firing of an improved SS–13 intercontinental missile into the Pacific. While the Russians are about equal to us in the number of intercontinental missiles, we still believe that we have a narrow margin of superiority in this area. This superiority could easily be overcome if we failed to continue the modernization of our missiles.

With the winding down of the war in Vietnam, hopefully our military budget can be lower in future years and still provide the money so badly needed for the modernization of our Armed Forces.

Cutbacks in defense spending do have some adverse effects on our national economy. The 683,000 civilian and military personnel that have been retired from the military services have added substantially to our unemployment problem. Cutbacks in defense-related industries have meant a further reduction in the same period of approximately 1,200,000 defense-related jobs.

Mr. President, in this connection, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a column by James McCartney entitled "Defense Trims Wipe Out Jobs Across Nation" which was published in the Miami Herald on Sunday, November 29. This article gives a vivid and, I believe, quite accurate analysis of the new unemployment problem we face.

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

(See exhibit 1.)

Mr. YOUNG of North Dakota. Mr. President, I do not mean to imply that we must maintain a huge defense establishment just to provide jobs. But I do want to point out that the cutback in defense spending has and will continue to affect employment in industry in this country. I am hopeful that increased public works and other means will be found to offset this drop in employment opportunities.

Mr. President, I am hopeful that the Senate will approve this defense budget bill the same, or substantially the same, as it came from the Senate Appropriations Committee where it received long and most diligent consideration.

EXHIBIT 1

DEFENSE TRIMS WIPE OUT JOBS ACROSS NATION

(By James McCartney)

WASHINGTON.—President Nixon's slashing attack on the nation's semi-sacred defense budget is cutting deep into the economy.

Literally hundreds of thousands of men have been thrown out of work as a direct result.

Hundreds of communities across the land—from tiny places like Valley Forge, Pa., to cities such as Seattle—have been hit hard.

Southern California's aero-space industry is reeling from the shock.

Even though the defense budget is about to rise once again, the effects of cuts over the last two years continue to hit home.

Nixon's program which has been master-minded by Defense Secretary Melvin R. Laird, is sweeping in scope.

Yet, because it evolved bit by bit over a two-year period, its full dimensions have not been widely understood.

Here is the way it adds up now:

More than 1.2 million defense contract workers have been dropped. Many were scientists and engineers.

Military manpower has been cut by 639,000.

Civilian employes of the military are down about 142,000.

This, however, is only one way to look at the cutbacks.

The number of ships in the Navy, for example, has been cut by 150—from a high in the early days of the Nixon Administration of 858.

The number of divisions in the Army has been cut. It was up to 19 and two-thirds divisions. The new figure is 13 and one-third divisions.

That is the lowest strength for Army divisions in a decade.

The number of planes in the Air Force is down by about 10 per cent. That's a slash of about 5,000 aircraft.

All this has touched raw nerves across the land.

Top administration officials candidly acknowledge that the defense cuts are the greatest single contributing factor to the current unemployment problem.

"MOST SIGNIFICANT CONTRIBUTOR"

That problem is now considerable.

As of the end of September, there were about 4.7 million unemployed.

This represents an increase of 1.9 million during the Nixon Administration.

As computed by Defense Department Comptroller Robert C. Moot, defense cuts have fed about 1.2 million men into the labor force during this period.

"We have let that many men go, you could say," says Moot. "You can't say that every man we've released has become unemployed. It's not that simple. It's not a one-for-one thing.

"But we are the most significant contributor to the unemployment problem."

By far the hardest-hit region has been the West Coast—all the way from the southern California aerospace complex to the state of Washington.

This area has absorbed about 32 per cent of the impact.

The north central region of the country—Ohio, Illinois, Iowa, Missouri and Kansas—ranks second, with 17 per cent.

Percentages in other regions are: south central (including Louisiana and Texas) 16.7; New England (Including Massachusetts and Connecticut) 12; South Atlantic (including Georgia and Florida) 9; middle Atlantic (including Pennsylvania) 9; mountain, 4.

In some industries the impact has simply knocked business for a loop.

Defense cutbacks, for example, have slashed demand for aircraft and aircraft parts by 44 per cent.

The slash in demand for electronic equipment amounts to 23 per cent.

In some towns and cities across the land this has meant something like localized depression.

SEATTLE HIT HARDEST OF ALL

Probably the worst-hit city in the country is Seattle, which depends on Boeing Aircraft for its economic survival.

Seattle is a wasteland.

But many a smaller place has suffered quietly.

Valley Forge, Pa., a suburb of Philadelphia, was one of the first to be hit in the early days of the Nixon Administration. The administration canceled the "Manned Orbital Laboratory" program.

A major contractor was General Electric, with a plant in the Valley Forge area.

Raymond Bell Posey, executive vice president of the Valley Forge Chamber of Commerce, estimates that retail sales in the area have dropped about five or six per cent since the contract was canceled.

He says about 4,500 men lost jobs, many of them white-collar professionals. "But this is such a diversified area," he says, "that the impact has not been severe."

He points out that many of the employes of the General Electric plant commuted from Philadelphia, or Pottstown, or even from New Jersey—often traveling as far as 20 miles to get to work.

Thus, the Philadelphia area has absorbed the loss, and many who lost work have found other jobs, he believes.

This kind of pattern is repeated elsewhere. The one-industry town is no longer common in the United States, and most cities can absorb defense contract losses without disaster.

In terms of dollars, the Nixon Administration actually sought to slash the defense budget by about $6 billion—but has not succeeded in getting all requested cuts through Congress.

Administration officials, particularly Laird, have been plain-spoken in saying that they did not think the economy ought to depend on artificial stimulus from defense spending.

The President has made his attitudes clear on this subject privately. In other words, the administration does not wish to support a kind of "military-industrial complex" to keep employment high, according to officials.

This could be a courageous political point of view on the part of the administration for which it has gotten little public credit.

The defense cutback program, however, has clearly ended.

Last year's final administration proposal was for $71.8 billion. A rise of at least several billion is now in prospect—probably to about $74 or $75 billion.

It could go much higher if strategic arms limitation talks with the Soviet Union fail.

Mr. ELLENDER. 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.

MAJOR MILITARY SPENDING CUT BY SENATE COMMITTEE

Mr. PROXMIRE. Mr. President, I rise today to congratulate the chairman and members of the Senate Appropriations Committee, and especially its Subcommittee on Defense Appropriations for the major cuts they have made again this year in the military spending bill. Once again, they and their House counterparts, have achieved a signal success.

The Senator from Louisiana (Mr. ELLENDER) and the Senator from North Dakota (Mr. YOUNG) did an excellent job on this measure. It is a very difficult one to deal with because it is so complicated, and because it involves the security of our country in which we are all deeply interested. They handled it with excellent judgment and achieved a great deal.

The President asked for $68.7 billion. The Senate committee proposes $66.4 billion. That is a whopping cut of $2.3 billion below the President's requests.

They did this in the face of one of the heaviest propaganda barrages by the Department of Defense and its allies to restore the cuts that we have seen.

The Secretary of Defense insisted that the $68.7 billion was a "rock bottom" budget. When the House cut $1.9 billion from his requests, he came back to the Senate to plead for restoration of $1.3 billion. Furthermore, included in the $1.3 billion was $355 million for items which were not even in the President's budget.

I am happy to observe that not only did the Senate committee turn down the Secretary's request, but they went even further than the House. They not only refused to restore the $1.3 billion, they not only kept intact the House cut of $1.9 billion, but the Senate committee cut an additional $389 million below the House cuts.

That is some cut. Because of it, I intend to support the committee's actions.

SENATE EFFORTS VINDICATED

One further point should be made about the committee's action. In the passage in the Senate of the military authorization bill, the Senate accomplished a number of important goals. It cut over 7 percent from the budget request. In addition, it cut a number of weapons systems which the House had proposed but which either had not been requested or for which no "fly before you buy" or "build a prototype first" policy was in effect. The committee cut back on these items, and cut back very firmly.

In the conference, however, the House was adamant about a number of them. The Senate had to give in on some system which should not be built.

But I am very pleased to note that both the House and Senate Appropriations Committees have refused to fund these items in most cases. The work of the Senator from Mississippi (Mr. STENNIS) and his colleagues which appeared to be lost during the conference on the military authorization bill, has now been won. It has been won in the same sense that much of the effort the critics of military spending made and lost on the Senate floor has now also been won in the Appropriations Committee due to the $2.5 billion cut in funds.

PRIORITIES FIGHT BEGINNING TO PAY OFF

The Appropriations Committee staff now tell me that the $2.4 billion cut in the Defense bill will more than offset any increases which the Congress has made for health, education, housing, and the environment. They tell me that their best estimates are that when action on the budget requests are completed we will have cut the President's overall budget requests by more than $1 billion. That is for the entire sweep of Federal spending and will be $1 billion below President Nixon's request. We have therefore cut back on some wasteful spending. We have increased funds for needed programs. And, in addition, we have given the taxpayer a $1 billion plus overall cut. The long fight over priorities and spending is beginning to pay off. But it is only a beginning.

FIGHT NOW UP TO THE PRESIDENT

Congress has done its job. But the President and the administration have not cut military spending in any comparable degree to the cuts in appropriations by the Congress. Let me be specific.

In fiscal year 1969, Congress cut the President's requests for the Department of Defense and military construction by $5.5 billion.

In fiscal year 1970, or last year, Congress cut the President's requests for the Department of Defense and military construction by $6 billion.

This year, fiscal 1971, Congress will cut the President's requests by somewhere between $1.9 and $2.4 billion. We can be reasonably certain that the figure will be $2 billion or more. Those are total cuts from the President's budget requests for those 3 fiscal years of $13.5 billion.

PRESIDENT'S SPENDING TOO HIGH

But what about defense spending or the "outlays." These are the funds the President controls.

In fiscal year 1969, actual defense spending was $81.2 billion. In fiscal 1970, the first budget over which Mr. Nixon had real control, the military outlays dropped to $79.4 billion, or by only $1.8 billion. This year thus far, outlays are at an annual rate of $77.6 billion. This figure is for the first 3 months. The pace may quicken later. But thus far we have seen a cut in outlays or actual military spending of only $4.6 billion—which of course Congress provided for in the appropriations.

Congress had done its job. It has cut appropriations by over $13.5 billion, and by over $11 billion before this year. But the President and his administration have cut only $4.6 billion from actual spending.

It is time for the President and the Office of Management and Budget to do their job.

A $30 BILLION BACKLOG

One of the reasons for this difference is the huge backlog of obligated balances which the Department of Defense has squirrelled away. According to Special Analysis G in this year's budget statement the Department of Defense had on hand on June 30, 1970, obligated balances of $30.4 billion. They expect to have $30.9 billion on hand on June 30, 1971. The procurement backlog alone is over $19.5 billion. These are funds which have been obligated but not yet actually spent. It is from these huge balances that the President and the Pentagon keep spending even while Congress cuts their budget. Congress has done its job. It is time for the President, the Office of Management and Budget, and the Pentagon to do their job. Unless they act, the military budget will continue to be out of control.

I welcome the attempt of both the House and Senate Appropriations Committees to come to grips with this problem. Unless this problem can be cured, we will have lost permanent control over military spending. I welcome the committee's language—in section 842—ordering the withdrawal of overage balances from the Pentagon and for the Comptroller General to determine the amounts to be withdrawn. That will help.

DANGER OF INCREASED BUDGET

But the danger is that the Pentagon will step up spending. We have already been told by Secretary Laird that he expects to ask for $1 billion more for military spending next year than this year. That is bad news for the country and bad news for the taxpayers, especially when we are engaged in winding down the Vietnam war, which should enable us to save $8 billion to $10 billion.

Instead, there should be a decisive cut in military expenditures by the President. And there should not only be a cut in his budget requests but in the actual spending or "outlays" over which he and the executive branch have control.

This is necessary both to carry out the mandate of Congress and to keep his overall budget within reasonable grounds.

We are told that the President is aiming for expenditures consistent with a full employment budget. This means that spending next year would be about $228 billion. There is no way this goal can be met short of a decisive cut in military spending without, of course, a deep and punishing reduction in spending in the human program areas. With the increases in the noncontrollable items brought about by the increases in the interest on the national debt, social security, welfare, medicare, and veterans costs, to name only a few, the overall budget can only be kept under control if there is a substantial decrease in Pentagon outlays.

Congress has given the President the blueprint. We have cut $13.5 billion from military appropriations. It is now up to the President and the Pentagon to carry out the plan. That can be done by slashing Pentagon outlays over which the President has control. They must cut more than the $4.6 billion reduction to date.

Mr. President, I yield the floor.

Mr. STENNIS. Mr. President, as a member of the Senate Appropriations Committee, I highly compliment our distinguished colleagues, the Senator from Louisiana (Mr. ELLENDER), and the Senator from North Dakota (Mr. YOUNG), upon the excellent job which they and their fellow members of the subcommittee have done on the defense appropriations bill.

I am also pleased that the pertinent appropriations recommended, although independently arrived at, are substantially in agreement with the Military Procurement Authorization Act. There are, of course, some significant differences with respect to particular items.

Mr. President, we do not have a clear-cut historical legislative system for comparing procurement items all the way through in this legislative process. I think it will be helpful to bring forward at this time the figures as agreed to by the authorizing committee and as agreed to by the Appropriations Committee. Without this comparison being brought together in one treatment, anyone that is really trying to make a study of the military budget for this year and what was done about it by Congress, by both Houses, would find the record to be incomplete. So, I make these comparisons here primarily for the purpose of bringing out the complete legislative history. The Defense appropriations bill, as reported by the Senate Appropriations Committee, totaled $66.4 billion, which is $400 million, or less than 1 percent below the $66.8 billion passed by the House.

In terms of the procurement authorization legislation, the appropriations recommended by the committee provided $18.535 billion, or $374.2 million, which is 2 percent less than the Senate authorization bill, which amounted to $18.9 billion, or $222.2 million, which is 1.8 percent below the amount provided in the House appropriations bill.

The following table compares the procurement Authorization Legislation with the House and Senate appropriation actions:

	(*Dollars in billions*)
Authorization request	19,937
Authorization act	19,595
Authorization, (Senate version)	18,909
Appropriation, (House version)	18,757
Appropriation, (reported to the Senate)	18,535
Program, (reported to the Senate)	18,735

Mr. President, with reference to procurement, the Senate authorized $11.9 billion for the procurement of military hardware for fiscal year 1971. This is relevant here because it was the military procurement bill that we had under debate for so long. This compared with the defense request of $12.9 billion. The Appropriations Committee now recommends funding in the amount of $11.6 billion, or $317 million less than the Senate authorization.

I would like to emphasize that there are only a few major differences between the Senate authorization and the program now under consideration.

I think the striking similarity in these matters represents the understanding and the consideration of the Members of the Senate who have worked on these programs for years and are getting familiar with them one way or the other, either on the Armed Services Committee or on the Appropriations Committee. We have a good number of Senators in common to those two committees.

For purposes of the history of procurement items for fiscal year 1971, I note the following:

ARMY PROGRAMS

1. IMPROVED HAWK GROUND-TO-AIR MISSILE

This missile was authorized by the Senate at $53.3 million, a reduction of $37 million in the request. As a result of conference action the final authorization was $81.4 million. The Senate Appropriations Committee recommends full funding of $81.4 million authorized, or $23.3 million above the Senate authorization.

2. ARMY TANK PROGRAM

As with the Improved Hawk, the Army tank program was reduced by the Armed Services Committee; however, the reduction was restored by conference action. The recommended funding is the same as the amounts finally authorized.

NAVY PROGRAMS

The only significant difference concerns the Sparrow-F air-to-air missile. The Armed Services Committee reduced the number of missiles because of concurrency. This bill recommends no procurement this year to permit another year of development before starting production.

I have previously pointed out the transitional nature of the fiscal year 1971 budget. As ultimate force size and composition change, so do the requirements change. Battle losses, changes in usage factors—all have an effect on requirements for military equipment and material. Some 4½ months have passed since the Armed Services Committee completed their review of the fiscal year 1971 program.

Mr. President, one of the most difficult matters to deal with in the Committee on Armed Services, the Committee on Appropriations, and on the floor of the Senate, is the authorization and appropriation for research, development, testing, and engineering.

The Committee on Appropriations recommends $6,960,100,000, which is 1 percent below the $7,016,500,000 that was originally authorized by the Senate. It is $5.4 million more than the sum in the appropriation bill as passed by the House. It is $141 million below the final authorization.

A comparison of the Senate Appropriations Committee report with the original budget request, the Senate authorization, and the House appropriations bill follows—in millions:

	Request	Senate authorized	Appropriation			
			House	Senate	Change from Senate authority	Change from House appropriation
Army	1,735.9	1,609.2	1,608.5	1,589.7	−19.5	−18.8
Navy	2,212.3	2,194.3	2,156.2	2,139.5	−63.8	−25.7
Air Force	2,927.7	2,718.0	2,701.1	2,744.8	+26.8	+43.7
Defense agencies	475.7	445.0	438.9	445.1	+.1	+6.2
Emergency fund	50.0	50.0	50.0	50.0		
Total	7,401.6	7,016.5	6,954.7	6,960.1	−56.4	+5.4

Compared with the Senate authorization, the major changes made by the Senate Appropriations Committee are as follows:

ITEMS ABOVE SENATE AUTHORIZATION

Cheyenne—Senate authorization, 0; appropriation, $17.6 million.

The $17.6 million deleted in the Senate, but restored in the final authorization, is recommended for appropriation by the Senate committee. However, that does not constitute a commitment to production.

SAM–D—(Senate authorization, $74.3 million; appropriation, $83.1 million.)

The difference of $8.8 million was restored in the final authorization and is provided both in the House and Senate actions on the appropriation to support continued development. The Army has appointed a board to reassess the threat, review system tradeoffs, and make recommendations during the consideration of the fiscal 1972 authorization.

Destroyer helicopter—LAMPS—Senate authorization, $5.5 million; appropriation, $10.5 million.

The Senate authorization of $5.5 million was reduced to $3.5 in the House appropriations bill but restored to the final authorization of $10.5 million in the Senate committee appropriation report. The increase will permit initiation of contract definition, test bad aircraft and sensor work, and studies of ship-related requirements.

Air launch/surface launched antiship missile—Harpoon—Senate authorization, $7 million; appropriation, $18.5 million.

The $7 million in the Senate authorization was increased in the House appropriations bill to $21.0 million which is the same amount in the final authorization. The Senate Appropriations Committee deducted $2.5 million from this as being excess funding.

Point defense system—Senate authorization, $11 million; appropriation, $14.8 million.

The Senate Appropriations Committee agreed with the House and recommends the $14.8 million, the same amount as finally authorized, but $3.8 million higher than the Senate authorization.

B–1—Senate authorization $50 million—appropriation $75 million.

Both the House bill and the Senate Appropriations Committee provided $75 million, the amount contained in the final authorization. The progress of this development program will be watched closely and the requirements presented in the fiscal 1972 budget will be reviewed in detail.

Minuteman rebasing—Senate authorization $50 million—appropriation $61 million.

The Senate Appropriations Committee recommendation of $61 million is $11 million higher than the Senate authorization, but $34 million above the House appropriations bill. None of these funds will be used for mobile minuteman or hard point defense.

Subsonic cruise armed decoy (SCAD)—Senate authorization, 0—appropriation $10 million.

The Senate committee restored $10 million as provided in the final authorization act, but which the House had not provided in the appropriation. While the Senate Armed Services Committee supported this program, funds requested for fiscal year 1971 were deleted because of delay in approval by the Secretary of Defense and the availability of prior year SCAD funding.

Items below Senate authorization:

S–3A—Senate authorization $287 million, appropriation $266 million.

The Senate committee recommends $266 million which is the same as the final authorization and the House appropriations bill. Since the research and development program is incrementally financed, the difference of $21 million from the Senate authorization is not required.

Ship contract definition—Senate authorization $10 million—appropriation $1 million.

The $1 million appropriation recommended compares with the $2 million in the House bill but is $9 million below the authorization approved by both Houses. This is attributed to a delay in the DXG program which permits a reduction in funds required in fiscal 1971.

Titan III—Senate authorization $35.4 million—appropriation $28.5 million.

The House appropriations bill provided $35.4 million which is the amount requested and authorized by both Houses. The Senate Appropriations Committee reduced this by $6.9 million based on a review of lower priority requirements.

Mr. President, that completes the figure history of this matter. Again I highly compliment the two ranking members of our subcommittee that handled this bill. It is amazing to me the fine knowledge they have of all these intricate and complicated matters, with the switching back and forth of progress in the programs and the changing of figures from year to year. They certainly render great service to the Senate. I am pleased to see that their work is being accepted so well by the Senate.

I hope this bill will be agreed to by the Senate with a tremendous vote, without any alteration of any substance.

I refer again to the figures which I have given as partly in response to a promise I made in debate on the procurement bill when the question was raised about line items for this huge bill. I said then we would do everything we could to complete the record all the way through and next year we propose to do the same thing for the information of all Senators and interested parties. It is virtually impossible, however, in these huge bills to have what we ordinarily call line items to carry all the way through.

I yield the floor.

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer (Mr. STEVENSON) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committee.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 380) to repeal section 7 of the act of August 9, 1946 (60 Stat. 968); asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HALEY, Mr. EDMONDSON, and Mr. SAYLOR were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 17867) making appropriations for foreign assistance and related programs for the fiscal year ending June 30, 1971, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PASSMAN, Mr. ROONEY of New York, Mrs. HANSEN of Washington, Mr. COHELAN, Mr. LONG of Maryland, Mr. MCFALL, Mr. MAHON, Mr. SHRIVER, Mr. CONTE, Mrs. REID of Illinois, Mr. RIEGLE, and Mr. BOW were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17923) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes; that the House receded from its disagreement to the amendment of the Senate numbered 3 to the bill and concurred therein, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 19504) to

authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FALLON, Mr. KLUCZYNSKI, Mr. WRIGHT, Mr. EDMONDSON, Mr. CRAMER, Mr. HARSHA, and Mr. CLEVELAND were appointed managers on the part of the House at the conference.

The message further announced that the House had passed a bill (H.R. 17436) to amend the National Environmental Policy Act of 1969, to provide for a national environmental data system, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

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

S. 336. An act to amend section 3(b) of the Securities Act of 1933 to permit the exemption of security loans, not exceeding $500,000 in aggregate amount, from the provisions of such act;

S. 4187. An act to authorize the Secretary of the Army to convey certain lands at Fort Ruger Military Reservation, Hawaii, to the State of Hawaii in exchange for, certain other lands; and

S.J. Res. 230. Joint resolution extending the duration of copyright protection in certain cases.

HOUSE BILL REFERRED

The bill (H.R. 17436) to amend the National Environmental Policy Act of 1969, to provide for a national environmental data system, was read twice by its title and referred to the Committee on Commerce.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1971

The Senate continued with the consideration of the bill (H.R. 19590) making appropriations for the Department of Defense for the fiscal year ending June 30, 1971, and for other purposes.

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

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

Mr. FULBRIGHT. Mr. President, I send to the desk an amendment and ask to have it stated.

The PRESIDING OFFICER. The amendment will be read.

The assistant legislative clerk read the amendment, as follows:

On page 49, between lines 5 and 6, insert a new section as follows:

"SEC. 847. None of the funds appropriated by this Act in excess of $20,000,000 may be expended for the purpose of public information, public affairs, and public relation activities, including personnel costs connected with such activities."

Mr. FULBRIGHT. Mr. President, on November 6 President Nixon sent a memorandum to the heads of all departments and agencies of Government concerning Government public relations activities. I wish to read that memorandum for the benefit of the Senate. It is not very long and it is an execellent statement. I read:

THE WHITE HOUSE,
Washington, November 6, 1970.

Memorandum to the heads of executive departments and agencies.

Subject: Public relations activities.

During the past 18 months, I have seen a number of agency publications, exhibits, films and related public relations efforts which in my judgment represent a questionable use of the taxpayers' money for the purpose of promoting and soliciting support for various agency activities. While I believe in and fully support an open Administration that legitimately informs the public, I want to put an end to inappropriate promotional activities by executive branch agencies.

Therefore, I direct you to curtail sharply your agency's FY 1971 plans for promoting the agency's programs and attempting to obtain support of special interest groups.

To bring about a curtailment of self-serving and wasteful public relations activities, I have instructed the Director of the Office of Management and Budget to reduce the funds available to your agency in FY 1971 for broadcasting, advertising, exhibits, films, publications, and similar public relations efforts. The Director will inform you of the specific dollar reduction I have ordered for your agency. I have directed that amounts which would have been used for this purpose be reduced and placed in reserve.

I want to make it clear that this is not an attempt to single out those who serve the Government well by informing the public and preserving the principle of freedom of information. Rather, it is directed at those who are, quite understandably, program advocates, and who, perhaps unknowingly, affront many of our citizens with public relations promotions, fancy publications and exhibits aimed at a limited audience, and similar extravagances that are not in keeping with this Administration's often stated policy of frugal management of the public's resources.

Please take personal action to ensure that your subordinates carry out the intent of this directive and that they do not attempt to circumvent it through changes in position titles or a reallocation of resources intended for other purposes.

RICHARD NIXON.

I cannot think of a more appropriate or better statement concerning the purpose of my amendment. It is designed to implement the memorandum of the President of the United States, and, I may say, the Commander in Chief of the Armed Forces—the directive to cut down on promotional public relations activities. I could not have stated it nearly as well if I tried.

All of us receive these extravagant publications, paid for by the public relations office of the Department of Defense. By coincidence, on yesterday I happened to receive a most elaborate publication. It was a book at least 18 inches in one direction and about 14 inches in the other. It was sent to me by the Vice President of South Vietnam. It had elaborately illustrated pictures, and I would estimate it would cost somewhere around $20 or $25 on the open market. It was promoting, of course, the activities of our armed services and the Vietnamese armed services in Vietnam. I have no doubt, of course, that the ultimate payment for it would come out of our aid to Vietnam. It would not be allocated directly to the funds involved here. All of us get these enormous volumes of promotional literature, and we see television programs, and so on.

The President, as I said, has gone to the heart of the matter, directing the agencies to confine their activities to distributing legitimate information.

The President is to be commended for this step to limit the use of tax moneys to lobby taxpayers. By imposing a $20,000,000 ceiling on the public relations and public information activities of the Pentagon, my amendment will give the Senate an opportunity to support and endorse the President's efforts. The Senate Appropriations Committee has recommended as I understand, a nonstatutory spending limit of $28,000,000, on an annual basis. But it actually allowed a total of $30,400,000 for fiscal year 1971 on the grounds we are already well into the fiscal year and spending has been going on at a higher rate. This is not good enough, I think, particularly in view of the fact that we face, perhaps, a $15 billion deficit, and a mounting backlog of social needs. The Senate should do more than give the Pentagon's propaganda program a gentle tap on the wrist. It should impose a strict, statutory limit on spending for these purposes.

Eleven years ago, for fiscal year 1959, the Congress for the last time placed a limitation on the amount which the Department of Defense could spend on public relations and public information. The limit was set at $2,755,000—a substantial sum to promote what was then a $43 billion defense establisment. The Office of the Secretary of Defense alone—just that office—now spends more than that on public relations. From fiscal 1959 to fiscal 1970, the overall defense budget almost doubled. But during that same period, the Defense Department admitted spending for public relations activities, lacking any effective legislative restraint, soared to $40 million—a fifteenfold increase since 1959.

In other words, the overall expenditures for defense about doubled during that period, and its promotion and public relations costs had a fifteenfold increase.

I might point out, however, that I was advised by Defense officials last year that public relations and related spending for the entire Defense Department came to only $27,953,000 in fiscal 1969. But now, in anticipation of the imposition of a legislative ceiling, they admit that the public relations bill for 1969 was actually $44,062,000.

This is one of the recurring phenomena with the Defense Department, and other departments as well. When the matter first came up, they said $27 million. Now they have put it at $44 million, and so this permits the Department to come before the committee and say, "Look, we are taking a big cut, cutting it from $44 million to $30 million," when actually, if we accept their first figure of $27 million,

we would be giving them a substantial increase, at $30 million, over their actual estimate.

The House Appropriations Committee was deceived on a more grand scale. The committee's report on the pending bill states:

In 1968, the Committee was advised that $9,108,000 was included in the fiscal year 1969 Defense budget for Public Affairs, Public Information, and Public Relations activities. This year, the Committee was advised that the Department's best estimate of actual obligations for fiscal year 1969 was $44,062,000, an increase of $34,954,000 over the estimate.

The C–5A syndrome seems to have infected the public relations apparatus. But that is not all. The report of the House committee goes on to say:

For fiscal year 1970, the budget estimate included $34,164,000 for these activities. Based on this estimate, the Committee applied a reduction of $4,955,000. The Committee was informed this year, however, that the Department estimated it would obligate $40,447,000 for this activity during fiscal year 1970, or $11,238,000 more than the amount allowed by the Committee.

The committee was not only deceived; the Defense Department thumbed its nose at the committee's attempt to make a modest cut in the program.

Yet the House committee, in spite of saying it was "determined to establish a fixed limitation" on these activities, was apparently so inured to deception on such a scale from the Pentagon that it cut the fiscal year 1971 budget request by only $7 million. This still left public relations spending at 11 times the 1959 limit.

In response to my inquiries last year, I was also told by the Department of Defense and the various services that the total number of personnel, military and civilian, who worked in public affairs programs came to some 2,800. I now find, again, that the figures provided grossly understated the actual situation. Now that the Department is concerned that Congress may reimpose a spending ceiling on this activity, they have recomputed the personnel involved and for fiscal 1970 the total comes to 4,430—nearly a 60-percent increase over the figure supplied to me. I ask unanimous consent that a table containing budget and personnel data, taken from the Senate Appropriations Committee hearings, and a table showing the effect of my amendment be printed in the RECORD at this point.

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

SUMMARY OF PUBLIC AFFAIRS COSTS

[In thousands of dollars]

	Fiscal year 1969	Fiscal year 1970	Fiscal year 1971
Army	13,929	12,253	12,253
Military personnel, Army	7,683	7,100	7,100
Operation and maintenance, Army	5,323	4,300	4,300
Operation and maintenance, Army National Guard	300	300	300
Procurement of equipment and missiles	16	10	10
Other	607	543	543
Navy/Marine Corps	14,340	14,001	12,186
Military personnel, Navy	6,982	6,488	5,692
Operation and maintenance, Navy	3,641	3,543	2,869
Military personnel, Marine Corps	3,543	3,786	3,441
Operation and maintenance, Marine Corps	174	184	184
Air Force	12,390	10,080	9,650
Military personnel, Air Force	8,559	6,734	6,537
Operation and maintenance, Air Force	3,831	3,346	3,113
Office, Secretary of Defense	3,403	3,354	3,527
Military personnel (various)	1,806	1,706	1,706
Operation and maintenance, Defense agencies	1,597	1,648	1,821
Total	44,062	39,688	37,616

Note: The above figures differ from those previously furnished to the HAC staff on public affairs in connection with the fiscal year 1970 budget review (1) because of the method by which derived, (2) because of reductions based on specific congressional action and fiscal constraints, (3) because of fiscal year 1970 pay raises, and (4) because of expanded coverage. For instance:

1. Based on 1-time reports costs at lower levels of command have been ideal and which are not available through routine accounting reports.
2. For comparability among services certain costs have been added (such as the Air Force's Home Town News Center and orientation group) or deleted (such as security review functions except in the OASD(PA), which are included).
3. Certain OSD costs incurred in central services category assigned to public affairs.
4. All identifiable costs of the A.F.I. & E. program and similar terminal information programs have been excluded.

The above figures also represent a substantially broader definition than applied from 1952 through 1959 under Public Law 179 82d Cong., particularly with respect to community relations programs and answering public inquiries.

PUBLIC AFFAIRS PERSONNEL BY DEPARTMENT[1]

	1969	1970	1971
Army:			
Military	1,138	1,058	1,058
Civilian	438	387	387
Navy/Marine Corps:			
Military	1,464	1,400	1,257
Civilian	336	312	267
Air Force:			
Military	982	814	781
Civilian	323	272	272
OASD (PA):			
Military	123	101	101
Civilian	95	86	86

[1] All figures are year-end strength except Army, which are available in man-years only.

Source: Hearings of the Senate Appropriations Committee on the Defense Appropriation bill, p. 920.

COMPARATIVE DATA ON PUBLIC RELATIONS BUDGETS AND ALLOWANCES

	Budget	House allowance	Senate committee	Fulbright amendment (approximate)
Army	$12,312,000	$10,444,000	$10,300,000	$6,750,000
Navy and Marine Corps	12,186,000	10,485,000	10,400,000	6,820,000
Air Force	9,650,000	8,190,000	8,100,000	5,360,000
Office of the Secretary of Defense	3,527,000	1,471,000	1,200,000	800,000
Defense Agencies and JCS	623,000		400,000	270,000
Total	38,298,000	30,590,000	30,400,000	20,000,000

Mr. FULBRIGHT. In the last fiscal year the admitted spending on public relations and public information was $12,253,000 by the Army alone; $14,001,000 by the Navy; $10,080,000 by the Air Force; and $3,354,000 by the Office of the Secretary of Defense. But this is really only the beginning.

For example, the Army takes much pride in what it calls Operation Understanding, a 4-day tour of Army Air Defense Command activities for a "cross section of interests and occupations in the civilian communities" during which the guests are exposed to the virtues of the ABM and other weapons systems. Apparently, the women's liberation movement has had a significant impact on the Army: they have frequent ladies' days in Operation Understanding. Three of the most recent lists furnished me were comprised entirely of women. One list was made up entirely of members of Texas Federation of Women's Clubs, one of members of Altrusa Clubs, and another of Colorado ladies, with no apparent club affiliation, who ranged from wife of physician to wife of district manager of the local telephone company.

Although the Army runs 36 of these tours a year, bringing in local leaders from all over the country to visit installations in Texas, New Mexico, Colorado, and elsewhere, it says that the "program is operated on the basis of no additional expense to the Government." Apparently, not one cent of the Army's $13 million public affairs budget last year was charged off to Operation Understanding."

The admitted totals for military spending on public relations activities is but the very small tip of a very large iceberg. It does not include, for example, the costs of maintaining aircraft for flying local dignitaries to Florida, Las Vegas, or Colorado Springs for "orientation" purposes; the travel expenses of the thousands of officers and civilians who ply the banquet circuit selling their service's particular brand of national defense; and the thousand and-one activities at the local base level, labeled "community relations," which all add up to trying to win friends and influence people to support military spending programs.

One of the biggest hidden subsidies for public relations is from the millions of dollars spent in the name of internal information programs for members of the Armed Forces. In fiscal year 1970 the Army spent, by its own admission, $13,200,000 on internal information programs. But this money financed items such as the "Big Picture" television series on which $727,000 was spent for production of 25 new films that year, which were seen by millions of Americans on their local television stations. Other services have similar programs, all ostensibly for internal use. A total of $35,103,790 was spent on internal information programs in fiscal year 1970. And a significant part of this amount should, in fact, be charged to public relations.

I emphasize that these figures are not within the figure which is called public relations, yet they obviously are in fact public relations.

Each service has its own devices, but the objective is the same: public support which will be reflected in practical terms—congressional appropriations. A Navy journalist wrote me last summer as follows:

I whole-heartedly support your fight against huge expenditures by the military in the area of public affairs. As a Navy journal-

ist, I am well aware of the fact that the public affairs programs of the military are more geared to convincing the public than to informing it.

If our job in public affairs is to create a good image of the armed forces, whether it is deserved or not, all public affairs programs should be abolished. I suggest instead that the task be placed in the hands of J. Walter Thompson Company or another agency more experienced and more capable in the field of public relations and advertising. I'm sure they could do a much better job of convincing the American public at less cost to the American public.

An information officer in the Air Force wrote in a similar vein. He said:

My own experience after four years in the field leads me to agree with you that a great deal of money is wasted on public relations activities which serve no purpose other than to further inflate the egos of high-ranking military officers . . .

I also wonder about the propriety of spending the public's money to improve that same public's image of the military; although from the military's point of view, I can see the necessity for such an expenditure in light of the growing anti-military sentiment among the American people.

One of the most blatant—and I think inexcusable—propaganda programs has been one where five military camera crews have been used to turn out so-called news films on Vietnam and Southeast Asia for use by the commercial television networks.

I might say that these films are offered to the commercial television networks free, gratis. Several months ago it was disclosed, by personnel involved in this program, that some Department of Defense TV films presented to American television audiences as authentic events were in fact faked or staged. The Defense Department has not only propagandized the American people to support the current Vietnam policy, but also it has palmed off fiction as fact. The commercial television networks are perfectly capable of presenting the facts about what is going on in Vietnam. The American people deserve better, both from their Government and the TV networks, than to have staged propaganda films, paid with their tax money, passed off as straight and genuine TV news.

It is one thing for the Defense Department to have employees available to provide—quickly and responsively—factual information both to the public and the press upon request. It is quite another when the Department and the individual military services use taxpayers' money to generate and promote public support for military weapons, military programs, or a President's foreign policy. The existence of this public relations apparatus, which vigorously promotes the special interests of the Military Establishment, and the current foreign policy of the executive branch, should concern all those interested in preserving our democratic system and the traditions of the free press.

Only Congress can bring the Defense Department's public relations program under control. As a first step, a fixed statutory limit on spending for public relations should be imposed. My amendment would do just that.

It might be argued that a reduction to $20,000,000 is too severe, that the program should be cut back more gradually. In the last 11 years, since a congressional ceiling was abandoned, the size of the Armed Forces has increased about 35 percent, the cost of living about 30 percent, military pay about 69 percent, and civilian salaries about 56 percent. The inflation in this program has been of bureaucratic—not economic—origin. The limitation I propose would still allow a 740 percent increase above the 1959 legislative ceiling, which it seems to me is a very generous increase indeed.

Although the restriction I propose would meet, temporarily, a number of the problems involved in the operation of public relations programs by each of the components of our Armed Services, it does not get at the more fundamental problems of coordination and control within the Defense Department. What is needed is centralized control within the Pentagon for all public relations and continued congressional review to assure that whoever is placed in control recognizes the limitation on his role. To guarantee that control, I hope that in the future Congress will consider appropriating all funds for public information to one specific office—say, the Assistant Secretary of Defense for Public Affairs. This would take away the power of the individual services to fund unlimited public relations programs through a variety of operating budgets.

In 1947 Congress, in passing the National Security Act, voted to end the rampant rivalry between the military services and to require each to subordinate its parochial interests to those of the Military Establishment as a whole. The purpose, the Senate committee report stated, was to provide "unity of military concept" and "unity of purpose and effort" for our military forces. But 23 years later the Army, Navy, and Air Force each spend millions of tax dollars annually in an effort to persuade the public that its own brand of weaponry is the finger in the dike holding back the enemy hordes.

The Department of Defense, the purpose of the National Security Act notwithstanding, does not speak to the public with one voice but with at least four; one seeking a larger share of the taxpayers' money collected by the Federal Government and the other three competing for a larger share of the Department of Defense allocation—all of them urgently demanding more money for war and related purposes.

In recent years, the public's confidence in their Government and its leaders has been badly strained, much of the distrust having been created by the misuse of the Government's propaganda resources. Congress has failed the people in failing to control the propaganda apparatus of the Military Establishment.

There is something basically unwise and undemocratic about a system which taxes the public to finance a propaganda campaign aimed at persuading the same taxpayers that they must spend more tax dollars to subvert their independent judgment. President Nixon recognized that fact in his recent memorandums, which I have read, calling for a cutback in public relations programs. But only Congress can give the public a fair chance by cutting limits on the barrage of propaganda employed to persuade the man in the street that more military spending is good for him.

I urge the Senate to reassert congression control over the public relations apparatus of the Department of Defense by adopting my amendment.

I ask unanimous consent to have printed in the RECORD certain information provided by the Department of Defense and the military services concerning various aspects of their public relations and information activities.

There being on objection, the material was ordered to be printed in the RECORD, as follows:

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., April 16, 1970.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: In response to your letter of March 31, 1970 requesting information concerning the activities of this office, the data requested is provided in the enclosures attached. I want to thank you for your comments about the previous cooperation which has been provided to you. I also want to express my regret that there was some delay in my response because of a death in my family.

You will note that the paragraphs in the enclosures follow the sequence of the questions asked in your letter of July 21, 1969.

I trust that this information will be helpful to you.

Sincerely,

DANIEL Z. HENKIN.

RESPONSIBILITIES

Although there have been some significant changes in the organization of the Office of the Assistant Secretary of Defense (Public Affairs), primarily through elimination of some activities and consolidation of others, there has been no basic change in the responsibility to provide the American people with maximum information about the Department of Defense consistent with national security. Other aspects of the responsibilities of this office have remained the same as previously reported. These include:

(a) Responsibility involving the interrelationship of the Office of the Secretary of Defense (OSD), Military Departments, the Joint Staff, the Unified and Specified Commands, and the close coordination essential with the White House and the State Department in national security public affairs matters. This office continues to emphasize that our objective is to insure that public information efforts are responsive to requests for information to the maximum extent possible, without duplication.

(b) Responsibility to provide public affairs policy guidance to the Unified and Specified Commands, to conduct seat-of-government coordination, and to perform public affairs functions for the JCS.

Also, as previously reported, this office continues to review functions and organizational structure with the dual goals of improving operational efficiency and achieving economies. Last September, a reduction of about 7% in OASD(PA)'s authorized personnel strength was reported. There will be further reductions of more than 6% by June 30, 1970, a cut of more than 13% in less than a year. Among other actions, OASD(PA) field offices established previously in New York City, Los Angeles and Chicago have been closed; further reductions are anticipated.

COSTS

The approximate over-all cost that can be specifically identified with OASD(PA) activities for FY 1971, as provided by the Office of the Assistant Secretary of Defense (Administration), which is responsible for these budget matters, is as follows: You will

note the increased costs resulting from pay and per diem increases.

	Fiscal year—	
	1970 (budget)	1971 (estimate)
(a) Civilian personnel	$1,426,000	[1] $1,436,000
(b) Military personnel	1,706,000	1,706,000
(c) Travel	100,000	[2] 142,000
(d) Central services costs	122,000	[3] 243,000
Total	3,354,000	3,527,000

[1] Despite the 13-percent reduction in personnel, the cost of personnel pay and related benefits will increase $10,000. Savings resulting from decreased employment will be offset by increases for within-grade salary increases and annualization of the congressionally-approved pay raise which became effective in July 1969.

[2] The $42,000 increase in travel is entirely attributable to the increased per diem rates approved by the Congress during fiscal year 1970.

[3] Controlled by ASD (administration), not included in OASD (PA) budget. Fiscal year 1971 estimate includes (a) DOD annual film report ($100,000) and (b) Armed Forces Day posters ($21,000), which were originally included for fiscal year 1970, but subsequently were deleted. This estimate is subject to downward revision, particularly since the ASD(PA) has asked for a review of sound-on-film news activity.

NUMBER OF PERSONNEL

	Fiscal year		
	1969	1970	1971
(a) Civilian	95	86	86
(b) Military	119	101	101
Total	214	187	187

DETAILED FUNCTIONAL INFORMATION

Enclosure 4 tabs include detailed information in response to your request for an updating of the data provided to you last year regarding the functions and activities of the various elements of this office.

SPECIAL ASSISTANT FOR SOUTHEAST ASIA

As a result of a study which has been under way for several months, the ASD(PA) intends to designate the incumbent Special Assistant for Southeast Asia to succeed the retiring Director for the Directorate for Defense Information. He plans, on an orderly basis, to disestablish the Southeast Asia Office and reassign its functions, probably by the end of the current fiscal year.

MEDIA ACCREDITATION AND TOURS STAFF

As previously reported this staff has been disbanded as a separate entity. The following is the disposition of the functions previously conducted by this staff:

Function abolished: Conduct, in coordination with the White House, State Department and USIA, tours to the United States for members of foreign news media.

Functions and projects transferred to the Directorate of Community Relations:

Biennial Tour of the North Atlantic Alliance.

Parliamentarians, Visits and Briefings for Official Foreign Visitors to the Pentagon and Defense Installations.

The Military Art Program.

The Joint Civilian Orientation Conference.

Implementation of Policies Outlined in DoD Directive 5435.2 "Delegation of Authority to Approve Travel In and Use of Military Carriers for DA Purposes."

Functions transferred to the Directorate of Defense Information:

Assistance to individual representatives of news media, foreign and domestic, in accomplishing sponsored or unsponsored travel to U.S. military installations or facilities worldwide.

Approval of travel in military carriers of news media representatives.

SPECIAL PROJECT OFFICERS

Although some reductions in staff is anticipated before the end of this fiscal year, as of this date there has been no change in the functions, organization or personnel requirements for the Special Projects Office except that one of the three Special Assistants who compose the Special Projects Office has assumed the additional responsibility for the administration of OASD(PA).

DIRECTORATE FOR DEFENSE INFORMATION

As of April 1, 1970, there were 54 military and civilian professional and clerical personnel assigned to the Directorate for Defense Information, OASD(PA). Included in this figure are three civilian information officers and one civilian information assistant assigned to the Defense News Branch and seven military information officers and one civilian information assistants assigned to the Armed Forces News Branch.

As of April 1, 1970, the Press Division had issued 823 news releases pertaining to the Military Departments and the Office of the Secretary of Defense. Answers to formal and informal queries remained about the same as reported for FY 1969, about 10,000 formal queries on a 12-months basis, and approximately 25,000 information queries from news media representatives and from members of the Congress.

In addition to the above, the Press Division handles about 50 interviews per month (an annual rate of 600), distributes a considerable volume of testimony by Defense witnesses before the Congress after release by the cognizant committee.

The Directorate also coordinates on public affairs plans and releases involving major events and/or major exercises, such as NATO operations, movements of major units, etc.

MEDIA TRAVEL

During this fiscal year OASD(PA) has approved requests from the Military Services and the Unified and Specified Commands for travel on military carriers for 209 individual news media representatives. We support such travel, within reasonable limits, when it helps to enhance the flow of information to the American public. Travel is accomplished on a strict space-available basis, not to interfere with the mission of the carrier, and the travel itself must be an essential ingredient of the story. No actual funds were expended by this office.

MAGAZINE AND BOOK BRANCH

The functional responsibilities and activities of the Magazine and Book Branch remain as stated in our last report.

Attached is a list of the authors we assisted during the last year, indicating the author and name of the book.

Author and book

Robert Liston, The Draft.
LCDR John J. Boyd, Canal Zone.
Charles A. Weil, Curtains Over Vietnam.
Mrs. Graham Lester, Letters from Home.
Liz Carpenter, Ruffles and Flourishes.
William H. Boyer, ROTC.
Trevor Armbrister, Pueblo.
Norman Polmar, Jane's Fighting ships.
Rene J. Francillon, Pictorial Aircraft.
Burton Shapiro, Lands and Peoples.
Dr. Jeremy J. Stone, Cost of the Arms Race.
Researchers, Whitaker's Almanack (sic).
Researchers, Standard Reference Encyclopedia.
Researchers, Ohio Almanac.
Researchers, New York Times Almanac.
Orrin E. Dunlap, Jr., Communications in Space.
Hank Searls, CBW.
Howard S. Rowland, Federal Aid to Towns and Cities.
David Seligman, Pacificism.
James E. Mrazek, The Art of Winning Wars.
George B. Macgillivary, The Macgillivary Clan.
Irving S. Cohen, The American Negro.
Lucian J. Ciletti, 200th Anniversary of America.
Brice Nelson, DoD Research by Universities and Private Institutions.
Denise Dooling, Black Power.
Researchers, The Bulletin Almanac.
Researchers, Collins Encyclopedia.
Researchers, The National Cyclopedia of American Biography.
Elden Aldridge, Medal of Honor Winners.
Richard Austin Smith, Submarine Procurement and Operations.
Leonard Moseley, American Impact on London—WWII.
Researchers, Information Please Almanac.
Virginia Myers, Careers for Women in Uniform.
Edgar J. Schoen, Our Mythical Rule of Law.
Mr. Goldenberg, Vietnam.
Prof. William B. Kintner, Safeguard: Why The ABM Makes Sense.
Researchers, World Directory of Aviation and Astronautics.
Researchers, Standard Reference Library, Inc.
Neal Ashby, Human Errors.
William J. Breslow, Naval History.
Edward Wakin, Negro Participation in American History.
Seymour Hersh, Domestic Action Programs.
Joseph Roson, Civic Action Programs.
Russell Brines, Far East.
Dr. Charles Squire, Waves in Classical and Quantum Mechnical Systems.
Seymour Hersh, My Lai.
Al Hoehling, Pearl Harbor Story.
Gerald Ellis, Weapons Used in Southeast Asia.
George Laros, Presidential Aircraft.
Marty Gerson, My Lai.
Edwin Corley, Presidential Aircraft.
Edward Jablonski, Air War.
Irwin R. Abraham, Medal of Honor Winners.
Researchers, Funk and Wagnall's Standard Reference Encyclopedia.
Ward Just, U.S. Army.
R. E. Crickmer, High School Geography.
E. N. Huggins, Novel on Korea.
Researchers, World Book Encyclopedia.
Researchers, Encyclopedia Britannica.
Aldus Books Limited, Oceanology.
Al Scholin, Lt. Gen. Benjamin O. Davis, Jr. (biography).
Researchers, World Aviation Directory.
Clay Blair, Jr., Novel With a Pentagon Setting.
Lee R. Buschoff, Jr., Space Available Travel.
Paul J. Gilette, Medal of Honor Winners.
Giuseppe D'Avanzo, Supersonic Aircraft.
Edwin Lee White, 10,000 Tons by Christmas.
Paul Dickson, American Research Institutions.

AUDIO VISUAL DIVISION

The functional responsibilities and activities of the Audio Visual Division and the Technical Services staff remain generally as established in 1966 and as reported in our September 3, 1969 letter.

Updated information concerning the Audio-Visual News Branch, Motion Picture Production Branch, and the Radio-Television Production Branch are contained in Tab F[1].

Next, TAB F[2] lists those funds required for operation wherein services, equipment or expendable supplies are required.

TAB[3] lists completed films, newsfilms, video tapes and still photos, either released to the public or cleared for public release.

AUDIO-VISUAL NEWS BRANCH

In performing the function of the Audio-Visual News Branch 590 assignments were accomplished from 1 July 1969 to 31 March 1970. These assignments produced 28,500 photo prints for distribution to various media.

MOTION PICTURE PRODUCTION BRANCH

The Motion Picture Production Branch participates in two main activities: approval

of assistance on the production of commercially produced motion pictures and the approval of release to the public of those films and video tapes produced by the Army, Navy, Air Force and Marine Corps and other components of the Department of Defense.

The Branch also has the responsibility for the production of films for the Office of Public Affairs. During the period July 1969 to date no productions were undertaken, and none are anticipated through July 1970.

The List of Selected Films referred to in our last report was published in January 1970 as planned. The cost of printing 5,000 copies of this catalogue was $484.35 and was funded by the general DoD printing budget. Copies of this catalogue are made available at OASD(PA) Directorate for Community Relations and Information Offices of the Military Services. Approximately 20 requests for information concerning DoD films are replied to weekly by this branch.

It is anticipated that for the remainder of the fiscal year 1970 the following additional work will be accomplished:

Assistance: Five (5) theatrical projects (based on telephone conversations with producers and previous general inquiries).

Release of Service Productions: Ten (10) video tapes, and Thirty (30) Service films.

RADIO-TELEVISION PRODUCTION BRANCH

Activities of the Radio-Television Production Branch are basically confined to assistance to the commercial media in the production of documentary and entertainment programs, with a heavy preponderance on documentaries. Assistance involves authorization of and arrangements for (1) access to military facilities and personnel for research, photography, or interviews, and (2) access to military film depositories for the selection and purchase of stock footage. All photography is accomplished by commercial film crews at the company's expense, and stock footage is purchased by the company in accordance with the provisions established by DOD Instruction 7230.7 User Charges.

The single exception to the above paragraph involves one disc recording containing several spot announcements, and one film clip, produced in cooperation with all the Services as a salute to Armed Forces Day, at an estimated total cost of $2,000. These costs have been absorbed by the military departments and are not charged to OASD(PA).

MAIL EARLY OVERSEAS 1969 PROJECT

This project produced a professional package of spot announcements, film clips and slides which were provided to over 750 television stations. A spot announcement package was also sent to over 5,000 stations. These public service materials urged the public to mail Christmas packages to servicemen overseas in time for delivery by Christmas. The project was coordinated with Postal authorities. Contract cost: $9,268.90. These funds did not come out of the OASD(PA) budget. They were part of the general printing fund maintained by OSD.

AUDIO VISUAL EXPENDITURES[1]

	July 1, 1969 to Mar. 31, 1970	Apr. 1, 1970 to June 30, 1970 (estimate)
Photographic supplies and equipment:		
Still photo:		
Expendables (chemicals, film, photographic papers, etc.)	$5,078.98	$1,200.00
Equipment	788.81	0
Total	5,867.79	1,200.00
Motion picture:		
Expendables (film stock, film cans, tape, movie leaders, filters)	2,864.48	1,500.00
Equipment	1,086.40	200.00
Total	4,950.88	1,700.00
Technical services: Expendables (parts, tubes, wire, tape, etc.)	881.39	368.61
Travel	3,121.06	2,665.00

[1] These are estimates obtained from staff personnel. Accounting and other official records are not structured to record actual costs for these types of services.

MISCELLANEOUS CONTRACTS

1. Department of Defense Newsfilm Contract (V–Series)

A contract to process, screen, edit and distribute to national TV-newsfilm media military sound-on-film stories occurring in Southeast Asia.

Production costs cover only the Stateside expenditures necessary for transport of film, film processing, editing, release printing, and necessary management details to accomplish the foregoing.

The input of sync-sound newsfilm is generated by five Service-supported camera teams in Vietnam. These teams are under the direct supervision of MACV and indirectly of OASD(PA). These teams were approved by Deputy Secretary Vance on November 12, 1965, and established by April-June 1966. The purpose of these teams is to document for release to the public, via national network television, the feature aspects of the military participation in Southeast Asia. The teams are not in competition with the civilian media. The high usage by network syndication of the material produced by these teams is indicative of the effectiveness of their efforts. A study is now under way with a view to inactivation of all or most of these five teams by the end of FY 1970. Such action appears feasible and desirable in view of the reduction of U.S. military strength in Vietnam and the need to achieve economies wherever possible.

2. Motion picture film processing

Motion picture newsfilm exposed by DoD cameramen requiring urgent handling is processed under a contract arrangement with the Department of Agriculture.

3. Army Photographic Agency

This Agency provided multiple services which include tape coverage of network newscasts from which Defense Department excerpts can be extracted, reproduced and shown to interested Defense agencies.

4. Defense Film Report

Funds ($100,000) for the production of a Defense Film Report were deleted from our budget as of 2 January 1970. (FY 1970 budget).

5. Costs

FY 1970 costs involved in 1, 2 and 3 above, funded from the OASD (Administration) budget (Central Services costs referred to in Encl 2), are estimated at $122,000. Estimated costs for FY 1971 are the same except for the addition of $100,000 for the DoD annual film report.

RELEASED MATERIAL

	Number of different photos	
	July 1, 1969, to Mar. 31, 1970	Apr. 1, 1970, to June 30, 1970 (estimated)
STILL PHOTOS (BASIC INPUT FROM THE SERVICES)		
Subject:		
Vietnam (combat operations, civic action, etc.)	183	61
Ceremonies and special events	64	36
U.S. troop training and exercises	107	43
New equipment and research	46	23
Miscellaneous	68	32
Total	467	195
Still photo assignments	590	815
Total prints produced	28,500	6,000
OFFICIAL FILM PRODUCED BY THE MILITARY DEPARTMENTS[1]		
News film:		
Footage released	16,724	8,873
Number of releases	145	89
V-series:		
Footage released	6,037	2,259
Number of releases	121	32
SPOTMASTER RELEASES		
DOD radio news releases (Spotmaster)	156	52
National media responses	4,500	1,700
Audio technical assistance requests	3,700	1,200
Telephonic inquiries	975	300

[1] Releases from this film are a bonus derived by screening official documentation film taken by the military departments for record and historical purposes.

DIRECTORATE FOR COMMUNITY RELATIONS

Assigned personnel

Officers	15
Enlisted	2
Civilians	14
Total	31

During FY 1970 the Directorate for Community Relations will complete an estimated 15,000 actions. These actions range from the Senate Youth Program which requires extensive planning to a simple action such as providing a color guard for a school function.

The expenditure for DCR for FY 1970 is estimated at $244,000. This figure includes civilian personnel salaries, overtime, cost of personnel benefits and travel. The increase in costs is due to per diem and salary increases even though there has been a decrease in the total number of personnel assigned to the Directorate since the last report. Salaries for military personnel projected through FY 1970 are estimated at $305,000.

Events division

a. *Aerial Events.* The Events Division schedules and coordinates the appearances by the USAF Thunderbirds, US Navy Blue Angels, US Army Golden Knights, US Navy Reserve Air Barons, and the US Navy Parachute Team. During the first half of FY 1970, the teams participated in 449 demonstrations, including those at military installations. The Events Division provided static display aircraft for 98 civilian and military shows. There were 132 flyovers authorized, including missing-ship formations for military funerals. These are authorized as part of training missions including Air National Guard and Reserve units of all services. During the second half of FY 1970, the teams are scheduled for 128 demonstrations, including those at military installations. It is estimated that there will be static display aircraft at 56 events. For flyovers, it is estimated that 100 demonstrations, including those for military funerals, will be given during the last half of FY 1970.

b. *Surface Events.* Military participation (musical, color guard, troops) for more than 4,500 events in the Washington metropolitan area and about 1,500 national events elsewhere will be authorized by this Division in FY 1970. A list of typical events supported is attached, showing military participation authorized. (TAB G[1])

Defense Industry Bulletin: This publication, which was mentioned in previous correspondence to your office, was transferred to the Defense Supply Agency on October 1, 1969. (See TAB G[2])

Place	Event	Sponsor	Military participation
Washington, D.C.	Awards ceremony, handicapped Federal employee of the year.	U.S. Civil Service Commission	Joint color guard and Marine Band.
Do	Washington's Birthday	Department of the Interior	Joint color guard, joint cordon, Navy Band.
Do	Annual dinner, White House News Photographers Association.	WHNPA	Navy Band.
Arlington National Cemetery	Veterans Day ceremonies	Veterans' Administration; veterans, organizations	Navy Band and Sea Chanters.
Do	Memorial Day observances	G.A.R. Memorial Day Corp	Air Force Band and Singing Sergeants.
Wapakoneta, Ohio	Homecoming of Neil Armstrong	City	661st Air Force Band, 338th Army Band, U.S. Air Force flyover.
Rockville, Md	High school assembly	High school principal	Air Force band.
Chicago, Ill	All-star football game	Chicago Tribune	National anthem by Bluejacket Choir, 100 American flags carried by men of all services.

THE DEPUTY SECRETARY OF DEFENSE,
Washington, D.C., September 8, 1969.

Memorandum for: Secretaries of the Military Departments; Chairman, Joint Chiefs of Staff; Director of Defense Research and Engineering; Assistant Secretaries of Defense; Assistants to the Secretary of Defense; Director, Defense Supply Agency.

Subject: Transfer of Function.

Reference: (a) My memorandum, subject: "Review of OSD Functions," dated March 8, 1969.

In accordance with reference (a), the Director, Defense Supply Agency will assume responsibility for the publication of the Defense Industry Bulletin effective October 1, 1969, vice the Assistant Secretary of Defense (Public Affairs). The three (3) personnel space authorizations (2 military and 1 civilian) and the personnel currently occupying these spaces will be transferred from the Office, Assistant Secretary of Defense (Public Affairs) to the Defense Supply Agency effective with the close of business on 1 October 1969. FY 1970 funds budgeted in support of the foregoing function when appropriated by the Congress will be transferred to the Defense Supply Agency from OSD. The Defense Supply Agency will budget for the publication of the Defense Industry Bulletin for FY 1971 and thereafter. Necessary arrangements for the orderly transfer of this activity will be worked out between the Assistant Secretary of Defense (Public Affairs) and the Director, Defense Supply Agency.

DAVID PACKARD.

PROJECTS DIVISION

An internal reorganization of the Directorate in October 1969 resulted in the establishment of the Programs Branch under the Projects Division. This branch has an authorized strength of two officers, and has an assigned strength of one officer who develops the long-range planning for Department of Defense Community Relations programs. Specifically, this branch develops programs to support the community relations objectives with regard to educational groups, youth groups, academic groups, and professional groups. The programs developed by the Programs Branch are executed by the appropriate Division or Divisions of DCR. Additionally, the branch monitors community relations problems around the country with a view to helping to solve or easing the problems. For example, this branch monitors military base closures, reductions in force of civilian employees, pollution of defense installations and other such problems. The Chief, Programs Branch, also acts as the Public Affairs working representative on the DoD Domestic Action Council. Duties include the coordination of news releases about Domestic Action programs and furnishing the public with Domestic Action information upon request.

a. *The Office of Media Accreditation and Tours* has been abolished, as was previously stated. A Far East and Pacific Journalists tour was accomplished in November after the Department of Defense withdrew from this White House, State and Defense Department jointly sponsored program. The Department of Defense participated in this tour since planning and commitments had been made prior to the Defense withdrawal from the program. The cost to the Department of Defense was $15,593.56. A list of participants is attached. (Tab H[1])

b. *Joint Civilian Orientation Conference.* JCOC–40 will be conducted on April 19, 1970 for 10 days. There will be 71 participants who will pay all their own expenses, including food and lodging, which totals to approximately $24,000. Military aircraft transportation costs for last year's JCOC (39) were funded by the Air Force. For the present JCOC–40, Military Airlift Command aircraft will be utilized and funded by Department of Defense. ASD(PA) costs will be about $6,000.

c. *Speakers Bureau.* For FY 1970, DCR anticipates a total of 900–950 speaker requests from all parts of the nation. As of April 10, 1970, 427 speakers have been provided. There has been an increase in requests for speakers during the present fiscal year in comparison with FY 1969.

EAST ASIA AND PACIFIC JOURNALISTS TOUR, NOVEMBER 3–DECEMBER 2, 1969

MEMBERS OF THE TOUR—REVISED SEPTEMBER 30

Robert Baudino, Australia, Chief Correspondent, Parliamentary Press Gallery, Canberra, Sydney Daily Telegraph, Canberra, Australia.

John David Little, Australia, News Reporter and Producer, Channel 9 TV, Sydney, Australia.

Leng Jo-Shui, China, Diplomatic Reporter, Central News Agency, Taipei, China.

Matt Wilson, Fiji, Chief Reporter, Fiji Times, Suva, Fiji.

P. M. Woo, Hong Kong, Editor, Ming Pao Monthly, Hong Kong, B.C.C.

Anwar Effendi, Indonesia, Editor, Mimbar Umum, Medan, Indonesia.

Mohammad Nurdin Supomo, Indonesia, Director, Radio Republic Indonesia, Palembang, Palembang, Indonesia.

Yutaka Ichiki, Japan, Assistant Political Editor, Nihon Keiszai Shimbun, Tokyo, Japan.

Shin Kawai, Japan, Senior Foreign News Reporter, Asahi Shimbun, Tokyo, Japan.

Lew Hyuck In, Korea, Political Editor, Dong-A Ilbo, Seoul, Korea.

Ri Dong Yohp, Korea, Editorial Writer, Chonpuk Ilbo, Chonju, Korea.

Somvail Vilayleck, Laos, Press Director (Propaganda and Tourism), Lao Ministry of Information, Vientiane, Laos.

S. H. Tan, Malaysia, Editor, The Malay Mail, Kuala Lumpur, Malaysia.

K. I. Gibson, New Zealand, Bulletin Editor, NZBC, News Service, Wellington, New Zealand.

Neal H. Cruz, Philippines, Editor-in-Chief, Daily News International, Manila, Philippines.

Eduardo R. Ranosa, Philippines, Senior News Editor, Tri-Media News (Philippines Herald DZHP TV–13), Manila, Philippines.

Colonel Karoon Kengradomying, Thailand, Director, Army Signal AM–FM Radio, Bangkok, Thailand.

Sutichai Yoon, Thailand, City Editor, The Bangkok Post, Bangkok, Thailand.

Phan Lac Phuc, Viet-Nam, Editor, Tien Tuyen, Saigon, Viet-Nam.

ORGANIZATIONS DIVISION

The activity in the Organization Division will be approximately the same for FY 1970 as it was for FY 1969. The Division will handle somewhat over 6,000 items of routine correspondence and respond to more than 300 written inquiries from the White House and Members of Congress. The Organizations Division continues to mail materials of interest to almost 300 civilian organizations which have indicated a desire to receive such items. Some of the significant forms of cooperation being extended to organizations during FY 1970 include:

a. Support provided to the Senate Youth Program, which is jointly sponsored by the United States Senate and the William Randolph Hearst Foundation. Secretary Laird addressed the group during the visit to the Pentagon this year.

b. Two seminars for nongovernmental organizations. Leaders of the organizations are invited to the Pentagon for a one-day seminar. Unclassified briefings are given by Department of Defense officials. Each will be attended by more than 200 participants.

c. Ten Pentagon military briefings for groups of business executives attending seminars sponsored by the Brookings Institute on Federal Government operations.

d. Providing support similar to that of FY 1969 for national conventions of major veterans' organizations.

e. Arrangements for 50 leaders of civilian organizations to attend Brass Strike Exercise in October 1969 and similar participation for the exercise in May 1970.

Both the Projects and Organization Divisions, during this fiscal year, have responded to an increasing number of requests for briefings and information on Defense policies and programs from high-school and college student groups throughout the nation. These have included specific requests for in-house briefings of student groups visiting the Pentagon during trips to the Washington area sponsored by veteran, civic and religious organizations; requests for speakers to participate in seminar activities during seasonal conferences of student organizations; and requests for brochure material of Defense publications, including fact sheets, Commanders Digest, and the Defense Industry Bulletin.

The Projects Division provides the actual briefings and tours of the Pentagon. It is estimated that over 6,000 students will have attended briefings or heard Defense speakers during FY 1970. Groups included Senate Youth Forum, Presidential Classroom, Washington Study Group, etc.

DIRECTORATE FOR PLANS AND PROGRAMS

The activities of the Directorate for Plans and Programs in FY 1970 remain essentially the same as they were described for FY 1969.

As previously stated, the planning function in this Directorate is not normally accomplished by the preparation of formal plans. It is more a matter of developing, in conjunction with other DoD elements and other agencies of the government, public affairs courses of action in connection with situations—actual or potential—that may be of public interest and therefore may require some action to be taken. Hence there have been no actual public affairs plans produced in the past year.

During this period, the personnel authorization of this Directorate was reduced by one (1) military space.

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, D.C., August 17, 1970.

Honorable J. WILLIAM FULBRIGHT,
Chairman, Committee on Foreign Relations, United States Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in further reference to your letter of 31 March 1970 requesting certain information concerning the Navy's public affairs program. Our final report was delayed because of the necessity of including afloat commands in order to be completely responsive to your inquiry.

Paragraph one of your letter requested an update of information on the same subject last year. Paragraph two raised certain questions concerning Navy internal information programs requiring a more complex response and is presented separately with pertinent annexes. The complete report comprises enclosure (1) to this letter and is keyed, paragraph by paragraph, to your letter of 31 March.

The figure of $8.801 millions for 1970 includes military and civilian pay raises effective this fiscal year. Despite increased salary costs, the figure is lower than our estimate for FY '70, made last year, but is considered more accurate. The reductions reflect manpower losses and reduced public affairs activities Navywide. Also included are administrative costs, some of which can be charged to internal information, although those costs are not easily separated.

It is hoped these data assist you in your consideration of defense appropriations bills which will come before you in the Senate this session of Congress.

Sincerely yours,

JOHN H. CHAFEE,
Secretary of the Navy.

PUBLIC AFFAIRS COSTS—U.S. NAVY, FISCAL YEARS 1970–71

1. (a). The overall estimated cost for FY 1970 of all Navy public affairs* activities, including the pay and allowances of all military personnel is $8,801,466; for FY 1971, $7,645,175.

1. (b). The number of civilian and military personnel working in public affairs, internal information and related administrative and clerical duties in FY 1970 totals 1,465. Of these, 441 work full-time in public information and community relations; 143 work full-time in internal information and 125 work full-time in administrative and clerical duties. The remainder devote part of their time to two or more of the activities we list above. In FY 1971, we estimate 296 persons, civilian and military, will be assigned full-time in public affairs; 117 full-time in internal information; 113 full time in administration, and the remainder will work part-time in two or more of these areas. Total personnel assigned in public affairs, internal relations and related administration in FY 1971 is estimated to be 1,314 civilian and military.

1. (c). Accurate data (or even an accurate estimate) of the numbers of personnel who work part-time in connection with public affairs are virtually impossible to gather without inaugurating complex and costly Navy-wide accounting and time allocation procedures of doubtful value in cost and manpower management. Many Navy ships and shore activities assign one person collateral duty in public affairs. This person normally spends anywhere from no time to several hours a week on this assignment.

1. (d). The following information is provided as the Marine Corps input to the Department of the Navy response to your letter of 31 March.

Estimated pay and allowances costs for Marine public affairs personnel for FY 1970 and FY 1971 are $3,920,000 and $3,625,000 respectively. The figures do not include the pay increase provided for in Public Law 91–231.

The number of civilian and military personnel presently engaged in full-time public affairs work is 701. The estimated figure for FY 1971 is 631.

There are no Marine Corps personnel engaged in public affairs activities on a part-time basis.

1. (e). Data presented are actual through April 1, 1970. Except as noted, activities were expected to continue at the same rate through the remainder of the fiscal year.

MEDIA RELATIONS DIVISION

The Media Relations Division continues, in coordination with OASD(PA), to be responsible for all liaison with news media on information of national interest about the Navy and for preparation of informational films and printed matter with carry-over value to the Navy's internal information program.

Since the last report one branch of the Division has been disestablished: Special Projects and Research. A Special Assistant for Contract Motion Picture Production was designated in January 1970 to permit close supervision and control over commercial film producers performing work under contract for the Office of Information, and to seek new cost-saving measures.

News Branch: During the period 1 July 1969 to 1 April 1970, this branch answered an average of 500 queries per month originating from the Pentagon press corps and other newsmen from throughout the nation and the world.

A total of 881 news releases was prepared by the News Branch during the same period. (Also, approximately 792 routine contract award announcements were made and, in addition, about 100 releases of internal Navy interest were prepared and disseminated to service-oriented publications.)

In response to requests from news men, the News Branch also arranged over 500 interviews with key Navy officials during this period and coordinated the embarkation of approximately 200 newsmen in naval aircraft and ships. The majority of these newsmen were embarked in groups.

Audio-Visual Branch: During the period 1 July 1969 to 1 April 1970 this branch has responded to approximately 215 requests for assistance from U.S. and foreign broadcast networks. A sample of the types of requests received and the assistance provided is as follows:

Challenge, CBS Television: Arranged for interview and filming of deep diving experiment by Navy petty officer at New London, Connecticut.

Today Show, NBC Television: Salute to the Navy on Navy Day was coordinated with their writer.

Truth or Consequences, Metromedia Television: Coordinated guest appearances of Navy personnel at request of producer.

Metromedia Radio News: One-half hour documentary on the battleship USS New Jersey, provided technical assistance.

Canadian Broadcasting Corporation: Provided assistance for a documentary on the military as a profession.

Radio Luxembourg/Operation Deep Freeze: Coordinated the taping of communication aspects for the filming of a news feature report by telephone from McMurdo Sound, Antarctica, to Luxembourg.

WRC–NBC Television, Washington, D.C.: Provided interviewees and arranged for filming in connection with story on pollution and Navy plans to fight it.

NHK, Japan Broadcasting Corporation: "Big Sciences of the World". Coordinated research visits to Navy installations throughout the country.

The Audio-Visual Branch also originated, for release by DOD, Navy newsfilm stories of national interest. Since 1 July 1969, this branch has provided Navy footage used in 39 DOD releases such as the following samples:

SAC Bombers on Naval Air Station.
Navy Christmas Around the World.
Women Take Survival Training in Antarctica.
APOLLO XII Recovery Training.
Swiftboat Turnover in South Vietnam.

The Branch also releases one-minute, silent 16mm film clips (called news featurettes) produced by the film library of the Naval Photographic Center, Washington, D.C. Forty-seven featurettes have been released during the period. A sample list of subjects includes:

Navy Aid to Tunisian Flood Victims.
Seabee Hurricane Relief.
Deep Submergence Rescue Vehicle.
175th Anniversary of the Navy Supply Corps.
Shark Attack.
Inner Space Vehicle.
Test Pilot Glider Training.
Science Students Visit Naval Installations.
Camp Concern.

The Audio-Visual Branch coordinated Navy cooperation on two commercially produced feature films and three defense industry produced films in Fiscal Year 1970. This cooperation includes script review and approval, arrangements for filming on naval facilities and ships and the sale of stock footage to the film producer by the Naval Photographic Center. There was no cost to the Navy in this cooperation. The films are:

Feature Films: Too Late the Hero (Robert Aldrich).

Which Way to the Front (Jerry Lewis/Warner Brothers).

INDUSTRY FILMS:

Hook, Line and Helo (Sikorsky)
Saga of the Skyraider (Douglas)
The Ballad of John Green (Ling Tempco Vought)

The Branch also produced a 28 minute film for internal distribution. The film "Navy Screen Highlights", produced with existing stock footage, summarized the most significant events occurring within the Navy during the year.

FILM PRODUCTION BRANCH:

This branch produces historical and informational films for internal and public audiences. During the past nine months it has completed five films for release. Sample titles are: "Destroyerman", "Home from the Sea", and "The Great Flight". Four other films, made by commercial producers under contract to the Navy, were completed during the period: "Law of the Sea", "The Navy Sings It Like It Is", "Port of Call" and "Rise of the Soviet Navy".

NEWS PHOTO BRANCH:

The News Photo Branch continues as the primary Navy agency for the clearance and release, through DOD, of still photographs to U.S. news media. It also serves as the focal point for requests by Navy units for transparencies and prints needed for internal publications and other internal information programs. Since the beginning of the current fiscal year, this branch has distributed 21,695 transparencies and prints.

AMERICAN FORCES RADIO AND TELEVISION BRANCH:

This branch provides policy guidance and administrative assistance to 22 Navy-operated AFRT radio outlets and six television stations ashore, plus closed circuit television systems in 12 major ships when deployed. An average of 55 radio outlets in ships of both the Atlantic and Pacific areas had AFRT radio programming during this reporting period.

MAGAZINE AND BOOK BRANCH:

Between 1 July 1969 and 1 April 1970, this branch has answered approximately 1,000 requests for information from magazine and book publishers, editors, authors, staff writers and freelancers. In addition, extended assistance was provided to more than 50 persons developing magazine articles. Examples of this assistance are:

*Public affairs includes public information and community relations.

Arranged interviews and visit to USS John Adams for Parade Magazine.

Arranged interviews and provided information and photos to *Undersea Technology Magazine* for a special anti-submarine warfare issue.

ASSISTANCE TO 175 BOOK PUBLISHERS AND AUTHORS INCLUDED

Cooperation with David Westheimer (author of Von Ryan's Express) for a book titled Downfall.

Providing information for the up-dating of encyclopedias, almanacs, textbooks, science works and naval publications such as *Jane's Fighting Ships*.

Media relations projects to be pursued during the period 1 April–30 June 1970: During the remainder of fiscal year 1970, it is expected that five to eight more half-hour motion picture films, primarily useful in the internal information program, will be completed. Other work of the Division is expected to continue at approximately the same pace as described earlier. However, the workload of this Division basically depends on current events—providing media representatives with information on topics of current news interest. Since these events are unpredictable, no definite scope of future activities can be forecast.

COMMUNITY RELATIONS DIVISION

This Division is the principal point of contact between the American citizen, individually or as an organization member, who wants information about the Navy, or who wants to arrange either to visit a Navy unit or to have a Navy unit or exhibit visit his town. Thus, orientation visits/cruises, exhibits/displays, performances by the Navy's Blue Angels flight demonstration team or the Navy Band Sea Chanters and every imaginable kind of question about the Navy are the province of the Community Relations Division.

ORIENTATION AND SHIP VISIT BRANCH

The FY 1970 activities from 1 July 1969 to 1 April 1970 have included responding to requests, including those from Members of Congress, for:

U.S. Navy ship visits to various U.S. ports;

Reservations on U. S. Navy operated boat tour of Pearl Harbor and the Arizona Memorial;

Youth group orientation visits and cruises;

Surplus equipment including uniforms, boats and nautical material items; and use of facilities of naval bases for berthing and messing including outdoor encampments (Boy Scouts of America);

Support of the OSD-sponsored Joint Civilian Orientation Conference;

Activities have also included administering the SECNAV Guest Cruise Program and coordination of Fleet and Naval District actions in connection with commandant level orientation cruises.

SPECIAL EVENTS BRANCH

Following are illustrations of special events conducted during the 1 July 1969–1 April 1970 period (all special events participation is provided at no additional cost to the government):

Blue Angels were scheduled for 46 performances nationwide;

U.S. Navy Band—One hundred and twenty-five performances were scheduled in the Washington, D.C. area directly through the office at no additional cost to the government;

U.S. Navy Band Annual Spring Tour—Approximately sixty-three performances are scheduled in various U.S. cities during this annual tour. The performances are booked through a civilian tour director and all expenses are borne by the sponsors;

Navy Unit Band performances in the fifteen naval districts—Three hundred and seventy-five requests were processed and assigned by this branch to the proper naval districts for action by 1 April 1970. Another 100 requests are expected from 1 April to 1 July 1970. The bands perform at no expense to the government;

U.S. Navy Band Sea Chanters—Seventy-five performances were scheduled and coordinated through this branch at no additional cost to the government;

Foreign VIP Visits—Visits to the U.S. by heads of state of twenty countries. This branch coordinated security and baggage handling arrangements with the State Department, DOD, and appropriate naval district commandants;

Fort McHenry Flag Day Observance—Annual observance featuring a different service each year. Navy participation this year will include the Naval Air Training Command flag pageant and band, Navy ceremonial guard, ship visit and flyover.

LIAISON BRANCH

The Liaison Branch (more accurately referred to as the "Public Inquiries Branch") researches and prepares replies to correspondence and phone inquiries on Navy policies and programs received from members of Congress, private citizens, government agencies, industry, national organizations, foreign nationals, and daily newspaper "Action Line" type columns. Nearly 7,000 (6,736) such inquiries were handled in the period 1 July 1969–1 April 1970.

INTERNAL RELATIONS DIVISION

Editorial Services Branch:

Selected Navy entries for the Armed Forces' Thomas Jefferson Awards program. Assisted in budgeting request and extension of programs for High School News Service Report, a DOD publication for which the Navy is executive agent. Produced various graphic designs for pamphlets including a domestic action pamphlet on "Camp Concern".

NAVAL RESERVE AND TRAINING BRANCH:

Continued to administer all active duty for training of naval reservists of the Office of Information; conducted orientation course for Public affairs specialist direct commission officers; published the monthly newsletter Items of Interest; supervised evaluation of projects performed by Naval Reserve Public Affairs Companies (NRPACs) and designated nine top performing units for FY 69.

BIOGRAPHIES BRANCH

Prepared 53 new biographies; revised 378 old biographies; filled requests for 6,730 biographies; furnished information on 502 officers via telephone; furnished information other than biographies on 1,579 officers; supplied briefing material for 30 VIP trips; mailed more than 22,604 biographies under routine distribution; and supplied 2,814 photographs. A one-third increase in the above figures is anticipated for the fourth quarter due to the annual selection of flag officers during that time.

PLANS DIVISION:

Specific activities during FY 70 included:

Preparation of Policy Guidance concerning:

Seal Beach Pollution
Environmental Control
LFS Program
Civil Disturbance
OMEGA Navigation System
UNITAS XI
Black Sea Transit Operations

Preparation of responses to substantive Congressional queries, including this report;

Provided project officer to DOD Prisoner of War Sub-Committee on Public Affairs;

Provided public affairs escort for return of Navy POWs from North Vietnam;

Coordinated Navy public affairs planning for return of chemical munitions from Okinawa;

Developed and revised Navy Public Affairs Regulations;

Coordinated public affairs aspects of reduction in force actions at naval shore installations in connection with Project 703.

NAVY DEPARTMENT SPEECH BUREAU

Speech Evaluation Branch: Provides small rehearsal facility equipped with basic video tape recording equipment for use of Navy speakers as a means of improving oral delivery.

Speaking Engagements and Planning Branch: Coordinated public appearances by enlisted men and junior officers in the United States on leave or under change-of-duty orders from Vietnam, who have volunteered to speak in their home areas about the work of the Riverine Forces ("Brown Water Navy") in Vietnam. About 100 appearances by 35 officers and men have been arranged under this program. Responding to requests from various sponsoring organizations, 68 speaking appearances by Rear Admirals/Assistant Secretaries and above have been arranged during the period 1 July 1969 to 30 April 1970.

PROGRAM SUPPORT BRANCH

Planned, coordinated and conducted two 14-day speech seminars primarily for qualified naval reserve and navy officers who have expressed desires for training so that they could help fill requests for Navy speakers in their local areas.

Eight hundred and eighty-eight requests for speech material and speech background material were handled in the first nine months of fiscal 1970, nearly half of which required considerable basic research.

PUBLIC AFFAIRS MANPOWER MANAGEMENT DIVISION

Advises the Chief of Information on the procurement, assignments and training of public affairs officer specialists and subspecialists; coordinated with the Chief of Naval Personnel on the procurement, training and assignment of Navy Journalists; prepares public affairs personnel plans. The Division is concerned with approximately 170 public affairs specialist officers and 800 enlisted journalist personnel. The principal effort during the period of this report has been related to the involuntary separation of personnel under Project 703 and the severe turbulence which results from such darstic actions within a small community.

2. (a). (b). (c). As was indicated in our answer to question number one of your previous inquiry, "Internal information programs . . . are so integrated with normal command and administrative functions that they are extremely difficult, if not impossible, to separate." In an effort to be both responsive and accurate, however, we have surveyed major commands to identify persons whose primary duties are in the information field and who spend all or a part of their time working at internal information tasks. The effort devoted in a formal sense to internal information has been reduced to man years. Information requested in sub-paragarphs (a), (b), and (c), paragraph 2 of your 31 March letter is contained in tabular form in Annex A, Tab 1. Data are provided by fiscal years. Seldom is money requested specifically for internal information programs and no such request was made for FY 1971.

2. (d). The manner in which internal information duties are performed varies from command to command and station to station in the Navy, depending on missions or specialties. It is difficult to describe in detail, therefore, how personnel on board each station or command perform duties in the conduct of such programs. However, their activities are guided by provisions of Navy Public Affairs Regulations and are described in Tab 2, Annex A; costs are included in Tab 1.

2. (e). No catalogs of internal information materials other than films are published

by the Navy. A U.S. Navy Film Catalog, NAVAIR 10-1-777, a comprehensive listing of all Navy films for training, internal information and for public consumption, was sent to you last year.

2. (f). Copies of typical internally-distributed materials in the categories enumerated above are furnished as Tab. 4.

2. (g). Films produced in FY 1970 are included in Tab 1, Annex A. It is possible to determine organizations requesting Navy films listed in Tab 1 but virtually impossible to determine numbers of persons before whom they have been shown. Persons borrowing films are not required to report audience size or composition. Although these films have been cleared for public showing, it neither means they have been shown nor even requested outside the Navy.

2. (h). Non-appropriated funds generally are not used in Navy internal information programs with the exception of base newspapers, many of which are published with use of welfare and recreation funds.

2. (i). A list of Navy periodicals published primarily for internal information use, and their costs are included in Tab 1, Annex A.

2. (j). The Navy maintains no facilities of its own for training information personnel. Instead, it annually enrolls students at non-Navy activities, including the Defense Information School (DINFOS), an activity of the Department of Defense sponsored jointly by the Assistant Secretaries of Defense for Public Affairs, and for Manpower and Reserve Affairs. Navy students (officers and enlisted) scheduled for training in FY 1970 are as follows: at DINFOS, 202; postgraduate course in the University of Wisconsin, eight; and the photojournalism short course at Syracuse University, 13.

2. (k). The Navy Publications and Printing Service is the Department of the Navy's central publications service, conducting the Navy program coordinating the development of information to be printed or duplicated in conventional or micro-format, and controlling the procurement production, and physical distribution thereof, in accordance with 44 U.S.C., Public Printing and Documents, and regulations of the Congressional Joint Committee on Printing.

The total Navy program encompasses the publications and printing requirements of the Chief of Naval Operations, the Commandant of the Marine Corps, the Chief of Naval Material and the Systems Commands, the Chief, Bureau of Medicine and Surgery, the Chief of Naval Personnel, and the Secretariat. (Each component—command, bureau, or office—is responsible for the technical and editorial content of whatever publications may be required for the fulfillment of their assigned missions and for determining to whom such publications shall be distributed.)

The elements of the Service organization are a Headquarters Staff, 37 Navywide Publications and Printing Service Office and Branch Offices, and the Defense Printing Service, Washington, D.C. and Branches thereof.

The Service functions as a self-supporting organization, chartered by the Department of Defense to operate under the Navy Industrial Fund in accordance with Title IV of the National Security Act of 1947 as amended, and charged with the responsibility to provide and perform printing and related services or products and other functions necessarily incident thereto, for the Department of Defense, and for other agencies of government as directed or authorized by law or competent authority.

Production Record—FY 1969

Within the production reporting context of an industrially funded organization, the Navy Publications and Printing Service (NPPS) produced, within NPPS facilities, short-run, high-priority, and classified products and services valued at $22.6 million dollars in Fiscal Year 1969, and procured other categories of products and services valued at $26.0 million dollars.

Of the $48.6 million dollar total, NPPS procured or produced, by customer:

Army	$2.0
Air Force	1.8
Navy	39.0
SecDef	3.5
Other government agencies	2.3
Total	$48.6

CROSS-SERVICING BY NPPS

The Service operates a nationwide program designed to accelerate the procurement and distribution of technical manuals under contracts established by the Public Printer and developed in cooperation with the Naval Material Command, the Systems Commands, the Joint Committee on Printing, and the U.S. Government Printing Office. This program takes into consideration existing Army, Air Force and Marine Corps, as well as Navy, military equipment production contracts and schedules, and promotes the effective use of local commercial printing resources by all the services.

NPPS manages a central repository and referral service for engineering plans and drawings and technical information, and furnishes such information to naval activities, other Government agencies and contractors. A complete microform facility has been established to support this function.

As advertised in the Commerce Business Daily and in other governmental and commercial periodicals, the NPPS Office in Philadelphia furnishes a subscription sales service to the public on all military specifications and standards and on certain DOD directives. It is currently providing specifications and standards to 3,468 industry subscribers, and directives to over 400 subscribers.

The Navy Publications and Printing Service is providing direct support to Southeast Asia through the NPPSO, Pearl Harbor, and its branch Offices at Subic Bay, Guam, and Okinawa. Production in WESTPAC meets requirements of CINCPACFLT, PACAF, MACV, FMFPAC, and the 7th and 13th Air Forces. At the request of MACV, NPPS also provides a "Printing Liaison Officer", on the MACV staff, who services that and other Commands and provides direction to the operation of the MACV printing production facility.

It is worth noting that official publications of Navy, whether for internal or external use, are not promotional and are continually reviewed for security, propriety and "good taste" in accordance with SECNAV Instruction 5600.12 of 17 February 1960, and OPNAV Instruction 5600.16 of 25 January 1970. Tab 3, Annex A contains copies of those instructions.

2. (1). Approximately 150 newspapers are published periodically throughout the Navy, 50 of which are published with appropriated funds, 100 with nonappropriated funds, chiefly those accumulated for recreation and welfare purposes. Approximately 100 magazines are published periodically by Navy units at the local level. Typical samples are included in Tab 5, Annex A. Costs for internal information publications also are included in Tab 1, Annex A.

COSTS RELATED TO NAVY INTERNAL INFORMATION PROGRAMS

2. (a). Item, sub-total, total fiscal year 1970 (estimate).

NUMBER OF PERSONNEL CONNECTED WITH INTERNAL INFORMATION PROGRAMS

2. (b). Full time personnel, Washington level 61; Outside of Washington 82.

2. (c). Part time personnel 325.63 (man years)[1]

2. (d). Cost data for each office having share of responsibility for internal information program, not available—included in "Other" below.

2. (g). Cost of movies produced by the Navy for internal information.

"Year Ended 1969"	$42,750
"Navy Christmas"	84,944
"Navy Sings"	49,657
"Law of the Sea"	138,818
"Bomb Squad"	69,179
"Cleared for Take Off"	21,866
"The Navy Man"	65,008
"Sea Power on the Move"	53,653
"Navy's Operational Test and Evaluation"	46,940
"Skills for the Sea"	55,420
"175 Years of NavSup"	34,520
"President's Visit"	22,500
Movie costs—total	685,255

2. (i). Annual cost of periodicals published for use in internal information.

Bupers Register And Personnel Newsletter	$4,713
Officer Personnel:	
Newsletter	$9,749
Career Information Newsletter	7,216
Navy Recruiter Magazine	18,348
Naval Training Bulletin	20,598
BUPERS Mess Newsletter	733
Naval Aviation News[2]	136,000
All Hands/Naval Reservist	446,168
Retired Naval Personnel, Newsletter	11,712
Navy Chaplain's Bulletin	9,045
Wifeline	14,000
Direction	32,000
NAVNEWS	21,000
JO Journal	1,150
Sealift	38,038
Periodical costs—total	770,470

2. (1). Cost of newspapers and magazines published at the local level by Navy

Appropriated funds	$1,990,485
Non-Appropriated funds	283,830
Newspapers magazines local—total	2,274,315
Other Costs—Not specifically identified	2,111,670
Total cost of Navy internal information program fiscal year 1970	5,841,710 (Estimate)
Total cost of Navy Internal information program fiscal year 1971	[3] $3,320,280 (Estimate)

[1] Represents amount of time personnel, filling full-time public affairs billets, devote to internal information activities.

[2] Naval Aviation News is the oldest of the Navy's publications of this type and is a product of the Naval Aviation History Branch. Its mission is "to provide information and data on aircraft training and operations, space technology, missiles, rockets and other ordnance, safety, aircraft design, power plants, technical maintenance and overhaul procedures." Thus, it is primarily a technical publication, but is listed here because, collaterally, it performs an internal information function.

[3] Does not include film budget. Schedule for films for internal information purposes to be made during FY 71 has not been established.

CHAPTER ONE: INTERNAL INFORMATION

E-1001 GENERAL

1. *Internal Relations* covers the activities and associations of people working in the same organization.

2. *Internal Information*, a tool of internal relations, defines the communications methods and media used to acquaint personnel in the Navy and their dependents and the civilian employees of the Navy with news and other material that can help them in under-

standing the Navy and their jobs or personal affairs.

3. The Navy's internal publics include active-duty personnel, retired personnel, civilian employees, dependents and Naval Reservists.

4. The internal information program uses ship and station newspapers, Servicewide publications, educational programs, retention and leadership programs and personal communication between officers in command and their men.

5. The essential purposes of the internal relations program are to inform and to create an understanding of the Navy's role, policies and missions and (to the extent possible) this country's democratic way of life.

6. As appropriate, the internal information program may include recognition of the achievements of members of minority groups and stress their opportunity for advancement in the Navy and for assignment to the type of service in which they are interested and for which they are qualified, on a par with other Navy personnel.

7. Basic authority for internal relations activity is article 0709.1 of *Navy Regulations*, which states that the commanding officer will "use all proper means to promote the morale, and to preserve the moral and spiritual well-being of the personnel under his command." An imaginative and positive internal information program provides a prime means of carrying out this requirement.

E–1002 RESPONSIBILITY

1. The Chief of Information is responsible to the Secretary of the Navy and to the Chief of Naval Operations for informing naval personnel of the plans and policies of the Navy Department. He is responsible for supplying certain material for the support of the internal information program.

2. The Chief of Naval Personnel coordinates support of the General Military Training program of the Navy. This program was conceived to simplify administration of in-service training and the internal information flow that supports broad national and naval policy.

3. Director of Civilian Manpower Management has primary cognizance of information programs directed to civilian employees of the Navy.

4. Officers in command are responsible for fulfilling the objectives of the internal information program by supervising and actively participating in the program of their commands. Officers in command are supported by trained public affairs personnel, but the responsibility for informing their men—like the responsibility for the welfare of their subordinates—is primarily that of the officers in command.

5. The public affairs officer is important to the internal relations program. He supervises, coordinates and organizes the program's activities in accordance with these *Regulations*. He should:

a. Act in an advisory capacity to the officer in command on all matters pertaining to the conduct of the program.

b. Maintain close coordination with officers in command at all levels, staff officers and organizations associated with the morale and welfare of personnel. (He should be alert to detect any areas of current or potential misunderstandings or discontent, and should be able to offer suggestions to remedy the problem areas.)

c. Keep a close watch on policies and directives that affect personnel and disseminate pertinent information for fullest understanding and compliance.

d. Supervise the base, station or ship newspaper, magazines and radio and/or TV station.

E–1003 FREEDOM OF INFORMATION

The policy of unrestricted flow of unclassified information described in F–2005.1 applies to internal information as well as public information. Navy personnel are entitled to the same access to news as are all other citizens. Calculated withholding of unfavorable news stories from internal information publications is therefore prohibited.

E–1004 OBJECTIVE AND PURPOSES

1. The objective of the internal information program is to ensure that each individual in the Navy, his dependents and civilian employees are fully and continually informed about the Navy, its purpose and future, with emphasis on their individual importance. This program should provide personnel with background material to:

a. Motivate the individual Navy man and his dependents toward a career in the Navy.

b. Provide them with information about the Navy and their country so that they can intelligently discuss these matters with military or civilian acquaintances.

2. The information objectives of the Navy as described in A–1004 and A–1005 should be used as guidelines for development of pertinent phases of the internal information program. Guidance concerning internal information programs may be obtained from the Internal Relations Division (OI–410), Office of Information, or the Public Affairs Offices of Fleet and Type Commanders or District Commandants.

E–1005 METHODS AND MEDIA

1. *Information periods.* The need for personal contact between the officer in command and his men has been apparent throughout military and naval history. This need has not been changed with the advent of missile ordnance and atomic power in the Navy.

a. General Military Training (GMT) periods coordinated by the Planning Board for Training should provide for internal dissemination of information.

b. Officers in command periodically should be the principal participant and on other occasions lend support by introduction of the subject and person covering the subject. At scheduled presentations or discussions, the officer in command can present his policies and expectations concerning the subject covered and its relationship to his command.

c. At special periods applicable to dependents, their attendance should be encouraged.

d. When appropriate, the officer in command should participate in civilian-employee indoctrination training periods. Note. See OPNAVINST 1500 (series) and the U.S. Navy Manual for Leadership Support (NAVPERS 15934), Appendices B, C and D, for further information.

2. *Visiting Policy Spokesmen.* Senior Navy Department officials and flag officers visiting the command should be invited to speak to personnel of the command on Navy policy and other appropriate subjects.

3. Ship and station newspapers.

a. A ship or station newspaper is a publication prepared and distributed by and for Naval personnel and their dependents. An activity's newspaper can be an effective medium in the internal information program. To be as effective as possible, the publication should be closely supervised, encouraged and supported by the officer in command. He must ensure that the publication is in good taste and conforms to the policies established by the Department of the Navy.

b. The best qualified personnel should be assigned to prepare the material used in the internal information periodicals.

c. Sources of material for such publications are: Navy internal news releases, Service-wide periodicals, exchange newspapers from other commands, the American Forces Press Service, NAVNEWS and locally-developed channels. Special columns can include messages from the officer in command and the chaplain, letters to the editor, open forums, schedules of events, local news and sports and recreation.

d. Under certain conditions, command newspapers may be produced by a commercial publisher at no cost to the command. Such newspapers are known as Civilian Enterprise publications and are normally funded through advertising revenue obtained by the publisher. Officers in command are encouraged to investigate the possibilities of establishing a Civilian Enterprise newspaper in lieu of a command funded paper, whenever practicable. Information on establishing Civilian Enterprise papers is available from the Office of Information (OI–410). Basic guidelines will be found in NAVEXOS P–35 (see E–1008.1).

4. Familygrams (letters to parents, wives and families).

a. As a means of keeping dependents informed, officers in command are encouraged to write personal letters to parents and families of personnel attached to their commands on appropriate occasions. Such letters, when published by a ship, squadron or advance base, are especially effective in bridging the separation of personnel from their families. The Familygram should include news of the activities of the unit, the people and the role of the unit in its sphere of operation.

b. A critique of a unit's Familygram, or examples of other units' letters, may be obtained by writing to Family Editor (OI–410), Internal Relations Division, Office of Information.

E–1006 MATERIALS AVAILABLE

1. Materials listed below are a source of background and current information for use in the internal information program. They may be reproduced and used in any way required to supplement local information.

2. *Bureau and Systems Command publications.* Such publications provide information supporting the internal information program. Extracts and reprints from them should be used as appropriate.

3. OPNAVINST 1500 (series), General Military Training, enclosure (1), Command Planning Guide for General Military Training, provides direction and coordinated reference materials currently available to all commands in support of various previously independent programs.

4. DIRECTION Magazine is issued monthly by the Chief of Information to provide guidelines in public affairs for officers in command and public affairs officers.

5. NAVNEWS is a twice-a-month news service distributed to ship and station editors, containing information about the Navy and its personnel. The news service also contains Family Editor information, which provides material of interest to wives. The service is available on request from the Office of Information (OI–410).

6. *JO Journal*, issued with NAVNEWS for all ship and station editors, also goes to all Journalists, broadcasters and photojournalists. The *JO Journal* covers a broad field of topics: techniques, tools, information on contests, and news of where Journalists are serving and in what positions.

7. *Department of Defense material.* The Office of Information for the Armed Forces (OASD-M&RA) publishes material that is distributed to officers in command. This material, distributed through the Bureau of Naval Personnel, includes such items as *Fact Sheet* (background information on international and national events and policy statements), the pocket guides (to various countries, such as Japan, Spain, Okinawa, etc.) and other pamphlets on matters of interest for military personnel.

a. Public affairs officers and editors should ensure that this material is routed to them for use as source information in their internal information programs.

b. The Armed Forces Press Service provides a weekly clipsheet (Armed Forces Press File), covering current events of interest to all the Services.

(1) The Galley Guide is periodically included with the Armed Forces Press File. It includes helpful hints for editors.

(2) Those on the Press File mailing list also receive the weekly *Commanders Digest*, which contains official information, editorials, news and policy from Washington authorized sources.

(3) Requests for the clipsheet service and *Commanders Digest* should be sent to Armed Forces Press Service, Pomponio Bldg., 1117 North 19th St., Arlington, Virginia 22209.

E–1007 IMPLEMENTATION

1. An internal information plan will be drafted by each command in order to ensure the continuance of an internal information program which will coordinate all desired and necessary components.

2. The recommended approach for planning the internal information program is as follows:

a. Officers in command should direct an officer of the command to:

(1) Coordinate the components of the General Military Training program, as delineated in E–1005.1.

(2) Provide for publication of timely and interesting information in ship and station newspaper that support the information objectives of the Navy.

(3) Advise the officer in command on the use of a "CO's column" in ship or station newspapers.

(4) Obtain, evaluate and distribute information materials within the command.

b. When the public affairs officer of a command is not the officer responsible for the internal information program, he should act as an adviser to the latter. The public affairs officer should also be alert for public information possibilities in the internal information program.

3. To be effective, the internal information program must support, complement and supplement the command's long-range training program. Flexibility must be maintained, however, to meet the changing requirements of a command's information needs.

DEPARTMENT OF THE NAVY,
OFFICE CHIEF OF NAVAL OPERATIONS,
Washington, D.C.

OPNAV INSTRUCTION 5600.16.
From: Chief of Naval Operations.
To: Distribution List.
Subject: Provision of Technical Instructions on the Operation and Maintenance of new equipment; policy for

1. *Purpose.* To promulgate the policy for provision of technical instructions on the operation and maintenance of new equipment and systems delivered to the fleet.

2. *Background.* There is concern over the non-concurrent delivery of instruction manuals and maintenance manuals when new and complex equipment is delivered to the fleet. This is particularly apparent where urgency of development, delivery and installation precludes concurrent delivery of technical data in a completed form.

3. *Policy.* The following policy is promulgated to ensure that every ship receiving new equipment also receives sufficient operational and maintenance instructions to permit the attainment of a satisfactory state of readiness with the equipment:

a. The technical bureaus have the responsibility to provide operating and maintenance instructions for each new equipment installation.

b. In special cases where time to prepare the technical manuals may be expected to exceed that time required to produce the equipment, the technical bureau may authorize interim manuals or instructions to be supplied with the equipment. The interim manuals may be as simple as an approved typewritten sheet or as complete as the final manual, but in no case will the fleet be supplied technical equipment without approved technical instructions on the operation and maintenance of the equipment.

J. W. CRUMPACKER.

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, D.C.

SECNAV Instruction 5600.12.
From: Secretary of the Navy.
To: All Ships and Stations.
Subject: "Promotional-type" publications.
Re (a) Government Printing and Binding Regulations (current edition) published by the Joint Committee on Printing, Congress of the United States.

1. *Purpose.* This instruction emphasizes legal prohibitions against the printing or duplicating by or for any component of the Department of the Navy of "promotional-type" publications as defined herein, regardless of security classification, distribution, source of funds used in production and distribution, method of printing or duplicating used, format, or nomenclature applied to the publications, such as book, pamphlet, report, manual, directive, periodical, poster, etc.

2. *Definition.* Promotional-type publications are defined as printed or duplicated material which—

a. Is not required by law or regulations or competent authority; and/or

b. Is distributed to individuals or organizations having no functional, management, or command responsibility with respect to the issuing activity or subject matter contained therein; and/or

c. The content of which—

(1) Is directed to the invitation for or acquisition of work, responsibilities, or resources;

(2) Is actually or can be construed as an attempt to influence appropriation matters or legislation affecting weapons systems, defense concepts, or functional assignments; or

(3) Could be construed as an instrument of intradepartmental or interdepartmental rivalries.

3. *Background.* Under the provisions of reference (a), the Congress of the United States holds the Secretary of the Navy responsible for insuring that the subject matter of all Department of the Navy printed or duplicated material, including illustrations, is certified as necessary for the public service; is authorized by law; is devoted to the work which the branch or officer of the Government issuing the same is required by law to undertake; and does not contain matter which is unnecessary in the transaction of the public business or matter relating to work which any other branch of the Government services is authorized to perform. Further, all illustrations and the use of more than one color must be certified as functional and as relating entirely to the transaction of public business. This is a clear recital of Congressional intent that nothing be printed or published by a Government agency which is not strictly required for the conduct of its public functions. While there may or may not have been violations of or confusion as to this intent, it is emphasized herein to insure that all activities are aware of it.

4. *Prohibition.* The production and issuance of promotional-type publications, as defined herein, by any activity of the Department of the Navy or the use of appropriated or nonappropriated Department of the Navy funds in the commercial production and issuance of such publications is considered to be in violation of reference (a), and is prohibited. Requests for interpretation of this Instruction with regard to specific proposed publications, complete with a rough layout of each proposed publication, shall be forwarded via apropriate channels to the Chairman, Navy Publications and Printing Control Committee, for decision.

F. A. BANTZ,
Under Secretary of the Navy.

DEPARTMENT OF THE AIR FORCE,
Washington, June 18, 1970.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations, U.S. Senate.

DEAR MR. CHAIRMAN: This is in further response to your letter of March 31, 1970, requesting information concerning the Air Force external and internal information programs. Our delay in replying was caused by the necessity of going to individual units in the field to obtain some of the specific data you requested. Attached is an answer to each of the questions raised in your letter, together with a notebook of supporting materials and examples.

I hope you will find this data responsive to your request, and we will be happy to furnish any further information you may require.

Sincerely,

WILLIAM B. ARNOLD,
Chief, Congressional Investigations Div., Office of Legislative Liaison.

INFORMATION CONCERNING AIR FORCE PUBLIC AFFAIRS AND INTERNAL INFORMATION PROGRAMS FOR U.S. SENATE COMMITTEE ON FOREIGN RELATIONS

PREFACE

The mission of the Air Force Information Program is to develop and maintain a degree of knowledge and understanding of the Air Force which will assist us in meeting our responsibilities to both our own members and the general public. The Information mission is based on the policy guidance of the Secretary of Defense that the full record of the Air Force should be available to the American people, subject only to our first concern for the security of the United States and the safety of the Armed Forces. The Secretary's guidance derives in turn from the Freedom of Information Act which provides that maximum information concerning Department of Defense operations and activities must be made available to the public. In addition, we understand and abide by Section 601 of the DOD Appropriations Act of 1970 (PL 91–171), which prohibits the use of funds for publicity or propaganda purposes not authorized by the Congress.

Question:

1. With regard to the Public Affairs Program:

(a) The estimated total cost for all Air Force Public Affairs activities in FY 1970 and FY 1971, including the pay and allowances of all military personnel.

Answer:

The estimated total cost for all Air Force Public Affairs activities in FY 1970 and FY 1971, including pay and allowances of all military personnel, are:

Costs	Fiscal year— 1970	1971
Military pay	$6,734,000	$6,537,000
O. & M. (includes civilian pay)	3,346,000	3,113,000
Total	10,080,000	9,650,000

Question:

1. With regard to the Public Affairs program:

(b) The number of civilian and military personnel now working full time in the Public Affairs Program and the number estimated for FY 1971.

Answer:

The number of civilian and military personnel now working full time in the Public Affairs Program and the number estimated for FY 1971 are:

Full time	Fiscal year— 1970	1971
Military	660	627
Civilian	219	219
Total	879	846

Question:

1. With regard to the Public Affairs Program:

(c) An estimate of the number of personnel who now work part-time in connection with Public Affairs activities and the expected number in FY 1971.

Answer:

Part-time is defined as those full-time Air Force personnel working in the Information career field who divide their time among Public Information, Community Relations and Internal Information activities. These part-time figures are a proportionate share, based on workload, and expressed in man-years of those personnel working in all functions of the Information Program, as shown below:

Estimated part time	Fiscal year— 1970	1971
Military	142	142
Civilian	60	60
Total	202	202

Question:

1. With regard to the Public Affairs program:

(d) A detailed description of the activities in the last year of the various offices involved in Public Affairs programs, including information on the output of each office (i.e., number of photographs or press releases issued, speeches made, etc.)

Answer:

Public Affairs activities in the Air Force are conducted by the Public Information Division and the Community Relations Division. Detailed descriptions of these two divisions and information on their output are as follows:

PUBLIC INFORMATION DIVISION

The Public Information Division prepares, coordinates, and releases USAF information to national news media. It supervises/directs Information activities originating in major commands when the resultant stories are of national interest. This division monitors the USAF-wide press tour program; provides guidance on pictorial policies and operations; initiates, formulates, and supervises policies and procedures for the release of Air Force information to radio, television, and printed media (newspapers, books, and magazines); and plans and programs public information projects and activities. It has operational control for the three SAFOI field offices (New York, Chicago, and Los Angeles) and the Home Town News Center. There are five Branches within the Public Information Division: Operational Forces, Support Forces, Information Development, Pictorial, and Magazine and Books.

Branch personnel develop and write original information materials, including pictorial features, concerning subject matter of current public interest. They review and coordinate with Air Staff and/or Office, Assistant Secretary of Defense (Public Affairs), as appropriate, information actions concerning major commands and Air Force commands which are incorporated into unified or specified commands, such as Strike Command and MACV. They review television and motion picture scripts and proposed releases from major command or contractor sources and coordinate them with Air Staff authorities to ascertain accuracy and security compliance prior to determining appropriate distribution or other suitable action. They also coordinate with, prepare drafts, or complete appropriate release actions regarding Congressional notifications or inquiries processed by the Office, Secretary of the Air Force, Legislative Liaison. On request they attend interviews given news media representatives by Secretariat or Air Staff officials.

OPERATIONAL FORCES BRANCH (PUBLIC INFORMATION DIVISION)

The Operational Forces Branch acquires, develops, prepares, staffs, and disseminates public information news materials of all kinds that pertain to those operational Air Force commands and Air Force components of Unified/Specified Commands, whose principal mission is to conduct or to be prepared to conduct offensive and/or defensive air operations. Specific commands include: Tactical Air Command, Aerospace Defense Command, Strategic Air Command, United States Air Forces in Europe, Pacific Air Forces, Alaskan Air Command, United States Air Force Southern Command, and Air National Guard units assigned to listed operational commands.

SUPPORT FORCES BRANCH (PUBLIC INFORMATION DIVISION)

The Support Forces Branch acquires, develops, prepares, staffs, and disseminates public information news materials that pertain to Weapon and Support Systems Acquisition, Aeromedical Research, Basic and Applied Research, Personnel, Legal, Budget, Strategic and Logistic Airlift, Logistics, Communications, Accident and Incident Investigations, Training in other than the combat commands, and NASA-Air Force relations. Specific commands include: Air Force Systems Command, Air Force Logistics Command, Air Force Communications Service, Air Training Command, Air University, Headquarters Command, USAF Security Service, USAF Academy, Office of Aerospace Research, Aeronatuical Chart and Information Center, Air Force Accountng and Finance Center, Air Force Data Systems Design Center, and Air Force Reserve Personnel Center.

INFORMATION DEVELOPMENT BRANCH (PUBLIC INFORMATION DIVISION)

The Information Development Branch develops formal and informal staff recommendations for Air Force Information actions. It reviews and evaluates news and feature materials published in newspapers, magazines, and Government publications to identify and monitor current and potential public information problems and to recommend suitable Air Force Information actions. It monitors the security review processing of Secretariat and Air Staff speeches and evaluates their significance and news potential for public information handling. The Branch prepares plans and programs for Information actions to inform the public and internal Air Force military and civilian personnel of the mission, performance, capabilities, and requirements of the USAF. Information plans and programs are coordinated with Office, Secretary of Defense, the Air Staff, and other appropriate Government agencies. The Branch evaluates the effectiveness of Information activities in terms of the Secretary of Defense's principles of public information and the Freedom of Information Act.

PICTORIAL BRANCH (PUBLIC INFORMATION DIVISION)

The Pictorial Branch provides required audio-visual support for Public Information activities, including that needed for special news events. It coordinates with Office, Assistant Secretary of Defense (Public Affairs) and appropriate Air Staff offices concerning Air Force cooperation with national television, radio, and motion picture industries. It provides pictorial Information materials and policy guidance to the SAFOI field offices. The Branch coordinates and clears Air Force films and scripts recommended for nonprofit public exhibition.

MAGAZINE AND BOOKS BRANCH (PUBLIC INFORMATION DIVISION)

The Magazine and Books Branch maintains liaison with magazine and book publishers, editors, and writers, keeping them informed of Air Force activities of significance to their interests. The Branch assists magazine and books media representatives in gathering information and illustrative materials, arranging interviews, briefings, orientation visits, and other similar support, as related to the Air Force. It assists authors and publishers to develop their story ideas on Air Force themes.

PUBLIC INFORMATION OUTPUT

News release originated; distribution by:	
OASD/PA) [1]	77
AF commands	92
Direct to media	23
Total	192
News photos, distribution by:	
OASD (PA)	429
Direct to media	766
	1,195
News inquiry answers, distribution by:	
OASD (PA)	537
Direct to media	1,695
	2,232

[1] Office, Assistant Secretary of Defense (Public Affairs)

USAF HOME TOWN NEWS CENTER

The USAF Home Town News Center, Tinker AFB, Oklahoma, receives, evaluates, and edits home town news and feature stories, photographs, and tape recorded or filmed interviews forwarded to it by Air Force units. It provides its services to media that have asked for them. The centralized HTNC operation relieves the maximum workload from each Air Force unit or base and standardizes the material distributed by the USAF.

HOME TOWN NEWS CENTER OUTPUT

Output distributed to print media:	
Individual news stories	321,109
Individual news photos	107,980
Individual inquiry answers	675
Output distributed to broadcast media:	
Individual radio news interview tapes	6,112
Individual television news film clips	3,657
Individual TV news slides	80
Individual inquiry answers:	
Radio stations	2,855
TV stations	64
Total inquiry answers	2,919

USAF OFFICE OF INFORMATION FIELD OFFICES

The USAF Office of Information field offices in New York, Los Angeles, and Chicago (Chicago will close June 30, 1970), are collocated with those of the other military services in these cities. They assist radio-television, magazines, newspapers, wire services, book publishers, and motion and still picture company representatives to obtain facts, figures, photographs, recordings, film transcriptions, and related materials concerning Air Force activities. The offices provide briefings to media, propose magazine article ideas, assist in news coverage of events, and review materials for accuracy upon request. In addition, they provide assistance in obtaining transportation of accredited media representatives to the locale of story material, and arrange interviews and/or appearances

of Air Force personnel with media representatives.

FIELD OFFICE OUTPUT

Safoi-New York/Mid-West/Los Angeles

News inquiry answers:	
Direct to media	635
Speeches made	31

The Community Relations Division is described as follows:

COMMUNITY RELATIONS DIVISION

The Community Relations Division develops, plans, and implements Air Force-wide community relations programs designed to foster mutual understanding and cooperation between the Air Force and civilian communities. Also, when authorized by OASD(PA), plans, guides, and directs Air Force relations with national civic groups and organizations to bring about mutual understanding. It participates in and supports exhibits, demonstrations, open houses, significant national and international civic and military events, and other community relations functions. The USAF Air Demonstration Squadron, the Air Force Orientation Group, and the United States Air Force Band, which are scheduled by this Division, support these activities as does the USAF Documentary Art Program, another division responsibility. The Speakers Branch schedules and monitors speeches and public appearances by senior Air Force officials. The Community Relations Division has Air Staff responsibility for the worldwide Air Force band and museum programs and operational control of the Air Force Museum. The Division's overall mission is accomplished through specific actions of the five branches reported below.

SPECIAL EVENTS BRANCH (COMMUNITY RELATIONS DIVISION)

The Special Events Branch develops, coordinates, and implements programs that respond to requests from the public to view Air Force equipment and capabilities. These programs, which are conducted under Department of Defense public affairs and security directives and politics, are made up of demonstrations, exhibits, open houses and participation in civic and military events. The branch monitors and assists Air Force major commands in their special events programs and works with the other Services on joint programs. It controls scheduling of the Air Force Orientation Group and the USAF Air Demonstration Squadron.

Branch personnel attend an annual December scheduling meeting with OSD and representatives from the other Services. The Thunderbird schedule for the coming year is worked out during this meeting along with the schedule for demonstration teams from the other services in order to respond to requests and avoid duplication. The Special Events Branch closely monitors this schedule throughout the year and coordinates changes as appropriate. During FY 70, the Thunderbirds flew for 120 performances. These included a South American trip in the fall to Colombia and Guatemala. The South American tour was requested by the countries visited and approved by the Department of State.

The Special Events Branch also exercises operational control over the Air Force Orientation Group at Wright-Patterson Air Force Base. The Orientation Group constructs exhibits and adapts Air Force equipment for public display. The group was responsible for 285 exhibitions during FY 70. Exhibition sites included conventions, fairs, air shows, and similar public events.

ART AND MUSEUM BRANCH (COMMUNITY RELATIONS DIVISION)

The Art and Museum Branch develops, coordinates, and implements programs that give the Air Force and public an opportunity to vie with Air Force visual history. These programs are implemented through direct contact with artists and museums. Dissemination is by means of exhibits at requesting Air Force installations, civic centers, and museums. The Branch has operational control of the Air Force Museum, Wright-Patterson Air Force Base, Ohio. Activities include:

The Air Force Art collection, which presently numbers in excess of 3,000 paintings. These paintings are screened to provide suitable selections for display at the 33 exhibits that were arranged by the Art Branch during FY 70. The Branch arranged 47 artist tours during the year to cover Air Force activities.

CIVIL BRANCH (COMMUNITY RELATIONS DIVISION)

The Civil Branch replies to inquiries received from the general public that are referred to this Headquarters. The inquiries may be directed to this office or be addressed to the Secretary, Chief of Staff or other Air Force officials. Some come through Congressional channels. During Fiscal Year 70, the Branch responded to more than 5,000 inquiries. Most responses involve providing fact sheets or photographs, although some responses require individual research. For example, inquiries regarding specific instances of sonic booms are researched and determination made of possible Air Force involvement. During FY 70, Civil Branch provided 31 sonic boom responses. This Branch is also responsible for approving nonlocal airlift for community leader orientation concerning such matters as base closures, mission changes or to demonstrate other aspects of the Air Force mission. The Branch approved 42 point-to-point flights during the year and 5 orientation flights.

Another project conducted by the Branch was the Air Force Wife of the Year Program. This involved mailing 325 entry forms to Air Force bases worldwide. The entries were screened by Major Commands and 20 were submitted to the Air Force judges. One of the criteria for selection was community service.

SPEAKERS BRANCH (COMMUNITY RELATIONS DIVISION)

The Speakers Branch evaluates and acts on requests from civil and military sources nationwide that ask for Air Force speakers and appearances by senior Air Force officials. These include the Air Force Secretary, Under Secretary, Assistant Secretaries, Chief of Staff, Vice Chief of Staff, Deputy Chiefs of Staff, Chief Master Sergeant of the Air Force, and individuals from other Air Force activities. A quantitative evaluation of the Speakers Program follows.

The Speakers Branch processed 444 requests for Air Force speakers. Most of these requests were for speeches or appearances by the Secretary of the Air Force or the Chief of Staff. The Branch makes recommendations to the Secretary and the Chief of Staff as to the appropriateness of their acceptance. In some cases, the Branch arranges for a substitute speaker or a representative. During FY 70, Headquarters USAF officials made a total of 156 speeches and appearances.

BANDS BRANCH (COMMUNITY RELATIONS DIVISION)

The Bands Branch develops, plans, and coordinates the Air Force-wide Band program that supports the Air Force Community Relations Program, takes part in military formations and other appropriate ceremonies and enhances the recreation and entertainment programs at Air Force installations by providing concert music, dance orchestras, glee clubs, instrumental combinations, and individual musicians. The Branch monitors all aspects of the Air Force Band Program—including bands assigned to the Air National Guard—through technical assistance visits, reports, and other means. It schedules performances of the USAF Band and its components and processes and obtains needed clearances for engagements of all Air Force Bands when DoD and Headquarters USAF authorization is required. Although the Band Program is separate from the Information Program, scheduling is accomplished by this office to insure that band performances in the public domain comply with DoD directives and guidance. All Air Force bands are assigned to Air Force Major Commands.

During FY 70, the Air Force Band and its components conducted 318 performances before a total estimated audience of 654,150. In addition to scheduling the USAF Band, the Branch responds to public inquiries regarding the Air Force Band Program. The recent elimination of the Air Force Bagpipe Band as part of the overall Band reduction program, resulted in the Branch responding to 226 inquiries relating to the deactivation of the Bagpipe Band.

Question:

1. With regard to the public affairs program:

(e) Please list the films produced within the last year that were made available to the public, and the cost of each film.

Answer:

The following list is films produced or scheduled for production during FY 1970, by the Aerospace Audio-Visual Service (AAVS) of the Military Airlift Command. With exception of Items 1 and 13, these film products were prepared by AAVS, MAC, to meet requirements established by the various commands and units, other than the Office of Information, for films to assist in training, indoctrination, mission orientation, etc. All these films are unclassified and have been made available on request for public non-profit, public service theatrical, public service television and general sale purposes.

1. *"The Air Force Now"* and *"Air Force News Review"*—11 films. Monthly internal Information series presenting unclassified information on recent Air Force developments and current events, with emphasis on people. (Note: Also reported in answer to question 2f.) This film is produced for the Commander's Call Program in the Internal Information Program.

Cost (Average): ---------- $39,174

2. *SFP 1468, "Wings Over the Americas* (U.S. Air Force Southern Command)." Shows the civic actions, mobile training teams (medical and technical), rescue training, special air operations and advisory activities which are the responsibilities of the U.S. Air Force Southern Command. 23½ min., color, 1969.

Cost ---------- $37,835

3. *SFP 1663, "Air Force Reserve—Ready Now"* Shows the mission of the Air Force Reserve (AFRES) made up of some 400,000 reservists. Covers activities of Air Force Reserve flying, medical, air terminal, navigation, specialty training and logistics units. Also pictures the humanitarian role of the Reserves in such disasters as hurricanes, tornadoes, blizzards, earthquakes and forest fires. 22 min, color, 1969.

Cost ---------- $36,095

4. *SFP 1677, "Operational Readiness—Mission of Air Force Logistics Command."* An account of the logistic results of a Vietnam air battle: The ordering of a new engine for one aircraft, parts for the repair of another, and other requirements filled by the Air Force Logistics Command through its various activities, its methods of speedily supplying U. S. forces, and its plans for the future when computers will direct a fully-mechanized warehouse to supply a specific item to a specific location. 19 min. color, 1969.

Cost ---------- $40,401

5. *SFP 1687, "Wings of Freedom—The Vietnamese Air Force."* Depicts the growth of the South Vietnamese Air Force to the present, 1969. The film shows the various phases of training and study in preparation to becoming a flying officer. Included is actual footage of the TET Offensive. 29 min, color, 1969.

Cost ---------- $51,565

6. *SFP 1704, "The Air Force Chaplaincy—Where the Men Are."* Portrays how chaplains serve the spiritual needs of the men and women of the Air Force and their dependents. Pictures their service on flight lines, in work areas, in casualty wards, during emergency situations, and parish programs on large installations and in isolated areas. 18 min, color, 1969.

Cost ---------- $25,903

7. *SFP 1725, "The Air Guard in GEEIA."* Story of the Air Guard volunteers and the Ground Electronics Engineering Installation Agency (GEEIA) performing installation and maintenance service. Depicted are several notable projects including Project "FAST RACE" requiring expeditious removal of communications-electronics installations from French soil. 16 min, color, 1969.

Cost ---------- $25,964

8. *SFP 1737, "School of the Sky—Parachuting at the USAF Academy."* Shows basic parachute training program for all the Services and continuation of training by volunteer cadets in advanced programs at the Academy. Pictures cadets making first airborne jump and competing in tournaments. 12 min, color. 1969.

Cost ---------- $19,343

9. *SFP 1797, "The Indispensables—KC–135 Air Refueling."* This film tells the story of the "Tankers," the KC–135 aircraft used worldwide to refuel aircraft of the Air Force and Navy. Combat stories of refueling over Vietnam are related on camera by fighter pilots, bomber pilots and general officers. 28 min, color, 1969.

Cost ---------- $44,351

10. *SFP 1875, "Friends, Neighbors and People We Know."* A comprehensive overview of the Air National Guard in the Vietnam war: Their response to the call to active duty, deployment to Southeast Asia, and the mission accomplishment. 27½ min, color, 1970.

Cost ---------- $44,754

11. *SFP 2003, "Tomorrow Will Not Wait—Air, Water and Land Conservation."* Shows attempts by the Air Force to stop pollution where possible, and to conserve the land we live in, 13 min, color, 1970.

Cost ---------- $21,251

12. *TF 6374, "The Greater Adventure."* Shows right and wrong driving techniques. 30 min, color, 1969.

Cost ---------- $42,329

13. *Television film clips.* Series of weekly news clips depicting worldwide Air Force activities, with emphasis on people.

Cost (average) ---------- $4,363

14. *SFP 2039, "NORAD Tracks Santa" (TV Clip).* This is a short Christmas film clip showing weapons controllers picking up a blip that turns out to be Santa Claus. 1 min, color, 1969.

Cost ---------- $2,879

Question:

2. With regard to the Internal Information Program, please provide:

(a) Information as to the total cost of all aspects of the Internal Information Program (including military pay and allowances) in FY 1970 and proposed for FY 1971.

Answer:

The total cost of all aspects of the Internal Information Program (including military pay and allowances) in FY 1970 and proposed for FY 1971 is:

	Costs
Military pay and allowances:	
Fiscal year 1970	$6,025,054
Fiscal year 1971	6,025,054
O&M (includes civilian pay):	
Fiscal year 1970	3,503,026
Fiscal year 1971	3,485,297
Total fiscal year 1970	9,528,080
Total fiscal year 1971	9,510,351

Question:

2. With regard to the Internal Information Program, please provide:

(b) Details on the number of personnel (military and civilian) involved in Internal Information activities in Washington and outside of Washington on a full-time basis—also the number involved on a part-time basis.

Answer:

The number of personnel (military and civilian) in Internal Information activities in Washington and outside of Washington on a full-time basis (including the number involved on a part-time basis) is:

	Fiscal year—	
	1970	1971
In Washington area:		
Full time:		
Military	43	43
Civilian	44	44
Part time [1]	None	None
Total	87	87
Outside Washington area:		
Full time:		
Military	549	549
Civilian	108	108
Total	657	657
Part time:		
Military	115	115
Civilian	50	50
Total	165	165

[1] Part time is defined as those full-time Air Force personnel working in the information career field who divide their time among public information, community relations, and internal security.

Information activities. These part-time figures are a proportionate share, based on workload, and expressed in man-years, of those personnel working in all functions of the Information Program.

In addition, at unit level in the field, a modest number of personnel perform an additional duty in the Internal Information function. For example, an aircrew member might also act as Squadron Information contact to assist in identifying to the Information specialists certain activities worthy of note in base newspapers, etc. Such additional duty assignments and activities are normally a result of personal interest and are addictive to the additional duties already assigned the individual. The numbers of individuals are relatively small and difficult to quantify because the designation is usually informal and always secondary to primary duties. These personnel are not considered "part-time" as defined above in support of the Internal Information Program.

Question:

2. With regard to the Internal Information Program, please provide:

(c) A detailed description of the activities of all offices which have a share in the responsibility for the conduct of the Internal Information Program, including those of the Air Force Reserve and the Air National Guard.

Answer:

The office which has responsibility for the conduct of the Internal Information Program (including those of the Air Force Reserve and the Air National Guard) is described as follows:

INTERNAL INFORMATION DIVISION

The Internal Information Division of the Secretary of the Air Force, Office of Information, plans, directs and supervises the USAF Internal Information Program for all Air Force members, including both Air Force civilian and active duty military personnel as well as members of the Air National Guard, Air Force Reserve, and Air Force Reserve Officers Training Corps (AFROTC). The division establishes program objectives to assist commanders throughout the Air Force in communicating effectively with their personnel on matters relating to Information needs, orientation, motivation and retention. It is responsible for planning, developing, producing, distributing, controlling and evaluating print and audio-visual products in support of these objectives. It monitors professional education and training for the Information career field and serves as point of contact for liaison with the Office of Information for the Armed Forces (OASD/M&RA).

Working under the supervision of the Chief of the division are:

Assistant for Policy and Programs (Internal Information Division)

Advises division chief on policies regarding information, new military concepts, ideologies in conflict, and techniques of communications. Assists in prepublication guidance, coordination, and final review of all Command Services Unit articles and *Airman* Magazine articles. Selects or composes articles for *Air Force Policy Letter for Commanders,* for publication twice monthly, and for monthly *Supplement* to Policy Letter. Prepares monthly and annual Consolidated Index to all Internal Information materials and annual booklet, *Questions and Answers About the United States Air Force.*

Internal Projects Branch (Internal Information Division)

The Internal Projects Branch monitors and supervises professional education of Information personnel; represents the Air Force as required in matters affecting Defense Information School; undertakes special projects as directed; supervises Freedoms Foundation program as it relates to the internal Air Force audience; supervises Air Force participation in the Thomas Jefferson Awards Program. Prepares congratulatory messages for the Secretary of the Air Force and the Chief of Staff; and evaluates surveys.

Internal Media Branch (Internal Information Division)

The Internal Media Branch supports the Air Force Internal Information Program with visual and written media and policy guidance. Produces the weekly Air Force News Service for approximately 250 base newspapers; critiques all base newspapers and monitors expenditure of appropriated and non-appropriated funds for official newspapers; conducts annual Newspaper Awards Contest; monitors the Commander's Call program; directs production of the monthly Air Force Now film series and selects or directs the production of feature films for Commander's Call use. Conducts the Outstanding Airman Program; coordinates the USAF Orientation Program; produces, or directs the production of, posters, pamphlets, and fact sheets as required. Point of contact for all coordination with the Office of Information for the Armed Forces (OASD/M&RA).

Armed Forces Radio-Television Branch (Internal Information Division)

The Armed Forces Radio and Television Branch exercises staff supervision and policy control over all Air Force-operated Armed Forces Radio and Television stations. Develops, coordinates, and disseminates Air Staff policy on the operation of the stations. Maintains liaison with Office of the Secretary of Defense, Departments of Army and Navy, major air commands, other governmental

agencies, and commercial radio and television industries in matters pertaining to Armed Forces Radio and Television.

Command Services Unit (Internal Information Division)

The Command Services Unit, a function of the Internal Information Division, is responsible for planning, preparing, coordinating and distributing editorial, audio-visual and other printed materials designed for use at all levels of command.

Products that are prepared and distributed by the Command Services Unit include *Airman*, the official monthly magazine of the Air Force; fact sheets and background information sheets; the Aerospace Speech Series; slide presentations; original photography: graphic illustrations; booklets; posters.

Commanders at every echelon, including the Air National Guard and Air Force Reserve, are responsible for implementing the Internal Information Program in accordance with Air Force Regulations 190–6, 190–7 190–18 and Air Force Manual 109–4, copies of which are included with this report at Tab A through Tab D.

Question:

2. With regard to the Internal Information Program, please provide:

(d) A catalog or other publication listing all films, books, leaflets, posters, etc., currently available for use in the program.

Answer:

The following index was produced for this report and includes all films, books, leaflets, posters, etc., currently available for use in the program.

Tab E, Airman, Magazine, Monthly.

Tah F, The Air Reservist, Magazine, 10 times a year.

Tab G, Air Force Policy Letter for Commanders (AFRP 190–1), Pamphlet, Semimonthly.

Tab H, Supplement to AF Policy Letter (AFRP 190–2), Pamphlet, Monthly.

Tab I, Information Program Bulletin, Pamphlet, Semi-monthly.

Tab J, Aerospace Speechmaking Guide (AFP 190–41), Pamphlet, As required.

Tab L, Of Flight and Bold Men, Pamphlet, Reprint.

Tab M, Air Force News Service, Releases, Weekly.

Tab N, Broadcast Briefs, Releases, Weekly.

Tab O, General Officer Biographies, Resumes, As required.

Tab P, Consolidated Index to Air Force Information Materials, pamphlet, monthly & yearly.

Tab Q. The Air Force Now, films monthly; Air Force News Review, films discontinued.

Tab R, Commander's Call "Talk Arounds", talking papers, 8 times a year.

Tab S, USAF Lithograph series (5 sets), pictures, as required.

Tab T, Bulletin board, graphic news posters, weekly.

Tab U, AFacts, graphic posters, discontinued.

Tab V, Photo pack (1 set) aircraft photos, as required.

Tab W, Fact sheets, pamphlets, as required:

69–1 Air Force Reserve.
69–2 Air Force One.
69–3 Unified Commands.
68–22–5a Tactical Air Command (Revision).
70–1 Thunderbirds.
70–2 B–1.
70–3 F–15.
70–4 Bare Base Concept.
70–5 Air-to-Surface Missiles.
70–6 Transition Program.
70–7 C–5.*
70–8 Aerial Postal and Courier Service.*
70–9 Security Police.*

* Projected for completion in FY 1970.

Tab X, background information, pamphlets, as required:

69–1 USAF Education Services Program.
69–2 USAF Highlights of 1968.
69–3 Facts About Air Force People.
69–4 Conservation of Natural Resources.
69–5 Key Events in USAF History.
69–6 Aerospace Defense.
69–7 Organization of the USAF.
69–8 Air Force Base Guide.
69–9 "For Extraordinary Heroism"—Presidential Unit Citation.
69–10 U.S. Air Force Scientific Spinoff.
70–1 Strategic Forces.
70–2 Air Force Cross (Revision).
70–3 Air Force Aces.
70–4 Tactical Airpower.
70–5 USAF in Southeast Asia.
70–6 U.S. Air Force Band.
70–7 Air Force Historical Aircraft.*
70–8 Military Airlift.*
70–9 Highlights for 1969.*
70–10 Civil Air Patrol.*

Tab Y, aerospace speeches, pamphlets, as required:

54 Veterans Day—1969.
55 NCO Leadership in Todays' Air Force.
56 Wide New Yonder.
57 Air Superiority: Key to Airpower.
58 Forces for Freedom (Armed Forces Day—1970).
59 Memorial Day—1970.
60 Independence Day—1970.*
61 Air Force Heritage.*
62 Air Force People—Our Most Important Asset.*

Tab Z, Air Force newspapers, weekly, semimonthly, monthly.

Question:

2. With regard to the Internal Information Program, please provide:

(e) A copy of each of the materials published by the Air Force last year for use in the program.

Answer:

A copy of each of the Internal Information materials published during FY 1970 is attached (Tabs E through Z).

Question:

2. With regard to the Internal Information Program, please provide:

(f) A list of the movies produced by the Air Force last year for the program, the cost of each, and an estimate of the number of civilians who have seen each.

Answer:

Twelve films were produced by the Air Force in FY 1970. Eleven are for The Air Force Now/Air Force News Review series, each produced at an average cost of $39,174, including personnel costs. It is estimated that each of these films was seen by an average of 30,000 Air Force civilian employees.

The annual Air Force Christmas Television Program was produced at an estimated total cost of $38,756, and was seen by approximately 15,000 U.S. civilian employees of the Air Force in oversea areas on the Armed Forces Radio and Television Network, and made available as a public service to television stations in the United States with recruiting commercials. Two-hundred and sixty-seven stations requested use of the videotape; no estimate of civilian viewers is available.

Question:

2. With regard to the Internal Information Program, please provide:

(g) A list of all Air Force periodicals used in the program and the annual cost of each.

Answer:

Periodicals published for use in the Internal Information Program during FY 1970 and the costs for each are:

Airman magazine	$340,000
Air Force policy letter for commanders	9,600
Supplement to the policy letter	15,000
Information program bulletin	1,037
The Air Reservist	120,000

Question:

2. With regard to the Internal Information Program, please provide:

(h) A detailed explanation concerning use of nonappropriated funds, if any, in the Air Force Internal Information Program.

Answer:

The only use made of nonappropriated funds in the Air Force Internal Information Program is in the production of 18 Air Force newspapers, as explained in paragraph 2j, and as defined in AFR 190–7, Tab B.

Question:

2. With regard to the Internal Information Program,

(i) Information concerning Air Force training schools for information personnel, the estimated costs for operation in FY 1970, and the number of officers and men scheduled to be trained.

Answer:

Four-hundred and thirty-one Air Force officers and airmen are scheduled to receive Information training during FY 1970 through Department of Defense and Air Force training programs. The programs, with personnel attendance figures in parenthesis, are: Short Course in Public Communication, Boston University (44); Foreign Service Institute Area Country Studies Program (7); Air Force Institute of Technology (AFIT) (21); and the Defense Information School (DINFOS) (359). Tuition costs for the Short Course in Public Communication and DINFOS are borne by the Department of the Army as executive agent for non-degree DoD Information training. Costs borne by the Air Force in support of Information training are estimated at $24,750, of which $23,750 is for tuition.

Question:

2. With regard to the Internal Information Program, please provide:

(j) Information concerning the number of newspapers and magazines published by Air Force units at the local level, the total cost estimate for each publication, and the source of funding. Please provide appropriate samples of these publications.

Answer:

As of May 4, 1970, there were 251 Air Force newspapers being published, including 60 by Air National Guard and 21 by Air Force Reserve units. Of these, 150 are official newspapers, financed by appropriated or nonappropriated funds, and 101 are unofficial, produced by civilian commercial enterprises at no cost to the U.S. Government. The estimated total cost of official newspapers is $587,503, of which $414,538 is from appropriated funds and $172,965 from nonappropriated funds. Attached as Tab Z are sample newspapers.

SUMMARY

The preceding pages respond to questions concerning the resources and activities of the Public Affairs (Public Information and Community Relations) and Internal Information Programs of the United States Air Force. In a vertical alignment, such as exists in the Air Force Information program, job specialization within the functional areas of public, community or internal information diminishes at each successive lower level of organization. At the lower levels, in other words, the Information Specialist performs overlapping duties in all three functional areas, while also meeting the normal management overhead responsibilities.

The answers to the questions contained in this report concerning manpower and funding are as precise as possible; however, some statistical interpolation was necessary because of the nature of the aforementioned overlapping duties and functions at the lower levels of the Information structure. Consequently, in addressing the overall Information Program, we identified an overhead management segment—primarily engaged in administering and supporting the overall Information effort—which does not clearly

translate into any one of the three pure functions of Public, Community and Internal. While computations are in some instances based on estimates, the management overhead represents approximately 20% over and above the functional area costs of the Public, Community and Internal Program as described in this response.

The Air Force is already in a reduction-in-force, and we anticipate the above-mentioned management overhead to decrease at a rate at least equal to that of the reduction of the Public, Community and Internal programs. Additional major reductions in the Information Program are in planning stages for FY 71.

DEPARTMENT OF THE ARMY, OFFICE OF THE CHIEF OF PUBLIC INFORMATION,
Washington, D.C., June 15, 1970.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The following data is provided in further response to your letter of 31 March 1970, concerning the external and internal information programs of the Army.

The succeeding paragraphs correspond to the numbered paragraphs of your letters. Where the data or material furnished is voluminous, it is cited in the pertinent paragraph and attached as an inclosure.

1. With reference to the external information program of the Army which includes Public Information and Community Relations programs:

a. The estimated overall cost of the external information program for FY 1970, including military personnel costs, is $12,253,000. Cost estimates for FY 1971 are at the same level as for FY 1970. Costs reported herein are computed on a different basis from those reported last year. Those in the previous report were limited to the major command headquarters and their major subordinate command headquarters level. Costs reported above include those down through installation level.

b. Personnel who have information assignments do not perform duties exclusively in the external information program but also perform duties in internal and administrative activities. Therefore, all personnel are accounted for in man-years, under part-time in paragraph 1c, below.

c. The number of personnel in man-years of effort, in connection with external information activities, for FY 1970 is 1,058 military and 387 civilian. It is estimated that these numbers will be about the same for FY 1971.

d. Costs for Army activities outside the Office of the Chief of Information (OCINFO), which are described in AR 360–5 (Incl 1), that have external information programs are: Major Commands, $10,797,000 ($6,294,000 MPA, $3,650,000 OMA, and $853,000 other); and Unified Commands for which the Army component is the executive agency, $131,000 ($84,000 MPA and $47,000 OMA). Thesse costs are included in the totals listed in paragraph 1a, above. Personnel costs account for all of MPA funds and about 50 percent of OMA funds. Thus, approximately 80 percent of the overall costs are attributable to personnel pay costs which are necessary to accomplish the external information mission.

e. (1) *Community Relations Division* (CRD): The division responded to over 2000 pieces of correspondence requesting Army participation in activities in the civilian domain during the period July 1, 1969 through March 31, 1970. This does not include countless telephonic requests for assistance from the general public handled in the course of daily business.

(a) Divisional Organizations. CRD supported and provided assistance to 67 organizations such as the Society of the First Division and World Wars Tank Corps. For this year's annual Tank Corps reunion, CRD arranged for the appearance of a speaker, color guard, and an equipment display.

(b) Veterans Organizations. A large portion of the support provided to 29 different veteran groups during FY 1970 consisted of coordinating answers to requests for assistance in such personnel matters as hardship cases, compassionate reassignment, location of Army personnel, and requests from families pertaining to the health and welfare of sons and daughters.

(c) Boy Scout and Youth Groups. An average of six requests per month was received from Congressional offices seeking accommodations at Army installations for Boy Scouts and other youth groups visiting the Washington, D.C. area. One such request was to provide facilities for 120 boys and girls to a junior symphony orchestra which visited the area during the period 29–30 March 1970.

(d) Service-oriented Organizations. CRD provided support to 146 service-oriented organizations during the past year. An example of such support was the provision of a speaker and displays to the annual reunion of the Congressional Medal of Honor Society in Houston.

(e) Military Wife of the Year. This program honors the soldier's wife for bettering human relationships in both military and civilian communities, at home and abroad. CRD serves as the coordinator for Army participation in this program.

(f) Speaker Requests. Over 800 requests for Army speakers were processed from civic clubs, church groups, veteran organizations, professional clubs, etc., on a variety of subjects.

(g) Bands. Army bands and musical units are in great demand as evidenced by the approximately 675 processed requests received by this office during the first nine months of FY 1970. Typical of these actions was a request from the Chairman of the Philadelphia Pulaski Day Parade through a Congressional office for Army participation in the October 5th Pulaski Day Parade in Philadelphia. The 173rd US Army Band from Fort Dix, New Jersey, fulfilled that request. In addition CRD coordinated and scheduled the United States Army Field Band and Chorus for 250 performances before an estimated 600,000 persons during FY 1970.

(h) US Army Parachute Team. During the first nine months of FY 1970, 109 parachute demonstrations were coordinated and arranged for the Golden Knights parachute team. Demonstrations were performed at Bradenton, Florida at the reqeust of Florida State authorities in connection with "De Soto Week" (approximately 3500 spectators viewed the demonstration) and Charleston, South Carolina, at the request of the Charleston Tricentennial Commission and the South Carolina State Tricentennial Commission (approximately 30,000 spectators, including the Mayor of Charleston, viewed the demonstration).

(i) Army participation in Public Events. CRD responded to approximately 1000 requests for participation by Army personnel and equipment in civic-sponsored public events. Such a request was received in October 1969, for the participation of an Army color guard and firing squad for a Laconia, New Hampshire, Veterans' Day flagpole dedication ceremony. Arrangements were made to provide the requested support from Company B, 368th Engineer Battalion, of the United States Army Reserve stationed in Laconia.

(j) Veterans' Recognition. The American people have a continuing interest in the welfare and morale of American servicemen and initiate many projects to show their concern as evidenced by 150 requests received by CRD. One such project was initiated by a citizens' group in Gallup, New Mexico to honor a returning serviceman, a representative of all servicemen from the area, during the Christmas season. CRD assisted in locating a serviceman from the Gallup area who met the requirements or the project and coordinated this information through the interested Congressional office.

(k) US Army Exhibit Unit. At the request of civilian organizations and military recruiting offices, 11 exhibits were shown in 228 cities before a total audience of 12 million persons. Eighty percent of the exhibits were in support of the Army recruiting program. (See schedule at Incl 2).

(l) In addition to the above, CFD serves as point of contact between the Army elements and the Office of the Assistant Secretary of Defense (Public Affairs) in matters relating to Army participation in activities such as those described above. CRD also monitors Army Regulations dealing with community relations.

(m) As the Army point of contact, CRD forwards input provided by the Army staff and the major commands to the Defense Industry Bulletin which is published by the Defense Supply Agency, a Department of Defense agency.

(2) *Command Information Division.* Activities of the Command Information Division deal solely with internal information and are discussed in paragraph 2, below.

(3) *Policy, Plans and Programs Division.* Policy, Plans and Programs Division's activities complemented those of community relations, public information, and command information. As the major planning and policy office for OCINFO, activities of the division involved developing, coordinating, and administering plans and policies with other OCINFO divisions, and agencies of the Departments of the Army and Defense. Actions actually dealing with the external information program are normally accomplished by the Community Relations Division and the Public Information Division as described in paragraphs 1e(1), above and 1e(4), below.

(4) *Public Information Division.* The following are examples of Public Information Division activities during FY 1970:

(a) Public Information Division responded to approximately 13,450 media queries during the period 1 July 1969 through 15 April 1970. Additionally, some 14,000 other queries were answered from private citizens and organizations, including coordination of responses to Members of the Congress. These queries ranged from very simple matters about the Army, providing biographies, fact sheets regarding equipment, etc., to complex questions requiring extensive research and staff coordination involving such matters as the alleged My Lai incident, the Green Berets incident, and the NCO Clubs investigation. Among the public inquiries, many were requests from high school and college students seeking material and assistance in preparation of term papers, theses and other reference material. Under the Freedom of Information Act, the Army has a mandate to be responsive in making full disclosure with minimum delay, consistent with national security, to requests for information from the media and the public.

During this period, coordination was effected on 48 Medal of Honor presentations, etc., for press kits, and for response to the media.

(b) Approximately 147 public releases were cleared for issue by subordinate commands. See sample at Inclosure 3. Some 150 other releases were prepared and forwarded to the Department of Defense for national release. See sample at Inclosure 4. National announcements of approximately 660 contract awards involving amounts of more than one million dollars were made through the Department of Defense. Arrangements were made for approximately 185 interviews by media representatives with members of the Department of the Army staff, as well as tours to subordinate installations by press representatives.

Fifty newspapers from all parts of the United States are screened on a daily basis for analysis of information of special Army interest.

f. No motion pictures are produced for the external public. Motion pictures produced in support of the internal information program that are available to the public, upon request, are discussed in paragraph 2g, below.

g. "The Army Hour" is a twenty-five minute radio program of soldier interviews and music. Last year, 52 programs were released to approximately 1,232 commercial and educational radio stations in the United States and 285 American Forces radio stations overseas. "Worldwide" is a five-minute radio program of soldier interviews. Last year, 104 programs were released to approximately 1,058 commercial and educational radio stations in the United States and 285 American Forces radio stations overseas. During FY 1970, through 31 March, the Army Hometown News Center released 378,592 audiotapes, 1,353 television film clips, and 1,658,000 printed releases. This material, consisting of news of local soldiers for use by their hometown media, was furnished to 2,474 radio stations and 546 television stations.

h. Copies of major commands' monthly reports for non-local travel for external information purposes, as required by paragraphs 27 and 28, AR 360–5, for the FY 1970 are at Inclosure 5. As examples, one staff officer was sent to Fort Bragg, North Carolina and to Korea on Operation Focus Retina. One staff officer went to Miami, Florida, and Fort Bragg, North Carolina, on the IX Conference of American Armies. Two staff officers traveled to Fort Benning, Georgia, and Fort Hood, Texas, for liaison visits in connection with press arrangements for the My Lai incident courts-martial.

i. No "Speechmaker" publications were produced in FY 1970.

j. The quarterly Command Information reports which relate solely to the internal information program are provided at Inclosure 6.

k. During FY 1970, about 350 senior speakers (Lieutenant General and higher and Assistant Service Secretary and higher) were provided in response to requests from civic, service, veterans, and professional organizations.

2. With reference to the internal information program of the Army:

a. The FY 1970 cost for operation of the internal information program, including military personnel costs, is estimated at $13,200,000. Costs estimated for FY 1971 are at the same level as for FY 1970.

b. Because of the many duties performed in addition to internal information, personnel accounting is in man-years of effort. It is estimated that 1,141 military and 246 civilian man-years were used in FY 1970, on internal information activities.

c. The purpose of the Army Pictorial Center, located in Long Island City, New York, is to provide pictorial and audiovisual services for the Department of Defense, Department of the Army, Army Materiel Command, Continental Army Command, government agencies, and other authorized activities; and to maintain and operate the Army Motion Picture Depository and Army Motion Picture Record Center. The operating cost for FY 1970 is estimated at $10 million. There are 750 persons assigned to the center, and the workload is 250 motion picture projects. Only a small portion of its activity is directly in support of the Army internal information program. Specifically, $727,000 was budgeted for production of twenty-five Big Picture films in FY 1970. (Latest figures available indicate these films had 118,779 showings to internal audiences and 44,762 showings to external audiences). For reasons of economy, the Army Pictorial Center is scheduled to be closed on 30 June 1970, and the responsibility for the various audiovisual activities will be assigned to other facilities of the Army Materiel Command.

d. Army Regulation 360–81 (Inclosure 7) describes the operation of all offices, including the Army Reserve and the Army National Guard, which have a share of the responsibility for conduct of the internal information program. Costs are included in paragraph 2a, above.

e. Catalogs and listings of materials used in the internal information program are at Inclosure 8.

f. A copy of each of the internal information materials published during FY 1970, are at Inclosure 9, 10, 11, and 12.

g. The detailed data requested is shown in Inclosure 13.

h. Periodicals published for use in the internal information program during FY 1970 and the costs for each are:

Army Reserve	$250,000
Commanders Call Support Material	47,600
Army Digest	426,000
Army news/photo features	48,000

i. As of 30 May 1970, there were 140 authorized Army newspapers and 22 magazines being published throughout the Army. The estimated total cost is $1,412,537, of which $385,964 was from appropriated funds and $1,026,673 from non-appropriated funds. Attached at Inclosure 14 are three sample newspapers and two magazines.

j. Information concerning the training schools for information personnel is contained in DA Circular Number 350–74 (Incl 15), DA Circular Number 350–76 (Incl 16) and Defense Information School Brochure (Incl 17), attached. Thirteen officers and thirteen civilians attended the Advanced Public Relations Course, University of Wisconsin, during FY 1970. Six officers participated in the OCINFO Senior Officer Civil Schooling Program at the University of North Carolina, the University of Wisconsin, the University of Colorado, and the Ohio State University during FY 1970. Army personnel consisting of 138 officers, 439 enlisted men and 21 civilians attended courses of instruction at the Defense Information School during FY 1970.

Sincerely,

WINANT SIDLE,
Brigadier General GS, Chief of Public Information.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. THURMOND. Mr. President, with respect to the comments on Guard and Reserve forces included in the committee report on the defense appropriation bill for 1971, I agree wholeheartedly with the requirement for belt tightening in both the National Guard and Reserves of all the services. Such belt tightening through improved management is being forced upon the services through rising personnel costs, the prices of fuel and other expendable supplies, and the like.

Before we punch another hole in the belt, however, we should recognize that the Guard and Reserves have been living under austere budgets since the political decision in 1965 that they would not be mobilized to duty in Southeast Asia. For example, Army Reserve construction has been stopped for 6 of the 7 years from 1964 to 1970. Normal equipment retirement and withdrawals of equipment for use in combat from the Army Guard and Army Reserve exceeded equipment issues from 1964 to 1969.

Thus, for many years, Guard and Reserve manning, equipping, and training have been given low funding priority.

Now, as the Committee on Appropriations has pointed out, national policy has placed on the Department of Defense a requirement for development of genuine combat capability in the National Guard and Reserve. Secretary Laird has expressed publicly and officially his policy that Guard and Reserve units must be prepared to be the primary and initial source of augmentation for the active services and that the services must provide support to effect this preparedness. The services have developed their Guard and Reserve budgets to meet the minimum requirements of this policy, the objective of which is the development of mobilization equipping, manning, and training levels to meet JCS stated requirements for force deployability.

The reductions which have been made in Guard and Reserve appropriations do not appear to be consistent with this objective. The House of Representatives has told the Air Force to retain units previously programed for inactivation and has provided the necessary funds to support this retention. If the committee report is approved, we in the Senate will signify our willingness to have these units retained without the necessary support funds, thereby forcing degradation of support and a consequent lessening of readiness for deployment.

There is another point which we should consider before we determine that there is oversupport for the Air National Guard and the Air Force Reserve. The technician manning and flying hour program represented by the operations and maintenance funds are key elements which have made these components ready—so ready that when units of the Air Guard and Air Reserve were mobilized in 1968, they were ready for deployment within 72 hours and were able to fly combat missions within a few days after their arrival in Vietnam.

At a time when the Secretary of Defense and the military services are trying to carry out the repeatedly expressed intent of Congress that the Guard and Reserve be made ready so that they can be used upon mobilization and would, therefore, be more likely to be mobilized should the need arise—at a time when we are encouraging the improvement of readiness in all the Guard and Reserve components, it would be inconsistent for us to jeopardize proven readiness in the two components where the greatest improvement has been made.

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

The PRESIDING OFFICER (Mr. MURPHY). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATION BILL, 1971—CONFERENCE REPORT

Mr. HOLLAND. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17923) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes.

I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. MURPHY). Is there objection to the present consideration of the report?

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

(For conference report, see House proceedings of December 7, 1970, pp. 40240–40241, CONGRESSIONAL RECORD.)

Mr. HOLLAND. Mr. President, may I ask that the secretaries on both sides of the aisle notify Senators who may be concerned with this matter that the Senate will take up this conference report immediately? I have heretofore endeavored to notify all the Senators that I thought were interested one way or the other in this report. I hope that they may be present on the floor momentarily.

Mr. President, I shall not report on all the details of the conference agreement, since the full text of the conference report and the statement of the managers on the part of the House have been printed as House Report No. 91–1680, and appears in the CONGRESSIONAL RECORD of December 7, yesterday, beginning on page 40240.

Mr. President, the Senate passed the agricultural appropriation bill on July 9. The bill as passed by the Senate contained 62 different numbered amendments, comprised of 106 individual differences. The House appointed its conferees on November 20, and the conference committee met on December 2, and again on December 3, when it reached final agreement.

Mr. President, I should say in justice to the House that the conferees of the House were not appointed until that late date because of the pendency of the farm bill which had not become law until about the time of the appointment of the House conferees.

Mr. President, in recognizing the need to economize in Federal expenditures, plus the fact that almost one-half of the current year will have elapsed by the time the President approves the appropriation bill, many of the items in conference were reduced below the amounts proposed by the Senate.

The conference agreement on the appropriation bill totals $8,090,856,550. This is $7,260,400 over the 1970 appropriations, $342,502,050 over the 1971 budget estimates, and $385,078,550 under the bill as passed by the Senate on July 9.

FOOD STAMP PROGRAM

Mr. President, the principal decrease under the Senate version of the bill pertains to the funding for the food stamp program.

The budget estimate and the House bill provided $1,250 million and the Senate provided $1,750 million. The conferees agreed to $1,420 million. This is $330 million under the Senate bill, but is $170 million over the estimate and an increase of $823,037,000 over the obligations for fiscal 1970.

The entire appropriation of $1,420 million is available only within the limits of amounts authorized by law for fiscal 1971.

Prior to the meeting of the conference committee, I requested the Department of Agriculture to summarize the efforts made by the Congress so far for the current fiscal year to carry forward the food stamp program in the absence of new authorization. Through next January 31, a total of $770,000 has been made available for this program as follows: First, in Public Law 91–294, the continuing resolution, approved June 29, 1970, section 101(a)(1) provides for the continuation of programs and activities. Therefore, under that resolution, the remaining $170 million of authorization from Public Law 91–552, approved October 8, 1968, which authorized extension of the Food Stamp Act of 1964, provided "not in excess of $170 million for the 6 months ending December 31, 1970" was provided.

Second, when the second supplemental appropriation bill for 1970 (Public Law 91–305) was under consideration by the Senate, an appropriation of $300 million was approved with the amount to be charged against the amount to be appropriated for the food stamp program when H.R. 17923 was enacted. This was due to the foresight of the distinguished chairman of the Committee on Agriculture and Forestry, the Senator from Louisiana. This $300 million was to be available through October 31, 1970. Finally, on October 15, 1970, when Public Law 91–454, an extension of continuing appropriations, was approved, an additional $300 million was appropriated by changing the original $300 million just cited and contained in the Second Supplemental Appropriation Act, to $600 million to be available through January 31, 1971.

These supplemental appropriations and the continuing resolution thus provide a total of $770 million, to be available through January 31, 1971, and all of which are chargeable against the limits to be established by the Congress in the authorization act for the food stamp program for fiscal 1971, not yet passed.

Mr. President, I believe that the amount agreed to; namely, $1,420 million, is adequate to carry out the food stamp program for the current fiscal year, but in the event that the final authorization for the food stamp program, plus the needs of the program prior to next July 1, show an expressed need for additional funds, I am confident that the next Congress will provide such amounts as may be proposed in a supplemental budget.

Mr. President, I ask unanimous consent that the letter I received from Assistant Secretary Lyng, dated November 30, dealing with the $770 million to which I have just referred, be printed in the RECORD at this point.

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

DEPARTMENT OF AGRICULTURE,
Washington, D.C., November 30, 1970.

Hon. SPESSARD L. HOLLAND,
Chairman, Subcommittee on Department of Agriculture and Related Agencies, Committee on Appropriations, U.S. Senate.

DEAR SENATOR HOLLAND: This responds to your informal request for information on available funds for the Food Stamp Program in the fiscal year 1971.

Funds totaling $770 million have been made available for this program through January 31, 1971, as follows:

1. Under P.L. 91–294, approved June 29, 1970, $170 million became available and has been used. Section 101(a)(1) provides for continuing programs in accordance with the terms of the then pending Department of Agriculture Appropriation Act. The amount was limited to $170 million by virtue of the authorization in P.L. 90–552, approved October 8, 1968, which amended the Food Stamp Act of 1964 to authorize "not in excess of $170 million for the six months ending December 31, 1970." The 1971 Agriculture Appropriation Bill (H.R. 17923) includes a proviso under the Food Stamp Program which reads "Provided, That this appropriation shall be available only within the limits of amounts authorized by law for fiscal year 1971."

2. Under P.L. 91–305, approved July 6, 1970 (the Second Supplemental Appropriation Act of 1970) a separate appropriation of $300 million was approved by the Congress "to be charged to the amount appropriated under this head in H.R. 17923, when enacted." This $300 million was to be available through October 31, 1970.

3. Under P.L. 91–454, approved October 15, 1970, an additional $300 million was appropriated (by changing the original $300 million above in the Second Supplemental Appropriation Act to $600 million) to be available through January 31, 1971.

In view of these actions by the Congress there is presently available $770 million for the Food Stamp Program to be available through January 31, 1971.

Sincerely,

RICHARD LYNG,
Assistant Secretary.

ASCS—PRICE SUPPORT LIMITATION

Mr. HOLLAND. Mr. President, another item in the Senate version of the bill dealt with a $20,000 price support limitation for fiscal year 1971. This was amendment numbered 38, and was offered by former Senator Smith from Illinois on July 8, when the Senate was debating the agricultural appropriation bill. At that time, the amendment was adopted by a vote of 40 yeas to 35 nays, with 25 Members not voting.

Subsequently, when the Senate was considering the general farm legislation bill, which provided for a 3-year extension of farm legislation beginning with crop year 1971, former Senator Smith of Illinois again offered an amendment which would have provided a limitation of $20,000 per farm for crop years 1971, 1972, and 1973. This amendment was rejected by the Senate by a vote of 44 nays to 21 yeas, or better than 2 to 1. As Senators will recall, the farm bill, in its conference form, does provide in the new basic law for a limitation of $55,000 per producer for each of the major crops. The President signed the farm bill (Public Law 91–524) on December 1.

In view of the subsequent action of the Senate and the enactment of basic farm legislation carrying a $55,000 limitation, the Senate conferees receded from amendment numbered 38.

In view of the adoption of the $55,000 limitation in basic law, it is my hope that there will be no further effort on the part of Members of either body to impose in appropriation bills restrictive limitations in the 3 years covered by the farm bill.

AGRICULTURAL CONSERVATION PROGRAM

Mr. President, another item of general interest to the Congress is the advance authorization for the agricultural conservation program for 1971. The conference agreement is for $195,500,000, as proposed by the House, instead of $190,000,000 as proposed in the Senate bill.

I regret that the administration has not announced the 1971 program. A year ago, when there was a long delay in the conference which was concluded on November 19, 1969, the Secretary of Agriculture announced the 1970 program under the terms of the continuing resolution, similar to the one which has been in effect since July 1, 1970.

This program of cost-sharing has been very beneficial to the protection and development of our natural land resources. On the average, $2 is spent for each dollar appropriated, since practices paid for are matched dollar for dollar by the producer.

During the hearings, the officials of the Department of Agriculture, on being questioned by the committee, presented a strong basis for continuation of the program, even though the President's budget had proposed elimination of an advance program. More than 85 percent of the practices are of an enduring nature and a large share of the conservation work installed under the program deals with soil and water pollution.

RURAL ELECTRIFICATION ADMINISTRATION

Mr. President, the loan authorization approved by the conference committee for the rural electrification program is $337 million, instead of $352 million as proposed by the Senate. The conference amount represents an increase of $15 million over the budget, and will provide a loan level for the current fiscal year of $360 million instead of $345 million, as proposed in the budget and carried in the House bill.

The amount approved by the conferees for the telephone program is $128,800,000, instead of $138,800,000 as proposed by the Senate. The conference agreement does provide an increase of $5 million over the budget estimate and a loan level, including carryover funds, of $130 million for fiscal 1971.

SUPPLEMENTAL FINANCING PROGRAM

Mr. President, both committee reports recommended to the REA Administrator, in differing versions, the additional deferment of principal payments to encourage subscription of capital for the electrification borrowers to the National Rural Utilities Cooperative Financing Corporation, now known as the CFC.

In essence, the House committee report proposed deferments on existing loans and the Senate committee report recommended an additional 3-year deferment on new loans, with the understanding that such deferments would be contributed to the CFC, a self-help financing venture created to supplement the regular REA lending program.

On July 27, the REA Administrator, Mr. David A. Hamil, transmitted to me, as chairman of the subcommittee, a letter of the same date to the Comptroller General of the United States, signed by the Under Secretary of Agriculture, posing a number of questions dealing with interpretation of the recommendations carried in the House and Senate committee reports on this subject. On September 28, the Comptroller General replied to the Secretary of Agriculture and transmitted a copy of his reply to me, as chairman of the subcommittee. In his transmittal letter, the Comptroller General, Mr. Elmer B. Staats, stated:

We urge that every effort be made to resolve this matter and that the final agreement be clearly set forth in the legislative history of the appropriation act.

In response to the request from the Comptroller General and the request by the REA Administrator, this matter was dealt with by the conference committee. On pages 10 and 11 of the conference report there appears a statement setting forth the agreement of the conferees on the part of both the House and the Senate confirming that the REA Administrator has authority under sections 4 and 12 of the Rural Electrification Administration Act, as amended, to follow both the House and Senate committee recommendations, and further that the Administrator should do this when he finds that the financial condition of a borrower is sound and where the Government's interest would be adequately safeguarded. As stated in the conference report, in exercising this authority, which is voluntary, the Administrator is authorized to make additional deferments of at least 3 years on outstanding loans in addition to any previous deferment, and the deferment of principal on new loans made after the date of this report for 3 years, in addition to the deferment period normally granted on new loans under preexisting practices. These deferments may be made to meet local needs or where the desire by the REA cooperative borrower is to voluntarily invest amounts deferred in securities of the CFC.

Mr. President, I ask that the text of the conference report, regarding this item, be printed in the RECORD at this point, together with the letters of September 28, from the Comptroller General, the letter of August 12 from the Administrator of the REA, the letter of August 5, from the chairman of the subcommittee to the REA Administrator, and a letter of July 27, to the chairman of the subcommittee from the REA Administrator which transmitted a copy of the letter from the Under Secretary of Agriculture to Mr. Staats, the Comptroller General of the United States, raising questions to be interpreted as a result of the House and Senate committee report recommendations.

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

TITLE II—CREDIT AGENCIES

RURAL ELECTRIFICATION ADMINISTRATION

Amendment No. 49: Provides loan authorization of $337 million for electrification loans instead of $322 million as proposed by the House and $352 million as proposed by the Senate.

The Conferees have considered the differences in the language contained in the House and Senate Committee reports recommending that the REA Administrator defer repayments of principal on certain rural electrification loans. After careful consideration of the Comptroller General's letter, dated September 28, 1970, addressed to the Secretary of Agriculture, the Conferees are in agreement that there is authority in Sections 4 and 12 of the Rural Electrification Act to follow both the House and Senate Committee recommendations, and that the Administrator, where he finds the financial condition of a borrower is sound and where the Government's interest is adequately safeguarded, may, in exercising such authority, proceed as follows: (a) by deferment of repayments of principal on outstanding loans for a period of three years in addition to any previous periods of deferment; and (b) by deferment of repayment of principal on new loans made after the date of this report for a period of three years in addition to the deferment period normally granted on new loans under preexisting practice. Such deferments may be made to meet local needs or where desired by REA electrification borrowers to voluntarily invest amounts equivalent to the amounts of principal to be so deferred in securities of the National Rural Utilities Cooperative Finance Corporation. It is expected by the Conferees that the REA Administrator will report to the House and Senate Committees actions taken by the REA Administrator pursuant hereto when he appears before the Committees to be heard on appropriations for REA for fiscal year 1972.

Amendment No. 50: Provides loan authorization of $128.8 million for rural telephone loans instead of $123.8 million as proposed by the House and $138.8 million as proposed by the Senate.

Amendment No. 51: Deletes House language providing for a contingency reserve of $20 million.

Amendment No. 52: Appropriates $14,613,000 for salaries and expenses as proposed by the House instead of $14,896,000 as proposed by the Senate.

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., September 28, 1970.

Hon. SPESSARD L. HOLLAND,
Chairman, Department of Agriculture and Related Agencies Subcommittee, Committee on Appropriations, U.S. Senate.

DEAR MR. CHAIRMAN: By letter dated August 3, 1970, you asked to be furnished a copy of our reply to the Department of Agriculture's letter of July 25, 1970, which concerns recommendations contained in the House and Senate Committees on Appropriations Reports on the Department of Agriculture and Related Agencies Appropriation Act, 1971, H.R. 17923, 91st Congress.

The House Committee recommended that the Rural Electrification Administration defer payments by REA electric borrowers on outstanding loans and the Senate Committee recommended such deferments on new REA loans. Both recommendations were made to enable borrowers to make investments in the National Rural Utilities Cooperation Finance Corporation (CFC), with the expectation that such investments will generate private capital for future electrification loans.

In the enclosed decision of today's date we have advised the Secretary of Agriculture that there is considerable doubt as to whether REA has authority to follow the recommendation of either the Senate or House Committee on Appropriations, but that the Conference Committee on H.R. 17923 concludes and the House and Senate agree that there is authority to carry out

either the House or Senate Committee's recommendation, or both, we would not object to REA following the recommendation that is contained in the Conference report.

We urge that every effort be made to resolve this matter and that the final agreement be clearly set forth in the legislative history of the appropriation act.

Sincerely yours,

ELMER B. STAATS,
Comptroller General of the United States.

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, D.C., September 28, 1970.

The Honorable SECRETARY OF AGRICULTURE.

DEAR MR. SECRETARY: By letter dated July 25, 1970, the Under Secretary wrote concerning committee recommendations in connection with the Department of Agriculture and Related Agencies Appropriation Act, 1971, H.R. 17923, 91st Congress, as passed by the Senate. Specifically the House Committee on Appropriations has recommended that the Administrator of the Rural Electrification Administration defer payments by REA electric borrowers on outstanding loans for up to three years and the Senate Committee on Appropriations has recommended that the Administrator grant up to a three-year deferment on principal installments on new REA loans. In both cases the deferment was recommended to enable borrowers to make investments in the National Rural Utilities Cooperative Finance Corporation (CFC) a private financing institution organized to help meet the accelerating capital requirements of REA financed electric systems which cannot be met by REA.

The House Committee on Appropriations recomendations are as follows:

"To meet this massive requirement, [increasing need for electric power] Congress must continue to play its role. The REA borrowers themselves are likewise seeking other means within their own organization to meet their obligation to their consumers. They are forming the National Rural Utilities Finance Corporation to commence operations this year. Whether this system works will have to await the action of the money markets.

"Because of this, the Committee suggests that where the financial condition of a borrower is sound and where the Government's interest is adequately safeguarded, the Administrator considers deferring repayments on outstanding loans for up to three years. Such action where necessary would enable the cooperatives to more fully subscribe the stock of this new lending institution." H. Rept. No. 91–1161, 42.

The Senate Committee on Appropriations recommendations follow:

"The Committee commends the rural electric systems in their attempt to establish a financing organization to help alleviate the large financial needs of the rural electric systems for new capital financing from the Federal Government. The National Rural Utilities Cooperative Finance Corporation (CFC) was incorporated in the District of Columbia on April 10, 1969. The Committee understands that CFC now has 785 members in 44 states.

* * * * *

"The Committee expects the REA Administrator to assume an active role in cooperation with CFC in the accumulation of initial subscription of capital from CFC members for initial operations.

"In addition to the subscription of capital from existing sources, and to meet the objectives set forth in the House Committee Report, a continuous flow of capital funds is essential to the orderly development of the CFC.

"The Committee is of the opinion that the recommendation in the House Committee Report to defer principal repayments on outstanding loan contracts is not a feasible method of providing for an orderly flow of capital subscriptions to the CFC. The Committee recommends that beginning on July 1, 1970, that the REA Administrator grant up to a three-year deferment on principal installments on new REA loans—with the understanding that such deferred installments on principal will be invested by borrowers in the CFC.

"Such regular investments in CFC when continued for several years and coupled with the open market sale of debentures, should then enable the REA Administrator and the CFC to make an orderly transition from complete reliance upon government financing to a greater reliance upon the sale of CFC debentures, except for the financing of systems where the input of 2 percent government loans may be essential to the maintenance of adequate electrical service at reasonable rates in low density population areas." S. Rept. No. 91–987, 38, 39.

With regard to the House recommendation, inasmuch as it would apply to loans in being, it is apparent that the House Committee envisions the use of the authority of section 12 of the Rural Electrification Act of 1936, approved May 20, 1936, ch. 432, 49 Stat. 1366, 7 U.S.C. 912, for the purpose of carrying out its recommendation. Section 12 authorizes the Administrator to extend the time of payment of interest or principal on loans made under section 4 for plant and transmission construction for as long as 5 years. We understand that section 12 has been used only in hardship cases. Our review of the legislative history of section 12 indicates that that section was designed to afford the Administrator power to grant relief in situations where the borrower might be unable to meet payment when due. Specifically, in explaining the reason for section 12 Senator Norris on February 25 and 26, 1936, advised the Senate:

"By section 12 the Administrator is authorized and empowered to extend the time of payment of interest or principal. That is criticized, but it seems to me only fair that he should be given the authority to extend the time of payment in case some great catastrophe should happen, such as has happened in the past, making it almost necessary for such an extension to be made."

* * * * *

"The next amendment was, on page 7, after line 21, to insert a new section, as follows:

"SEC. 12. The Administrator is authorized and empowered to extend the time of payment of interest or principal of any obligation created pursuant to this act: *Provided, however*, That with respect to any loan made under section 4, the payment of interest or principal shall not be extended more than 5 years after such payment shall have become due, and with respect to any loan made under section 5, the payment of principal or interest shall not be extended more than 2 years after such payment shall have become due.

"Mr. COUZENS. Mr. President, I should like to have the Senator from Nebraska tell us the purpose of that amendment. There is no provision in it as to whether the interest shall continue over the 5-year period and the 2-year period, or what occasion may arise to bring about the desirability of those extensions.

"Mr. NORRIS. Of course, I cannot tell whether a case will ever arise where an extension will be desirable; but it was thought best to give the Administrator the power that is authorized to be given him in section 12 simply as a matter of safety, so that, on the other hand, when a loan came due he would not be compelled under the law immediately to proceed to collect it. He might be lenient; he might extend it; he might wait a while. If we did not put this language in the bill, the Administrator would feel that when a loan became due it was his duty to proceed at once to make collection. This amendment gives him a little leeway. That is the only reason for it that I know. It seemed only fair that the Administrator should have that much leeway." 80 Cong. Rec. 2579, 2832.

While the language of section 12 is admittedly broad, its legislative history as set out above and the long-standing administrative interpretation thereof creates considerable doubt as to whether that section was intended to constitute sufficient authority to carry out the recommendation in the House Report. In the absence of such authority in section 12, we would conclude that in order for a waiver to be granted by the Administrator it is essential that adequate consideration must flow to REA in each case where such waiver is granted.

With regard to the recommendation in the Senate Report, which would only apply to new loans, section 4 of the Rural Electrification Act of 1936, 7 U.S.C. 904, provides that loans made thereunder "shall be on such terms and conditions *relating to the expenditure of the moneys loaned and the security therefor* as the Administrator shall determine." (*Underscoring* added.) Thus, the terms and conditions of loans made under section 4 are restricted to those relating to the expenditure of the money loaned and the security for such loans. It likewise is questionable whether the condition that would be imposed by the Senate Committee recommendation, i.e., grant of waiver on condition that during the waiver period the funds otherwise due and payable to RFC would be invested in CFC, relates either to the expenditure of the money loaned or to the security for such loan.

In *Pridemark* v. *C.I.R.*, 345 F. 2d 35, 41 (1965) the court acknowledged that conferees thought a present statutory scheme was adequate to deal with a problem through either judicial decision or regulation and considered a Conference Report recommendation in reaching a decision. Accordingly, if the conferees on H.R. 17923 decide and report that:

(1) There is authority in section 4 to follow the Senate Committee's recommendation; or

(2) There is authority in section 12 to follow the House Committee's recommendation; or both,

our Office will accept the conference committee's recommendation and not object to any action taken by REA to follow whatever the conferees recommend, assuming that the House and Senate agree thereto. If there is no clear agreement on the issue, we will be glad to consider the matter further at your request in the light of the entire legislative history of the final enactment.

Sincerely yours,

ELMER B. STAATS,
Comptroller General of the United States.

RURAL ELECTRIFICATION ADMINISTRATION,
Washington, D.C. August 12, 1970.

Hon. SPESSARD L. HOLLAND,
Chairman, Subcommittee, Department of Agriculture and Related Agencies, Committee on Appropriations, U.S. Senate.

DEAR SENATOR HOLLAND: We have your letter of August 5 with respect to the deferral of REA loan repayments on the basis that borrowers would use the amounts involved to purchase Capital Term Certificates from the National Rural Utilities Cooperative Finance Corporation. We note your inquiry as to the steps taken to notify REA applicants of the Senate Committee's recommendations and the provisions made for incorporating the Committee recommendation in loans since July 1, 1970.

Unfortunately, this matter was not discussed at the Appropriations hearings nor at any other time during our presence. Moreover, the officials of the CFC have not dis-

cussed the matter with us, and insofar as we know have made no request that this be a part of our cooperative working arrangement.

To date, we have taken no steps to inform loan applicants of the Senate recommendations nor to incorporate such recommendations in current loan contracts. Our reasons for taking no action at this time are as follows:

1. It is our feeling that the substantial difference between the recommendation made by the House Subcommittee and that of the Senate should first be reconciled. We assumed that this would take place during the deliberations of the Conference Committee on the Agricultural Appropriations Bill.

2. After discussion of these recommendations with our General Counsel, it was decided that they involve serious questions relative to the authority of REA to defer loan repayments to the Government in favor of a strictly private institution. Consequently, the decision was made to refer the matter to the Comptroller General for a decision. Copies of this submission were sent to you and to other officials of the Senate and House Appropriations Committees.

3. In addition, it is desirable that this matter be discussed with the Office of Management and Budget and the Treasury to determine the effect on the Government's expenditures control program.

We respectfully request that this matter be considered by the Conference Committee and that all ramifications and consequences of the recommendations be reviewed. It is our desire not to take any steps that would tend to weaken the basis for REA's cooperation with CFC. We already have indications that there would be serious objections to this type of action. This is especially true when REA is already deferring the principal repayments for a period of three years. Moreover, borrowers have more than $515 million in accumulated general funds and a combined cushion of credit with REA of more than $346 million. With the exclusion of all investments in CFC from our general funds control, it would appear that most borrowers are in a position to meet their commitments to CFC without serious problems.

It is true that some borrowers do not have substantial amounts of general funds. Generally, this group of borrowers will continue to be eligible to receive 100% REA loans. However, these borrowers should take the steps necessary to reduce expenditures or increase rates as necessary to strengthen their financial condition. Rate reductions during the past several years have limited the ability of some borrowers to accumulate general funds and to be in a position to meet such responsibilities as CFC involves.

It would be helpful if the Committee would support REA and CFC in our combined efforts to take such steps as may be reasonable and appropriate to encourage and assist borrowers in increasing their financial strength. This is the only long-term solution to borrowers' financial problems.

We shall be pleased to discuss this matter at greater length with you and your associates on the Appropriations Committee.

Sincerely,

DAVID A. HAMIL,
Administrator.

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
Washington, D.C., August 5, 1970.

MR. DAVID A. HAMIL,
Administrator, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C.

DEAR MR. HAMIL: This will acknowledge the receipt of your letter of July 27, transmitting to the Committee a copy of a letter of the same date to the Comptroller General from the Under Secretary of Agriculture. It is noted in the Departmental letter of July 27 that the General Accounting Office has been requested to confirm the authority of the Rural Electrification Administrator to defer principal payments for the purpose of requiring borrowers to invest such deferred amounts in the Cooperative Finance Corporation—as recommended by this Committee in Report 91-987.

The hearing record for fiscal 1971 sets forth the interest and participation of the REA to assist in the organizational aspects of the CFC, including development of the joint operating procedures to review and consider loans to be financed from CFC capital on a case-by-case basis. The record shows the opinion of the General Counsel that no legislation was required for such cooperation, and that such loans could be made upon a documented determination that the Government security interests were not diminished.

You have also notified borrowers that investments to be made in the Cooperative Finance Corporation will be exempted from the limitation of 8 percent on general fund reserves. The Committee has concurred in the joint cooperative efforts of the REA and the electric cooperatives to develop a supplemental "self-help" financing program. In furtherance of the desire of all concerned to provide for a continuous flow of capital subscriptions on a voluntary basis, it was believed by the Committee that more affirmative steps should be undertaken to facilitate the regular investment of capital in the CFC for not less than three years. The matter may, of course, be re-examined by the Committee prior to or at the end of three years.

Historically, the REA Administrators, past and present, have been aggressive in their assertion of full authority to make full use of the REA Act to make loans for various purposes and to defer the repayment of principal for varying periods and for varying purposes—without extending the term of the loan contract. This Committee believes that its recommendations, which are not mandatory upon the applicant for a loan as a term or condition of the loan, do fall within the authority of Section 4 which reads: "Loans under this section and section 5 shall not be made unless the Administrator finds and certifies that in his judgment the security therefor is reasonably adequate and such loan will be repaid within the time agreed." It is the understanding of the Committee that deferments authorized under Section 12 are normally made in hardship cases on outstanding loans and do not apply to the deferral recommendations of the Committee report which relate only to deferrals on new loans.

In view of the progress made to date on the CFC financing program, the restrictive fiscal situation, and the large backlog of loan applications, plus the ever-increasing power needs of the electric cooperatives, the Committee believes it essential to recommend to the REA the full use of existing authority under Section 4 of the REA Act, to provide for regular contributions to the CFC from loans made beginning with July 1, 1970.

In essence, the Committee recommendations continue the requirement of the Administrator to determine that all loans be feasible and that the security of the Government be protected, but that deferral of principal for at least three years in appropriate cases be made for payment into the CFC capital structure. Senate Report 91-987 fully describes the history of principal deferrals, the need for new methods of financing, and the ultimate goal to be achieved—namely, to reduce the complete reliance in future years upon 2 percent loan funds.

It will be appreciated if you will advise the Committee as to steps taken to notify the REA applicants of the Senate Committee recommendations, and what provision has been made incorporating the Committee recommendations in loans announced since July 1, 1970.

Yours faithfully,

SPESSARD L. HOLLAND,
Chairman, Subcommittee, Department of Agriculture and Related Agencies.

RURAL ELECTRIFICATION ADMINISTRATION,
Washington, D.C., July 27, 1970.

HON. SPESSARD L. HOLLAND,
U.S. Senate.

DEAR SENATOR HOLLAND: The statements contained in both the Senate and House Reports on Appropriations for 1971 concerning the deferment of REA loan repayments in support of the National Rural Utilities Cooperative Finance Corporation have been discussed with the Department's Office of the General Counsel. It is our opinion that these recommendations should be referred to the Comptroller General of the United States for a decision as to whether the Administrator may, under provisions to Section 4 of the Act, grant deferments for the purpose of facilitating borrowers investments in CFC as a private institution.

Accordingly, the attached letter has been directed to the Comptroller General of the United States.

We appreciate your interest in the success of the CFC venture. We have indicated our complete cooperation in an effort to organize and develop this supplemental source of credit for REA borrowers. Owing to the possibility that certain aspects of our working relationships may be questioned, we feel that we should proceed only with assurance that we have the essential authority.

Sincerely,

DAVID A. HAMIL, *Administrator.*

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., July 27, 1970.

HON. ELMER B. STAATS,
Comptroller General of the United States, General Accounting Office.

DEAR MR. STAATS: In their Reports on the Department of Agriculture and Related Agencies Appropriation Bill, 1971 (H.R. 17923), the House and Senate Committees on Appropriations, respectively, have recommended that the Administrator of the Rural Electrification Administration defer repayments by REA electric borrowers on outstanding loans for up to three years, and that the Administrator grant up to a three year deferment on principal installments on new REA loans. (H. Rep. 91-1161, June 4, 1970, and S. Rep. 91-987, June 29, 1970.) In both cases, the deferment was recommended to enable borrowers to make investments in the National Rural Utilities Cooperative Finance Corporation (CFC), a self-help, nongovernmental financing institution organized to help meet the accelerating capital requirements of REA-financed electric systems, which cannot be met by REA. These recommendations raise several questions on which we would like your decision.

CFC was incorporated on April 10, 1969, as a nonprofit cooperative association under the laws of the District of Columbia. It was sponsored by the National Rural Electric Cooperative Association, representing almost all rural electric systems financed by REA. The corporate purposes of CFC are stated in its Articles of Incorporation to be:

"To provide, secure and arrange financing for its members and patrons as required by them for the planning, initiation and execution of their programs, projects and undertakings conducted in accordance with, and in pursuance of their objectives under the statutes of their respective places of organization and operation, in the United States of America, its territories and possessions, for the primary and mutual benefit of the patrons of the Association and their patrons, as ultimate consumers."

Membership in CFC is limited to cooperative or nonprofit corporations and public bodies which have received or are eligible to receive loans from REA and to their associations. Of the 983 such corporations and public bodies eligible for membership, and out of a present total of 986 REA electric borrowers, more than 750 have each submitted an application for membership along with a membership fee of $1000. However, only those applicants which subscribe to their required quotas of Capital Term Certificates will be admitted to membership. Required initial subscriptions are based on specified percentages of the value of the subscriber's utility plant in service, of certain operating revenues and of certain reserves, and are payable, at the subscriber's option, in three annual payments beginning on October 1, 1970; additional annual subscriptions are required from 1973 through 1984. Capital Term Certificates are unsecured obligations of CFC repayable in 50 years, bearing interest at a rate of 3 percent per annum, and subordinate to other indebtedness for borrowed money. CFC estimates it will receive, through Capital Term Certificates, and have available for lending to members, a maximum of $50 million during each of its initial three years, and a maximum total of $350 million during the next 15 years. As it gains experience and builds up a portfolio of loans, CFC also plans to sell debt securities in the private money market, perhaps in its second year of operation, and has estimated an ability to sell such securities in an amount equal to three times the amount received from membership fees, operating margins and sale of Capital Term Certificates. Thus, over a 15-year period, CFC may be able to establish a supplemental loan program well in excess of $1 billion.

In recent years, REA electric loan funds annually authorized by Congress have averaged about $350 million; capital requirements, loan applications and loan backlogs of REA borrowers have been accelerating. The rural electric systems which have received $3.5 billion in REA loans during the last 15 years are expected to need $8 billion in the next 15 years. While REA borrowers in special circumstances may be able to obtain and support individual, open-market financing in the future, CFC appears to be the only source now in view which may furnish substantial supplemental financing for a large majority of REA-financed rural electric systems.

Preliminary discussions between REA and CFC representatives have resulted in tentative criteria to determine the conditions under which 2 percent REA and higher-interest supplemental CFC loans would be made. Full or 100 percent REA loans, under these criteria, would continue to be made to borrowers unable to pay a higher rate of interest, as determined by the Administrator.

One hundred percent CFC loans would be made to borrowers who request them, because REA may be legally unauthorized to make the particular loan or for other reasons, and who are able to sustain such higher interest loans. Most financing, however, would be the result of concurrent REA and CFC loans, the proportion of the total loans to be made by each source to be determined so as to utilize the full amount estimated to be available to REA and CFC for this purpose. It has been estimated that during the first year of CFC's operation, approximately 90 percent of the needs of borrowers falling in this category (representing perhaps 90 percent of all electric borrowers) might be met by REA and 10 percent by CFC. REA loans to these borrowers would be conditioned upon the borrower obtaining a specified supplemental loan. This loan would normally be obtained from CFC, but could be obtained from any other financing source that might be available to the borrower.

CFC is a private corporation, owned and controlled by its members, whose articles of incorporation, bylaws and corporate purposes are subject to alteration by the members.

I

In its Report, the House Committee on Appropriations made its recommendation to the Administrator in the following terms (at page 42):

"To meet this massive requirement [of satisfying increasing power needs of consumers], Congress must continue to play its role. The REA borrowers themselves are likewise seeking other means within their own organization to meet their obligation to their consumers. They are forming the National Rural Utilities Finance Corporation to commence operations this year. Whether this system works will have to await the action of the money markets.

"Because of this, the Committee suggests that where the financial condition of a borrower is sound and where the Government's interest is adequately safeguarded, the Administrator considers deferring repayments on outstanding loans for up to three years. Such action where necessary would enable the cooperatives to more fully subscribe the stock of this new lending institution."

The Administrator's authority to defer repayments on existing REA electric loans appears in section 12 of the Rural Electrification Act of 1936, as amended, which provides:

"The Administrator is authorized and empowered to extend the time of payment of interest or principal of any loans made by the Administrator pursuant to this Act: *Provided, however,* That with respect to any loan made under section 4 . . ., the payment of interest or principal shall not be extended more than five years after such payment shall have become due. . . ."

This authority has been used sparingly by REA and to the minimum extent necessary to place a borrower on a more stable financial basis and provide greater assurance of repayment of REA loans; in all cases, consideration has been directed to the effect of any deferment on the Government's security and a finding required that the deferment is in the best interest of the Government, as well as the borrower.

The House Committee's recommendation for deferring repayments is limited to instances "where the financial condition of a borrower is sound and where the Government's interest is adequately safeguarded," and "where necessary," but the purpose of the recommended deferment is to "enable the cooperatives to more fully subscribe" to CFC's Capital Term Certificates. Such a deferment would represent a waiver or surrender of the Government's right to receive particular payments at specified times. It would, in effect, involve, on the one hand, the loss to the Treasury of earlier repayments and the consequent increase of the period during which Government funds would remain on loan to REA borrowers at the statutory 2 percent rate of interest, and, on the other hand, the investment by a borrower of such funds in Capital Term Certificates for which it receives 3 percent.

The initial question is whether the exercise of the authority contained in Section 12 of the REA Act must be confined to deferments of payments which are in the interests of, and provide a compensating benefit to, the Government.

If it be determined that this governing principle must be observed, the further question arises whether the recommended deferment of payments can be justified on the basis of the benefit to the Government in bringing about earlier and more CFC supplemental loans to REA-financed systems.

Encouraging the injection of a new and additional source of needed capital for REA-financed electric systems would help to assure protection of an important element in the Government's security interests insofar as it enables these systems more fully to satisfy their utility responsibilities, and to avoid the loss of consumers and service areas and of utility rights under existing certificates of convenience and necessity, franchises, permits and other service authorizations.

II

The recommendation in the Report of the Senate Committee on Appropriations appear as follows (on pages 38–9):

Supplemental financing program

"The Committee commends the rural electric systems in their attempt to establish a financing organization to help alleviate the large financial needs of the rural electric systems for new capital financing from the Federal Government. The National Rural Utilities Cooperative Finance Corporation (CFC) was incorporated in the District of Columbia on April 10, 1969. The Committee understands that CFC now has 785 members in 44 states.

"Historically, REA has granted loans since the program began in 1935 allowing deferment of the payment of principal on the loans for varying periods of time. In some cases the deferment period has been for one year, in some cases for two years, in some cases for three years, in some cases for five years, and in a few instances even longer.

"The Committee believes that the CFC plan has the potential of diverting the growing need to increase the annual loan authorization and achieve a large measure of 'self-financing' in future years. To be most effective the capitalization of the corporation must be accelerated.

"The Committee expects the REA Administrator to assume an active role in cooperation with CFC in the accumulation of initial subscription of capital from CFC members for initial operations.

"In addition to the subscription of capital from existing sources and to meet the objectives set forth in the House Committee Report a continuous flow of capital funds is essential to the orderly development of the CFC.

"The Committee is of the opinion that the recommendation in the House Committee Report to defer principal repayments on outstanding loan contracts is not a feasible method of providing for an orderly flow of capital subscriptions to the CFC. The Committee recommends that beginning on June 1, 1970, that the REA Administrator grant up to a three-year deferment on principal installments on new REA loans—with the understanding that such deferred installments on principal will be invested by borrowers in the CFC.

"Such regular investments in CFC when continued for several years and coupled with the open market sale of debentures, should then enable the REA Administrator and the CFC to make an orderly transition from complete reliance upon government financing to a greater reliance upon the sale of CFC debentures, except for the financing of systems where the input of 2 percent government loans may be essential to the maintenance of adequate electrical service at reasonable rates in low density population areas."

Thus, in lieu of the House Committee's proposed deferment of repayments due under outstanding REA loans, involving a Government waiver or surrender of existing rights, the Senate Committee's recommendation favors a proposed scheduling of principal payments, in notes to be delivered to REA by its electric borrowers pursuant to future REA loans, under which payments of principal would be deferred for three years, provided the deferred payments are invested by borrowers in CFC.

As noted by the Senate Committee, REA has from its beginning scheduled proposed principal payments to begin at varying periods after the date of the borrower's note. Present REA practice is to provide for principal payments generally to begin three years

after the date of the note, but lesser and greater deferment periods are provided for, depending upon the particular circumstances of the borrower and the loan purposes. Basically, such deferments have been granted for the purpose of permitting the borrower, during the period of construction and initial operations, to develop and attain adequate revenues before it is obligated to make principal payments. Such scheduling of principal payments are provided for pursuant to the authority of the Administrator, under section 4 of the REA Act, to make electrification loans "on such terms and conditions relating to the expenditure of the moneys loaned and the security therefor as the Administrator shall determine and [such loans] may be made payable in whole or in part out of the income."

The basic question is raised whether the Administrator may, under the provisions of section 4, condition future REA loans, granting a deferment of principal payments, upon a requirement that the borrower invest such deferred amounts in CFC. The "terms and conditions" which the Administrator is authorized to fix for REA loans are required, under section 4, to be those "relating to the expenditures of the moneys loaned and the security therefor." May this form of assistance to CFC properly be deemed to relate to "the security" for REA loans, in light of the expected role of CFC in providing required capital to REA borrowers which might not otherwise be available and thereby preclude hazards to the Government's security interests resulting from borrowers' inability to fulfill their public obligations?

Further subsidiary questions are raised by the possible, different applications of the Senate Committee recommendation. Would the recommended deferment, with its concomitant obligation that the borrower invest in CFC, be a permissible "term and condition" under section 4 where the borrower is given the choice of accepting the deferment with its accompanying obligation to invest in CFC, or not accepting the deferment and thereby not obligating itself to invest in CFC?

Would such a "term and condition" be authorized if the borrower, on the other hand, were required, as a condition of receiving the loan, to accept the deferment and to obligate itself to invest in CFC?

Whether the deferment, with its obligation to invest in CFC, is required or optional, would the "term and condition" be permissible where (a) the borrower does not wish to become a member of CFC and wishes to obtain its required supplemental financing from a non-REA source other than CFC; (b) the borrower is eligible for a 100 percent loan from REA and has no present intention or need to borrow from CFC; (c) the borrower has ample funds of its own for investing in CFC; or (d) the borrower is already a member of CFC and has met CFC's required investment quota?

Your decision on the questions raised in this letter will be greatly appreciated.

Sincerely,

J. PHIL CAMPBELL,
Under Secretary of Agriculture.

Mr. HOLLAND. Mr. President, as a result of working out this matter in conference, I think it will be very clear that there is no difference between the House and the Senate on this point and that the Administrator may in his discretion and when the interests of the United States are well safeguarded, in his opinion, thus contribute to the increased investment of funds of the various REA associations, if they so desire, in the capital of the CFC.

Mr. President, I believe that the efforts by the House committee and the Senate committee, as resolved in the statement which has been included in the record of the Senate from the conference report, will enable the REA Administrator—in cooperation with the Rural Electrification borrowers—to carry forward at an accelerated rate a self-help financing program to which the REA has repeatedly pledged the support of the Administration.

I am glad to add to my prepared statement the fact that the capital structure of CFC has now grown to the point that they have approved the granting of loans in certain cases and applications are now coming in for the granting of such loans. In other words, the organization is now functioning as a needed auxiliary and a needed supplement to the regular REA program.

COMMODITY CREDIT CORPORATION

Mr. President, I am pleased to report that the House conferees were willing to accept the Senate version of the appropriation bill for the item of reimbursement of capital impairment of the Commodity Credit Corporation in the amount of $3,363,155,000. The amount provided restores the unreimbursed loss incurred in fiscal 1968 of $250 million, and the full loss incurred in fiscal 1969 by the CCC in the conduct of authorized programs.

This is the first year in many years, and since I became chairman of the subcommittee in 1963, that the fiscal affairs of the CCC in regard to this item have been brought to a current basis.

In 1961, under Public Law 87-155, the Congress authorized that appropriations be made annually to reimburse the Corporation for net realized losses when the amounts of such losses were fully reflected in the accounts and reports of financial condition of the Corporation.

Over the years, it has been necessary to make supplemental appropriations to provide the CCC with sufficient capital under its $14.5 billion borrowing authority to carry out all of its assigned responsibilities. I am happy to report that with the assistance of the Senate, which has supported me year after year in our committee's recommendation to restore the capital of the CCC as intended by law, plus the cooperation of the House conferees, and from the Secretary of Agriculture—irrespective of political party—and finally, with the support of the Bureau of the Budget, this appropriation item is now current except for the losses incurred in fiscal year 1970, which I hope will be included in full in the budget estimate for 1972.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. YOUNG of North Dakota. This is the first time for a long time that the funds for CCC have been current. I know this to be true because I was the chairman of the Subcommittee on Agriculture Appropriations 16 to 20 years ago, and during all that time and since this is the first time CCC has been fully repaid.

As the Senator knows, CCC is capitalized at $14.5 billion. Many times 15 and 18 years ago the funds were all committed to the extent that we had to pass special appropriations to get funds to a Senate necessary farm program.

I wish to commend the distinguished Senator from Florida for the great job he has done in getting these funds current and for the able assistance he received from the distinguished minority member, the Senator from Nebraska (Mr. HRUSKA).

This is not the Senator's only accomplishment. I think it is fair to say that the Senator from Florida knows more about the entire operations of the Department of Agriculture than any Secretary of Agriculture in recent years. Although the Senator from Florida does not believe in all these programs, he has done an excellent job of financing them and making sure they are run right.

Mr. HOLLAND. Mr. President, I thank my distinguished friend for his more than generous statement. I want to say that I have had the help of many Senators. I have not only had the help of the distinguished Senator from Nebraska (Mr. HRUSKA) for some years as the ranking minority member, and before that of the Senator from North Dakota (Mr. YOUNG), who was the ranking minority member, but the help of every other member of the subcommittee and of the full committee.

When this principle of a fair and correct showing of just what the CCC operations and losses are, and restoring them in the year following that in which it occurred, was urged year after year, it took all of us together to gradually bring the account closer and closer to a current condition.

Nothing in this report makes me happier than to report that our joint efforts have now succeeded. With the help for the first time of the Bureau of the Budget, and with the help for a good many years of the Department of Agriculture, in bringing this account to a current basis, people can now look and see just what the CCC has done in terms of money and how that has impaired its capital structure. I must say the CCC does only those things which it is instructed to do by legislation passed by the Congress.

Mr. YOUNG of North Dakota. The Senator from Florida has been effective in a great many of his undertakings, but never more than in this one. I do not know of any project the Senator from Florida has undertaken which has been more difficult. The Senator from Florida just persisted until he practically forced the Bureau of the Budget to come up with a budget estimate, and he insisted that the Appropriations Committee provide those funds. Sometimes those funds were lost in conference with the House, but the Senator from Florida even persuaded the House this time that the account should be made current.

Mr. HOLLAND. I thank my friend for his more than generous remarks.

I yield now to the Senator from Vermont (Mr. AIKEN).

Mr. AIKEN. Mr. President, I want to say that the House and Senate conferees have done a remarkably good job on this agricultural appropriation bill, and there seems to me no better time to say that over the past few years, under the able leadership of the Senator from Florida, we have had exceptionally good agricultural appropriation bills presented to us for our approval.

I would also like to add that the Senator from Florida has been ably assisted by three members of the Agriculture Subcommittee whom I now see on the floor—the ranking minority member, the Senator from Nebraska (Mr. HRUSKA), the Senator from North Dakota (Mr. YOUNG), and the Senator from Louisiana (Mr. ELLENDER). Certainly, all these years the Senator from Florida has done a tremendously beneficial job for his country, and I want to say the country appreciates it, and certainly the Members of the Congress do.

Mr. HOLLAND. I thank my distinguished friend from Vermont for his overgenerous statement.

I may say that our subcommittee has been exceedingly fortunate in the fact that it has, as ex-officio members from the Committee on Agriculture and Forestry, the ranking minority member, the Senator from Vermont (Mr. AIKEN), and the chairman of our legislative Committee on Agriculture and Forestry, the Senator from Louisiana (Mr. ELLENDER). I think this makes for an excellent interlocking of the legislative branch of the Senate with the appropriations branch.

I am quite eager to say again I think it is the help of these fine members of the subcommittee and the full committee which has made possible any progress or success which we have had.

I am glad to yield now to my distinguished compatriot, the ranking minority member of the subcommittee, the Senator from Nebraska (Mr. HRUSKA).

Mr. HRUSKA. Mr. President, I thank the chairman of our subcommittee. I rise to suggest, Mr. President, that the analysis and the overview of the bill just presented by the Senator from Florida is characteristic of the fashion in which he has dealt with the agricultural appropriation bills for some years now. It is not only in regard to the topics themselves, but the fashion in which he has exercised leadership in them that we find a great deal of comfort.

This is a big bill. It is over $7.5 billion, and only about $3.250 billion goes directly to farmers. The rest of it is in other areas. This is a subject that is frequently commented on by all members of the committee when they get exercised over some views that are bandied about in loose talk about the so-called $7.5 billion windfall or boondoggle for the farmers.

Many of these programs are far-reaching. The topics that were dealt with by the Senator from Florida include the food stamp program. They include price support limitations, the agricultural conservation program, the rural electrification program, the supplemental financing program and, of course, the Commodity Credit Corporation.

I want to comment only briefly on two or three of these topics, one of which is the Commodity Credit Corporation. I do that for the reason that we find in the Chamber today two of the pioneers in the field of trying to get the Commodity Credit Corporation capital account in proper shape, so it could be dealt with honestly and efficiently in a manner so the public would know what it is about, and where we are going, and why.

One of the charges left with us in the conference committee, concluded only 2 or 3 days ago, by the senior Senator from Florida was that now that he has put the house in order, it was for those of us who would stay a little while longer to keep it in order. I do believe that without his leadership it would not have been possible.

I shall not repeat any comments in those areas that have already been treated by the Senator from Florida. I call attention to two points which also evidence leadership on the part of the Senator from Florida. One is the allowance of $4,862,000 over 1970 as additional money for staffing and equipping of research laboratories. When the Senator from Florida assumed the chairmanship of the subcommittee, he undertook a pioneering, fundamental work by making scientific study and appraisal of all the research facilities and laboratories. An order of priorities was set forth and quite religiously followed.

However, we found ourselves in a position where five of these laboratories were built but were not staffed or adequately equipped. There sat this tremendous capital investment, unable to do work which was considered so important that tens of millions of dollars, and perhaps hundreds of millions of dollars, of capital had been pledged. So that item I believe is well invested, and it will produce much benefit as we go along.

In another area, $4,580,000 was added for the planning and construction of new, and I might add, vitally needed research plants. That also is money well invested.

Then we go to the figure for the agricultural conservation program. This year, again, Congress has overwhelmingly approved and confirmed the agricultural conservation program as national policy.

The conference committee approved funding at $195,500,000 for fiscal 1971. Yet no action has been taken by the Secretary of Agriculture to announce the 1971 ACP.

ACP cost-sharing is available to farmers and ranchers in every agricultural county in the Nation. The program is administered by the Agricultural Stabilization and Conservation Service. In many of these counties the ACP is the major program offered. Without an ACP in 1971 a minimum of 300 of these local offices will have to be closed, leaving farmers in these counties without ASCS services. Once closed, it will be very difficult to rehire personnel with the background and training to reopen these offices.

With all the tremendous public clamor for the control of pollution and for the protection of our environment, it would appear to me the height of folly to deactivate the ACP which fits right into our environmental quality programs, and it would be shortsighted indeed to strike the well-known and effective programs we have in the name of doing more.

This has been one of the most effective farm programs ever passed or funded, and I cannot reconcile the tremendous effort being put forth to control air and water pollution with the suggestion that the ACP be eliminated. Certainly no program already in existence or likely to be formulated would contribute more to the control of air and water pollution than this one.

On the basis of sheer volume, the greatest water pollutant of them all is silt. Farmers and ranchers with ACP assistance have kept millions of tons of silt out of our rivers and lakes with 2 million water-storage reservoirs; 33 million acres of terracing; over a million acres of permanent sod waterways; and vegetative cover on 769 million acres.

It is significant to me that since the ACP was started we have not experienced another dust bowl like the one so well remembered by those of us who live in the Great Plains States.

Economists tell us we are going to need more timber. The ACP has helped with the planting of 4.6 million acres of trees, and has improved the stand of trees on another 3.8 million acres.

Assistance is given for pollution abatement systems to handle solid wastes, and properly dispose of concentrations of pollutants in farm feedlot areas to keep our lakes, ponds, and streams clear and useable.

I believe, it would be well that the language in the conference report on the subject of the program, however, be scanned a little bit, Mr. President. I read a paragraph from page 9 of the conference report:

> The conferees agreed to call on the Department to announce the 1971 program, which should have been announced months ago, including therein all programs, practices and procedures available in the calendar year 1970 program such changes as may be recommended by the county committee and approved by the State committee.

Mr. President, I believe that that language, particularly the words "call on the Department to announce the 1971 program—including therein all programs, practices and procedures" and so on, should not be interpreted as a limitation or restriction of the program. As a member of the Conference Committee I was reluctant to agree to this language. The Congress, the Department of Agriculture, and the State and County ASCS Committees have tried hard and effectively in my opinion to constantly improve this program. We have eliminated completely some of the temporary practices which have caused criticism, and reduced other practices which do not have an enduring effect. In fact around 90 percent of the program is made up of enduring practices.

I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks three tables, one showing the portion of the cost sharing for conservation practices with enduring benefits for the year 1969, and another which shows the portion of the ACP cost sharing assistance for practices with enduring benefits and for practices with benefits of limited duration, and another showing State allocations, farmer contributions, average assistance per farm, and participating farms.

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

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

PORTION OF COST SHARES FOR CONSERVATION PRACTICES WITH ENDURING BENEFITS [1] 1969 AGRICULTURE CONSERVATION PROGRAM

State	Percent
Alabama	68
Alaska	100
Arizona	[2] 100
Arkansas	72
California	[2] 100
Colorado	[2] 100
Connecticut	76
Delaware	29
Florida	65
Georgia	65
Hawaii	93
Idaho	98
Illinois	89
Indiana	77
Iowa	91
Kansas	98
Kentucky	98
Louisiana	65
Maine	97
Maryland	77
Massachusetts	84
Michigan	77
Minnesota	96
Mississippi	72
Missouri	94
Montana	[2] 100
Nebraska	99
Nevada	100
New Hampshire	96
New Jersey	70
New Mexico	95
New York	97
North Carolina	72
North Dakota	68
Ohio	85
Oklahoma	95
Oregon	98
Pennsylvania	98
Puerto Rico	97
Rhode Island	67
South Carolina	78
South Dakota	94
Tennessee	85
Texas	89
Utah	[2] 100
Vermont	[2] 100
Virginia	86
Virgin Islands	100
Washington	98
West Virginia	98
Wisconsin	98
Wyoming	99
Total	87

[1] Rounded to nearest whole percent.

[2] Less than ½ of 1 percent for practices of limited duration (temporary practices).

PORTION OF ACP COST-SHARING ASSISTANCE FOR PRACTICES WITH ENDURING BENEFITS AND FOR PRACTICES WITH BENEFITS OF LIMITED DURATION 1954 TO CURRENT PROGRAM

[Percent]

Program	Portion used for practices with enduring benefits [1]	Portion used for other practices [2]	Total
1954	76	24	100
1955	76	24	100
1956	84	16	100
1957	83	17	100
1958	86	14	100
1959	88	12	100
1960	87	13	100
1961	85	15	100
1962	87	13	100
1963	88	12	100
1964	89	11	100
1965	84	16	100
1966	86	14	100
1967	87	13	100
1968	87	13	100
1969	87	13	100
1970 tentative estimate [3]	90	10	100

[1] This group includes the practices classified in the ACP National Bulletin as having enduring benefits.

[2] This group includes the practices classified in the ACP National Bulletin as having benefits of limited duration.

[3] Based on early indications—considering increased emphasis on pollution abatement and other enduring practices.

STATE ALLOCATIONS, FARMER CONTRIBUTIONS, AVERAGE ASSISTANCE PER FARM, AND PARTICIPATING FARMS, 1969 AGRICULTURAL CONSERVATION PROGRAM

State	Allocation [1] (thousand dollars)	Farmer contributions [2] (thousand dollars)	Average assistance per farm (dollars)	Participating farms (number)
Alabama	5,298	5,298	231	22,493
Alaska	61	61	606	107
Arizona	1,563	1,563	1,099	1,402
Arkansas	4,452	4,452	213	20,723
California	4,894	4,894	702	6,268
Colorado	3,719	3,719	420	7,549
Connecticut	415	415	193	2,061
Delaware	279	279	227	1,233
Florida	3,335	3,335	293	11,090
Georgia [3]	6,980	6,980	212	28,865
Hawaii	159	159	649	205
Idaho	1,987	1,987	285	6,986
Illinois	7,577	7,577	290	24,577
Indiana	5,072	5,072	170	24,913
Iowa	8,386	8,386	182	43,937
Kansas	6,416	6,416	369	16,839
Kentucky	6,265	6,265	173	34,677
Louisiana	4,064	4,064	255	16,642
Maine	1,020	1,020	223	4,179
Maryland	1,196	1,196	207	5,684
Massachusetts	480	480	261	1,832
Michigan	4,430	4,430	211	18,163
Minnesota	5,876	5,876	269	18,746
Mississippi	5,915	5,915	154	39,106
Missouri	8,141	8,141	152	51,534
Montana	4,835	4,835	644	6,434
Nebraska	5,450	5,450	331	14,305
Nevada	640	640	840	687
New Hampshire	457	457	266	1,714
New Jersey	652	652	223	2,760
New Mexico	2,246	2,246	633	3,558
New York	4,499	4,499	247	19,087
North Carolina	6,267	6,267	83	76,198
North Dakota	5,269	5,269	175	27,868
Ohio	5,263	5,263	218	22,993
Oklahoma	6,221	6,221	248	20,972
Oregon	2,370	2,370	483	4,955
Pennsylvania	4,172	4,172	320	13,387
Puerto Rico	805	805	69	11,567
Rhode Island	68	68	154	383
South Carolina	3,212	3,212	214	14,610
South Dakota	4,071	4,071	201	19,007
Tennessee	5,236	5,236	111	44,345
Texas	18,142	18,142	267	66,433
Utah	1,245	1,245	250	5,147
Vermont	962	962	218	4,603
Virginia	4,188	4,188	109	38,132
Virgin Islands	12	12	925	13
Washington	2,550	2,550	363	6,874
West Virginia	1,613	1,613	104	15,377
Wisconsin	5,156	5,156	301	16,972
Wyoming	1,919	1,919	547	3,294
Total	195,500	195,500	213	871,486

[1] Basic State allocation plus estimated amount for small cost-share increases.

[2] Estimated as equal to State allocation (does not include conservation practice investments by the participants beyond the practice units for which cost shares were approved).

[3] Includes $595,000 for naval stores conservation payments through the Georgia State office for naval stores producers in Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina, and Texas.

Mr. HRUSKA. The former is by State, and the second one is by year, and the percentage shown as an estimated figure for 1970 of the portion used for practices with enduring benefits is about 90 percent. I am proud to say that for the State of Nebraska, the figure in the table is 99 percent.

Attempts are being made by the Department and the State committees to improve the program even more along this line. I would not want the report language to be interpreted in a manner so as to curtail the incentive to improve this program.

I would hope that the program can be announced soon and that the farmers can continue with this great program. I would suggest that during the next few months if drastic changes are proposed in the program, these changes be presented to the Senate and House committees. Extensive hearings can be held and a full investigation of the present program and future program can be made.

Again I wanted to commend, on behalf of myself and those whom I represent—and I know I speak the sentiments of all the Members of this body—the service rendered through the years as well as this particular year by the chairman of our subcommittee.

Mr. HOLLAND. Mr. President, I thank the Senator for that statement.

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

Mr. HOLLAND. I am glad to yield again to the Senator from Vermont.

Mr. AIKEN. I agree with the remarks of the Senator from Nebraska. I have been trying since last August to persuade the administration to announce the ACP program for this year. I have not been successful in that. I cannot understand what has happened to their sense of values, because agriculture is still far and away the most important industry we have, with almost one-third of the total number of gainfully employed people in this country dependent upon it, either in connection with the manufacture of supplies and equipment, actually working the land, or in the transportation, handling, and processing of farm products.

I cannot understand why the Budget Bureau, or whoever it is that is responsible for this situation, does not recognize that fact.

I do wish to point out, however, that the idea of eliminating the ACP did not originate with this administration, but had been recommended to us by the previous administration, which however yielded to the express desires and wishes of Congress, and up to now the program has been continued.

I have no doubt but that the program needs to be changed in some respects. It

is changing now, from a program mainly to encourage production to a program to control misuse of the lands or pollution of the waters. There is no reason in the world why the new program for this year should not be announced without any further delay; and as a matter of fact, it should have been done several months ago.

Mr. HRUSKA. I thank the Senator for his contribution, and thank the chairman once again.

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

Mr. HOLLAND. I am happy to yield to the distinguished Senator from Oklahoma.

Mr. BELLMON. Mr. President, I join my colleagues in expressing support for the conference committee's decision to fund the agricultural stabilization and conservation program. I am one who remembers the days of the 1930's, when much of Oklahoma, as well as the other high plains States, was subject to very serious wind erosion. Today we are hearing about air pollution; but anyone who came through those storms would know what air pollution really was. The air was so full of silt and dust it was virtually impossible for man or beast to breathe.

The agricultural stabilization and conservation program has not only stopped that kind of erosion and air pollution, but it has given the farmers the tools they need to work with to stabilize agriculture through much of the Midwest, where rainfall is not dependable, where the climate is erratic, and where extraordinary steps are needed to keep the soil in place and keep it in a productive condition.

I would say the amount of money which our Government has spent through this program in helping to preserve our agricultural resources has probably been the best investment this government has ever made; and suddenly to come along and chop off the program and reverse that trend would, I believe, be a greater mistake than Congress and the Senate could allow.

I certainly join with my colleagues, and commend them for the good judgment they have had in restoring the appropriations and instructing the Department of Agriculture to announce the 1971 program.

Mr. HRUSKA. Mr. President, will the Senator yield briefly on that point?

Mr. HOLLAND. I thank the Senator from Oklahoma for his comment, and I am glad to yield again to the Senator from Nebraska.

Mr. HRUSKA. Would the Senator from Oklahoma agree with me—and this is a subject that has been discussed in committee as well as in conference—that the sensible way to go about a revision of this program is not to put it in the hands of the administrators, either Bureau of the Budget or in the Department for the purpose of doing that?

We well know that there are some component parts of the procedure that are probably not too beneficial, and perhaps should be discontinued. However, I feel the proper way to do it would be to allow the program to proceed as it has heretofore done, and then, if there is a desire for an overhaul of the program, have the administration come to Congress with a message outlining the necessity for a complete review, reappraisal, and revision of the program. Then the Congress, through its committees, could process that kind of request, and give it such new thrust as is deemed necessary, and also incorporate such innovations in the act as would be necessary to eliminate the less desirable practices? This would enable the program to proceed on a firm foundation.

Mr. BELLMON. Mr. President, I agree Nebraska that this would be a wise course for our Government to follow. Certain features of the agricultural stabilization and conservation program sometime—perhaps now, perhaps sometime in the future—will have outlived their usefulness, although land ultimately will have been terraced and probably sometimes finished with other soil conservation measures, and therefore we would no longer need the funds for those programs and they should be stopped. But we cannot come in and suddenly chop off the entire program, without checking to see whether there is a great deal of important work to be done.

I agree that the Senator has the right approach, and I would support him if such an approach were attempted.

Mr. HRUSKA. I thank the Senator.

Mr. HOLLAND. I thank both Senators.

Mr. President, I want to supplement the statement so well made by the Senator from Nebraska by saying that there are other programs in this bill, not directly related to the support of farmers, which have not yet been mentioned, such as the food for peace program, Public Law 480, which is a very large program and makes up a very large part of this bill, and the school lunch program, another very important program in the local social field, just as the food stamp program, which has already been mentioned.

So that this measure, called the agricultural appropriation bill, as a matter of fact covers a great many things, some of which relate to our foreign policy, some to our domestic social policies, and some to other policies, which I shall not mention at this time because they are smaller.

I am grateful for the statements made by my distinguished friends.

Mr. President, I understand that the distinguished Senator from South Dakota wishes to discuss some phases of this report, and I shall be glad to yield the floor.

Mr. McGOVERN. Mr. President, I want to make a very brief statement and then ask for a short quorum call.

I had intended to discuss this matter with the Senator personally, but it was my understanding that this matter would not come up until later this afternoon. The Senator showed me the courtesy last night, just before the Senate adjourned, to inform me that the Senate conferees were unable to retain the $1.75 billion authorized to be appropriated by the Senate for the food stamp program and had, in fact, agreed upon the House figure of $1.25 billion. In other words, there was no compromise at all, as I understand it, between the House and the Senate.

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

Mr. McGOVERN. I know that the Senator is going to comment on the $170 million of unexpended funds, but that was already in the pipeline, and it seems to me to be irrelevant to the question of the action taken by the Senate earlier this year when we went on record, by a clear margin, calling for the new funds in the amount of $1.75 billion.

I knew at that time, as did the Senator from Florida and others, that some unexpended funds were in the pipeline, and that is true with most of these programs on which we are asked to vote on appropriations. But the fact remains that the $170 million to which the Senator refers will have been spent by the end of this month and that we will have expended something in the neighborhood of $725 million in the first 6 months of this year, which leaves something less than $700 million for the remaining 6 months of the fiscal year.

The point I want to make to the Senator is that this allows for no expansion at all of the program. As a matter of fact, it will bring about a retrenchment in the program at a time when we should be expanding both the number of people participating in this program and the amounts that are made available for the various families which are participating.

So I want to serve notice on the Senator—I have had no chance to do this before now—that I intend to ask for a rollcall vote on this measure, reluctant as I am to do that, and ask the Senate to reject the conference report.

This has been my first chance to talk with the Senator. I had fully intended to come to the Chamber to see him privately about it, before this matter was brought up for debate.

Now I am happy to yield to the Senator.

Mr. HOLLAND. I thank the Senator for yielding.

In the first place, I think the Senator is mistaken in his conclusion that the $170 million was in the pipeline. The $170 million was not in the pipeline. It had to be appropriated before it got in the pipeline, and it was only appropriated when we passed the continuing resolution. This $170 million was a remaining authorization from the earlier authorization bill. It was not in the pipeline; and funds had not been appropriated. If the Senator will refer to page 21 of the bill I will read lines 12 to 14 on page 21 of the bill:

> Provided that this appropriation shall be available only within the limits of amounts authorized by law for fiscal year 1971.

The new authorization is still in question. The House has reported a bill, and I understand it will shortly debate that bill. I wish the subject would be disposed of when the bill in the House is passed, but it will not be, because the differences between the House and Senate versions of the Senate bill are various and are very great.

I am sure that the distinguished chairman of the Committee on Agriculture and Forestry, who will be chairman of

the Senate conferees and, I suspect, chairman of the conference committee, will bear out my statement that the conference is not going to be a simple matter on the bills passed by the two Houses.

I want to say another thing: As passed, we have made available not only the two items of $300 million each, made available by the initiative of the Senator from Louisiana in offering emergency legislation which was passed by both Houses, but also, we have reached back and appropriated the $170 million of remaining authorization from last year.

We have also provided that in the event the authorization measure should be passed in an amount greater than $1.420 billion—this is not stated in the report; I am simply stating this as a matter of conclusion, with which I am sure the Senator will agree—the last supplemental bill this year can handle that item; or, if the authorization bill is passed too late this year or not until next year, it may be handled in the first supplemental or in any supplemental bill next year, if the total authorization for fiscal 1971 is greater than $1.420 billion. I do not know of any other way we could have proceeded which would expedite the passage of this bill.

I want to make it very plain that it was not immediately agreed to that the $170 million should be added to the $1.250 billion and that the $1.420 billion represents not only $170 million more than the budget but also that much more than what was in the House bill when it came over to the Senate. My own feeling is that this bill should be passed promptly. It contains other measures which are very important. I know of no other way in which we can bring immediate pressure to bear on the Bureau of the Budget, and that is where the pressure has got to be brought to bear on the ACP program because they have not yet announced that program. Here we are in December, the sixth month of this fiscal year and they still have not announced the program for 1971. This is the only way in which we can lawfully place the school lunch program at the levels adopted in the bill which passed the Senate not long ago. Somehow, the Budget Bureau, by some device unknown to me, has allowed the school lunch program—and I hope that their device is lawful and I am glad they proceeded with it—to come to the level of the bill that was passed. However, I do not think it can properly or regularly operate at that level until this particular bill is passed. It does finance expanded and enlarged school lunch programs in the way that I am sure the Senator from South Dakota and the rest of us want it to be enlarged and expanded.

So many other items in this bill are of such great importance that I shall not attempt to enumerate them. We have been holding in abeyance or holding up the whole operation of many large programs affecting our entire Nation, in the first instance, waiting for the passage of the farm bill, which passed a short while ago and was signed by the President, as I recall, on December 1, I am informed by my assistant. We are proceeding as rapidly as possible to get something done.

If the Senator wants to take upon himself the responsibility of jeopardizing the passage of appropriate legislation before our adjournment—and I am told on the floor today that it is the intention of the leadership to try to adjourn on the 18th of December—today being the 8th of December, and that is 10 days from now—why, of course, that is his privilege. He would be thoroughly within his rights in taking the step he has suggested.

But I hope that he will reexamine his position, because there are people in the conference just as much interested in the food stamp program as is he, and we felt that we had worked out the maximum program possible under the conditions existing.

I thank the Senator for yielding.

Mr. McGOVERN. Mr. President, if I may reply briefly to that, I did not rise today to criticize the actions of the Senator from Florida or other Members of the Senate conference. What is disturbing to me is that it seems we are having a repeat here today of almost what happened on the agricultural conference, where practically everything that the Senate tried to accomplish in the way of a stronger agricultural bill was not only objected to on the House side, but they would not budge an inch in terms of making any concessions at all to the Senate conferees.

Now it is a fact that the Senate, by a rather clear margin, authorized to be appropriated $1.75 billion in new funds for the food stamp program. We did that, acting under clear evidence that has been provided by the committees of the Senate, demonstrating that there are several million people in this country who are malnourished and who are not being covered by any kind of food assistance program.

I frankly cannot accept, without at least making a fight here this afternoon, what seems to be another case of the House's being unwilling to compromise in a reasonable way.

If the conferees had come back with a figure of $1.5 or $1.6 billion, or something in that area, one would have been more inclined to let it go by. But what I would suggest, based on the best evidence we can compile, is that we need a figure of at least $1.65 billion just to keep the food stamp program expanding at its present rate.

I should like to read into the record a few monthly statistics on what has been happening in the program during the current fiscal year, so that we can get some measure of the kind of funds that will be necessary.

We started out in July with an expenditure in the food stamp program of around $98 million. That was increased to $102 million in August. It went up to $116 million in September, $123 million in October, $127 million in November, and is projected at $131 million for the current month.

Continuing that rate on through the rest of this year—and I think it is a modest rate of increase—we will be at an expenditure level on the food stamp program of around $158 million a month by the end of this fiscal year—July 1971—which is roughly $1.6 billion. If one adds the additional amount of $60 million in additional emergency costs, we have the figure of $1.65 billion.

It is my strong hope that we can reject the conference report and then, at the appropriate time, instruct the Senate conferees to go back for another conference and insist on an appropriation at least at the level of $1.65 billion.

It is my intention to take that action at the appropriate time.

Mr. HOLLAND. Mr. President, the food stamp program has been moving forward in the effort to take up $770 million in 7 months, because that is all the authority it has had.

Mr. McGOVERN. That is correct.

Mr. HOLLAND. That would leave 5 months yet to be calculated for. If $770 million, the total now available, would be used by January 31 next, and that amount should be stricken from the $1.420 billion, it would leave, as the Senator can see, between $600 and $700 million available for the last 5 months of the program.

I do not see how, under any circumstances, there could be a prudent or reasonable enlargement of the program in those additional 5 months to come to the $1.750 billion which was placed in the Senate version of the bill.

The conference committee—I just want to repeat this—placed in the bill every dime it felt could be reached, including not only the $1.250 billion in the budget and in the House bill but also the $170 million which we had reached back and picked up from the old authorization bill.

I merely restate this, because it happens to be so true. Even if the conference report on the food stamp authorization bill is hurried and is available to be passed before we get away from here, which I doubt very much now, knowing as I do the differences between the two bills, there is still no time for the deliberate consideration of what could be properly spent after January 31 of next year. And if there is passed an authorization big enough to add to the $1,420,000,000, it can be added in the first supplemental bill, after the authorization is completed.

I do not know how the Senator could come to the conclusion that it would be advantageous to force delay of this bill, which is apparently what he is seeking to do, rather than waiting to see what the authorization bill will be and then to endeavor the most prompt and the most immediate remedial treatment that can be given to this program, after that authorization bill is passed.

Mr. McGOVERN. Mr. President, in view of his many conversations with Members of the other body, can the Senator from Florida shed any light, as to why almost 14 months after the Senate passed a very strong food stamp reform bill in September 1969, no action has been forthcoming on those reforms in the House of Representatives?

I am frankly frustrated almost to the point of despair as to what can be done to get these food programs moving. It seems to me that we have documented beyond any doubt in the minds of reasonable people that there are millions of hungry Americans, millions of malnurished Americans, that we are not meet-

ing with our program. What is it going to take to get the Members of Congress to give the same kind of priority to this program that they do to some of these programs that carry a defense label? This a matter of national defense, too. It has to do with the health and strength of the American people.

I have almost reached my wits' end as to what we can do in the Senate to get some action so that these reforms can move ahead. It seems to me that we are not doing very much to build a case when we acquiesce in a matter of this kind.

I realize that this is an uphill effort to try to recommit a conference report involving all the appropriations for a major department of the Government. But I do think that we ought to call the roll to demonstrate that there is opposition and impatience in the Senate when the steps we have taken in this field are constantly thwarted in the other body.

That does not preclude our making another effort next year in a supplemental bill, as the Senator from Florida has suggested. However, if he or the Senator from Louisiana can shed any light on why we run into this seemingly impossible barrier in the other body on food stamps, I would be glad to get the explanation.

Mr. HOLLAND. Mr. President, I will yield to the Senator from Louisiana in a moment. The Senator from Louisiana is better able to explain this than I because he has had so many more conferences with the House of Representatives than I have. However, I do want my distinguished friend to know two things. The first is that if we do not pass an appropriation bill, we would probably exacerbate the struggle we will have with the passage of that bill.

The second is that I happen to know of my own knowledge from my own infrequent conferences with the Members of the House that for many months it was planned there to couple with the farm bill then pending this food stamp bill. And the division of the two occurred long after the hearings had been underway on the farm bill.

Mr. President, I will yield to the Senator from Louisiana who knows much more about this subject than I and who, I should say, is responsible for passage of the two emergency resolutions which continued funds for the food stamp program. I am not responsible and the Senator from South Dakota is not responsible for the passage of the two helpful emergency measures which made available first $300 million and then made available an additional $300 million.

The Senator from Louisiana has been fighting for this program a long time. He knows all of the potential problems from his frequent contacts with the other end of the Capitol much more than I.

Mr. President, I yield to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I am very hopeful that the distinguished Senator from South Dakota will not press a vote on this matter. I think that the conferees have done all they can in order to obtain everything possible from the House. I have been trying very hard to get the House to act. I spoke to the chairman of the House Rules Committee a few days ago. The bill has finally been sent to the floor. I understand that this afternoon or tomorrow the bill will be up for debate and that it will require probably, I think, a debate of at least 2 hours. That is my understanding of the rule that was provided.

It seems to me that the Senator is making a big mistake in attempting to delay this measure. Not only, as the Senator from Florida stated, is the food stamp proposal being jeopardized, but also the school lunch program is being placed in danger. We have added a lot to the school lunch program. If this report is set aside or delayed, the schoolchildren will suffer.

I plead with the Senator not to oppose the adoption of the report. I give him assurances that just as soon as the House bill is enacted, we will go to conference. We have a bill pending now, a supplemental bill, and if we can get the conferees to get together before the Congress adjourns, we will have authority to increase the amount over what is now in the bill. But we have no authority to go further than we do in this particular bill.

Mr. McGOVERN. Mr. President, I think that the Senator from Louisiana knows that I am not criticizing any action he has taken on this matter. But I do continue to be puzzled by one strange situation that, it seems to me, has developed on this whole food assistance issue.

As I go around the country, I find general support on the part of the American people that we should put an end to hunger. I do not think there is a Member of the Senate that could really relax in the face of the certain knowledge that people—and especially little children—are suffering from malnutrition and hunger.

The Senator from Louisiana knows that every person in that condition, on a dollar and cents basis in the long run, will cost the country 3 or 4 times as much as it would cost to give them a decent diet. However, the Members of the House are theoretically, under our system, supposed to be more responsive to the public pressure in the country than are Members of the Senate.

I cannot understand why it has been so difficult over the past year and a half for us to get the kind of action in the other body that we have taken here time after time in trying to strengthen the food assistance program.

This is not criticism of the Senator from Louisiana. It is simply an effort to try to shed some light on what seems to me to have become an impasse between the two Houses.

Mr. ELLENDER. Mr. President, I understand. However, doing what the Senator is now suggesting will not assist in the matter at all.

Mr. McGOVERN. Is that the Senator's best judgment?

Mr. ELLENDER. That is my best judgment because we have provided all we can possibly obtain for the present under the authorization we have. If, perchance, the House does pass this bill, I think that we can go to conference immediately and come out with a bill and attach it to the pending supplemental bill. Hearings are now being held by the Senator from West Virginia (Mr. BYRD), and if the food stamp bill is enacted by the House tomorrow, we can go to conference and then have it authorized and go before the Committee on Appropriations, headed by the Senator from West Virginia. We can likely obtain whatever is finally agreed upon by both Houses.

This, as I said, will provide the funds for this month and all of January. Otherwise we would be without authority to go along.

Mr. McGOVERN. Mr. President, can the Senator give assurance here to the best of his ability—not just to me, but to the millions interested in this program—that he will use his great leadership and influence to try to get the best possible food stamp reform bill, not just the money, but the kind of relief that the Senate wrote into its legislation in September 1969? Can the Senator assure us that he will do all in his power to see that those needed changes become part of the law?

Mr. ELLENDER. Of course, if the bill goes to conference, and I presume I will be on the conference committee, I will do all I can to carry out what the Senate votes on.

Mr. McGOVERN. As the Senator knows, I have great confidence in his ability.

Mr. ELLENDER. The probabilities are that the Senator will be on the conference and he can work on this matter also.

Mr. McGOVERN. There are two questions. First, there is the amount of money, and then, there are the desperate needed reforms on the structure of the program. I am not enthusiastic about pumping unlimited amounts of money into the food stamp structure we have now. We have too many flaws to be corrected than simply putting in more money. But on the basis of the assurance of the Senator that we can make an effective bite in cooperation with the House both in the structure of the program and to provide supplemental appropriations in a very short time to cover these needs, I would be inclined not to press for a rollcall vote here today but I think we should have a short quorum call so that Senators can be consulted.

Mr. ELLENDER. I assure the Senator I will do the best I can. As a matter of fact, I learned the bill will be taken up tomorrow. I am hopeful we can get the defense bill out of the way so I can proceed and get the conference as soon as possible.

Mr. HOLLAND. As far as the Senator from Florida is concerned, he would hope his distinguished chairman of the Committee on Agriculture and Forestry would make provision on the conference committee for the Senator from South Dakota, and the Senator from Florida is perfectly willing to relinquish his own post on that committee because he wants nothing less than the most that can be done to sustain programs the Senate voted. But he reiterates, and this is the main point, nothing you do to this bill today by way of putting it off does anything but hurt the programs that are put off. It does not help the food stamp program. I am willing to step off the conference committee in favor of the Sen-

ator from South Dakota if that would expedite the matter in any way. I say that to my distinguished chairman as a matter of trying to cooperate.

Mr. ELLENDER. I will see to it that the Senator is on the conference.

Mr. HOLLAND. I thank the Senator for his assurance.

Mr. McGOVERN. That was not my purpose in rising but I do appreciate the statement of the Senator.

Mr. ELLENDER. Mr. President, if this is postponed, it postpones action on money necessary to run the school lunch program.

Mr. HOLLAND. Another program that would be jeopardized is the Public Law 480 program. It can be financed but in the event of a shortage of funds it would have to be financed out of CCC funds, which would do nothing but cripple other agricultural programs of the Nation. So many points can be made in favor of clearing this bill immediately. Anything that holds up the conference report does nothing but hurt the various programs contained in this conference report.

I think the Senator understands that and agrees with it.

Mr. McGOVERN. I appreciate the Senator's argument but as I indicated earlier, before I make a final decision about withdrawing the original suggestion I made for a rollcall vote on this matter, I would like to discuss the matter with the senior Senator from New York who is the ranking minority member of the Committee on Nutrition and Human Needs, and others who have been very much concerned about this problem.

Mr. President, I ask unanimous consent that the remarks I had prepared for today be printed in the RECORD.

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

STATEMENT BY SENATOR McGOVERN

Nearly two years ago, in 1968, the Senate of the United States created the Senate Select Committee on Nutrition and Human Needs. We did so because a majority of the Senate had for the first time become aware of the strong probability that hunger was a more serious problem in America than we had realized. No Senator could really accept even the suspicion that many of his fellow citizens and especially little children might be suffering from malnutrition when we are all so well-fed. So we created a committee to learn the facts.

The facts were established. Fifteen million Americans were hungry in 1968, as nearly as we could estimate on the basis of the best available evidence. And the Senate responded by passing a Food Stamp reform bill in September of 1969 to end this tragic and needless suffering. We also authorized to be appropriated $1.75 billion to finance a better anti-hunger effort.

But for reasons too confusing for me to understand, our brothers in the other body of this Congress have not acted to reform the food assistance program. Furthermore, they authorized appropriations at only $1.25 billion—a half billion dollars below the Senate appropriations. And I learned last night through the courtesy of Senator Holland and Senator Ellender, that the House conferees refused to compromise even to the extent of $1. They said either take $1.25 billion or we will not agree to sign the conference document. And so, believing this to be the best figure possible, the conferees of the Senate acquiesced.

I am saddened, shocked, and puzzled by this action of the Conference. I have spent a restless night pondering on what could be done.

I have concluded that I must consider voting to reject the Conference Report so that we can seek a better remedy for the cries of the hungry in our land. We may have to reject this conference and urge our brothers in the other body to agree to appropriate the funds that are actually needed for the program this year. I have carefully and conservatively estimated the cost of the program for this fiscal year as $1.65 billion. This estimate is based on an average monthly increase of 3%. This is a conservative estimate because the actual average increase in the program through the first six months of this year has been 8%. An appropriation of $1.65 billion would permit several million more persons to join the food stamp program and keep us moving toward our immediate goal of 15 million citizens.

We can remind our friends in the other body that last week, the Senate saved the Nation $290 million in the next fiscal year by striking this amount for the SST. This goes most of the way toward providing the $400 million which I suggest the House add to its present food appropriation of $1.25 billion in order to meet the real need of $1.65 billion. Several million hungry Americans depend on it.

Mr. JAVITS. Mr. President, I understand the subject of the debate. There are many cases in which you have to "break eggs" to get a result. I know the Senator is not concerned about the fact that we are often told in connection with bills that, "If you do not do this you will lose everything." Sometimes Senators have to run that risk.

What makes me sympathetic to the question put to the Senator from Louisiana (Mr. ELLENDER) is, first, his high character. He does not give assurances unless he is going to deliver to the best of his ability. Second, there will be an opportunity for a supplemental and this is not the end of the road for us. Therefore, we do have to take seriously what is said here—that, if we go so far and can go no further, then the entire matter will be jeopardized. But if you go so far and it would be possible to go further, and there is an assurance such as the Senator from Louisiana (Mr. ELLENDER) has given, that is a different matter.

I am sympathetic to the attitude the Senator has taken and I, too, would welcome the opportunity to discuss the matter.

Mr. HOLLAND. Mr. President, before the Senator requests or suggests the absence of a quorum, I wish to bring up one point. In this bill there is a substantial increase which would go into effect at once in connection with food and nutrition generally. The amount provided, I am told by the clerk, is $48.5 million for the employment of nutrition aides to teach, assist, and disseminate information regaining proper nutritional habits in the buying and preparation of food. That total amount has not been able to be utilized and will not be until this bill is passed. There are other increases affecting nutrition in this bill which go into effect as soon as the President signs it. Any holdup in the bill will also jeopardize them. I have not suggested we are risking everything by putting this off. I am stating that every program in this bill is delayed by the failure to approve the conference report which has been approved by the House and which has been awaiting approval since July 9 when we passed our bill; and I hate to think of an additional delay being caused by doing something I think does not help at all in untying the real Gordian knot, and that is getting an authorization for the food stamp program, which is the real problem ahead of us.

I have already offered before the Senator came to the Chamber to withdraw from the conference, so far as I am concerned, if the Senator from Louisiana wishes me to, in favor of the Senator from South Dakota, who I believe is the junior member on our side of the Committee on Agriculture and Forestry. I do not think I could do any more than that so that his views may be heard in conference.

Mr. HOLLINGS. Mr. President, does the Senator from Florida yield?

Mr. HOLLAND. I do not have the floor.

Mr. HOLLINGS. Mr. President, I think that I would like to confer with the Senator from New York and the Senator from South Dakota, but the distinguished Senator from Florida should not lose sight of the fact that the conference report is woefully inadequate in view of the facts and experience.

I take, as an example, the city of New York. For a time, in the beginning, all one had to do to get on welfare was to file his own statement. Anyone who applied could get $2,000 or $3,000 in benefits, but in order to get $200 or $300 in food stamp bonuses you had to stand in a long line, come back and stand in another long line, and usually it took on the average of 2 or 3 days just to fill out the forms.

Then, in September in New York they said that those on welfare could by a similar statement go into the food stamp program and in 1 month they put 400,000 persons on the food stamp program in New York.

Since January South Carolina has added 100,000 people to the food stamp program. As of the beginning of September the 8.2 million figure of the Department of Agriculture only brought home the actual facts that two-thirds of those who are eligible for food stamps have received them. Mr. President, you cannot belie the facts.

You can have cost overruns with the military and make settlements and agreements with corporations, but somehow when the human element is involved the overrun is disregarded. You never want to provide.

The Department of Agriculture shows that we were expending in the month of October—and that was the only official figure—at the rate of $100 million in excess of what has been provided for in food stamp authorization. This appropriation bill will provide for only 2 months.

But if we are going to get an authorization bill that provides adequately for the food stamp program, we have to do substantially better.

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

Mr. HOLLINGS. I yield.

Mr. HOLLAND. I certanly do not in any respect contradict any of the statements of the Senator from South Carolina. I just want him to understand, however, that the real problem here is the passage of a food stamp authorization

bill, and there is going to be the real problem, because no more money can be made available, no matter how great the need may be, until we have an authorization program that is substantially larger than that which now exists.

The point that I have made over and over again—and I know it to be true—is that nothing we can do here by way of helping up these other programs, every one of which has some importance, and some of them have great importance, will hasten the completion of a large food stamp authorization bill. That is the real problem. That is the problem the Senator should be addressing himself to, and all of us should address ourselves to. It is a problem I have tried to address myself to in offering to withdraw from the Agriculture-Forestry conferees in favor of the Senator from South Dakota, so that he might have the assurance that his views would be completely understood by all conferees. But what is suggested now—to put off this long overdue appropriation for many vital programs—simply hurts all those vital programs. It does not unravel the real knot, which is: How do we get a good food stamp authorization bill, with the differences between the House bill, ready to be considered now, and the Senate bill, which was passed last year?

My own feeling is that we have just got to put that first. That is the real problem. We have to get a food stamp authorization bill. We do not make progress toward that end, nor do anything else, I think, but irritate the conferees on the other side, by holding up programs which the whole Nation needs and wants, and which the Senate is for, and which the Senator from Florida is for, and which every Senator is for, because we have all voted for them. That is what we do when we postpone adoption of this conference report.

I think the Senator from Louisiana a while ago spoke words of great wisdom when he called attention to the fact that just as soon as the House passes the food stamp bill, today, tomorrow, or whenever they pass it, we will go into conference. It is in that conference that the problems are to be resolved. There is going to be a supplemental bill passed probably the last day we are in session. There will be a new supplemental bill in January or February, after Congress convenes.

The point the Senator from Louisiana made is that any enlargement of any food stamp bill reflected in a better or a bigger authorization bill can go into either the last supplemental bill of this session or the first supplemental bill of the next session. But in the meanwhile why hold up all the other programs that are involved in this conference report—school lunch, Public Law 480, and various other programs which are encompassed within the bill? For example, better staffing of insecticide laboratories is included. We provide for the staffing of five insecticide laboratories which are now completed. I happen to know of one in my own State, which was completed in January 1969, and which is not yet staffed—at a time when we are talking about pollution and the great effect upon pollution problems of knowledge, use, and control of better insecticides. All these and many others are in this conference report.

The point is, let us get on with this bill and at the same time let us get on with the adoption of a better authorization bill. What we do here may worsen rather than help speed work toward an authorization bill which will more nearly meet views of the Senator from South Carolina and the vast majority of Senators present.

Mr. HOLLINGS. Mr. President, no one wants to be an obstructionist and no one wants to hold up other programs to force upon others the will of a minority, but we have not had our view felt and certainly we have not taken a realistic approach, toward feeding the hungry. So when the Senator speaks of the importance of staffing insecticide laboratories, he really tempts me. If I could hold up anything for the hungry I would certainly hold up staffing insecticide laboratories. I would willingly vote on that question in the Senate. But we should not promise our action in the context of House maneuvering and politics in the closing days of the session. I have not taken care of the problem. The President of the United States, on December 29, said that he was going to make certain that every needy and hungry child in America was going to receive a low-cost lunch by Thanksgiving. Thanksgiving has gone by and nothing has been done. Why? Because we put our attention on insecticide laboratories, Public Law 480, commodity surpluses, and all the other facets of agriculture, to the detriment of the fundamental problem underlying our society.

I am trying to get the attention of the Senate, and the attention of Members of the House particularly. It may be that the Senator from South Dakota and the Senator from New York are right that this may be the only way to do it. If the Senator thinks we can come back and get an appropriation in 60 days, that is fine, but let us not call this a good or realistic bill in light of the needs of this country.

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

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

The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER. The clerk will state the amendment in disagreement.

The assistant legislative clerk read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 3 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert "$4,580,000".

Mr. HOLLAND. Mr. President, I move that the Senate concur in the amendment of the House of Representatives to Senate amendment No. 3.

The motion was agreed to.

Mr. HOLLAND. Mr. President, I ask unanimous consent to have printed in the RECORD a table reflecting the conference amounts for all of the food assistance programs administered by the Department of Agriculture. This table also shows the amount of increase over the 1970 level for each of the individual programs.

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

U.S. DEPARTMENT OF AGRICULTURE—FOOD ASSISTANCE PROGRAM

[Program level dollars in thousands]

Program	Fiscal year 1969	Fiscal year 1970[1]	Fiscal year 1971 budget estimate[2]	Fiscal year 1971 House bill	Fiscal year 1971 Senate bill	Fiscal year 1971 conference action	Conference action (+ or −) 1970
A. Child nutrition program:							
1. Cash grants to States:							
(a) School lunch (sec. 4)	$162,034	$168,041	$225,000	$169,721	$225,000	$225,000	+$56,959
(b) Free and reduced price lunches	54,000	134,800	356,400	200,000	356,400	356,400	+221,600
(c) School breakfast	3,500	12,000	15,000	15,000	15,000	15,000	+3,000
(d) Nonfood assistance	748	15,000	15,000	17,500	15,000	15,000	
(e) State administrative expenses	153	2,750	3,500	2,750	3,500	3,500	+750
(f) Nonschool food program	[3] 3,244	[3] 13,572	[3] 12,000	[3] 15,000	[3] 12,000	[3] 12,000	−1,572
(g) Nutrition training and surveys			750		750	750	+750
Total, cash grants	223,679	346,163	627,650	419,971	627,650	627,650	+281,487
2. Commodities to States	292,107	230,205	264,465	264,465	264,465	264,465	+34,260
3. Federal operating expenses	3,995	5,282	6,442	5,542	6,442	6,442	+1,160
Total, child nutrition program	519,781	581,650	898,557	689,978	898,557	898,557	+316,907

Footnotes at end of table.

U.S. DEPARTMENT OF AGRICULTURE—FOOD ASSISTANCE PROGRAM—Continued

[Program level dollars in thousands]

Program	Fiscal year 1969	Fiscal year 1970 [1]	Fiscal year 1971 budget estimate [2]	Fiscal year 1971 House bill	Fiscal year 1971 Senate bill	Fiscal year 1971 conference action	Conference action (+ or −) 1970
B. Special milk program:							
1. Milk (direct appropriation)	102,048	83,814	----------	103,314	103,314	103,314	+19,500
2. Special sec. 32 funds used for milk program	----------	20,000	----------	----------	----------	----------	−20,000
3. Administrative expenses	629	686	----------	686	686	686	----------
Total, special milk program	102,677	104,000	----------	104,000	104,000	104,000	−500
Total, child nutrition and special milk programs	622,458	685,650	898,557	793,978	1,002,557	1,002,557	+316,907
C. Family feeding program:							
1. Food stamp program	250,981	610,000	1,250,000	1,250,000	1,750,000	1,420,000	+810,000
2. Direct distribution to families:							
(a) Section 32 commodities	192,668	182,015	160,300	160,300	160,300	160,300	−21,715
(b) Financial assistance to States	4,154	16,000	19,700	19,700	19,700	19,700	+3,700
(c) Federal direct operation at local level	1,300	2,318	----------	----------	----------	----------	−2,318
(d) Section 416	79,278	61,942	92,745	92,745	92,745	92,745	+30,803
Total, direct distribution to families	277,400	262,275	272,745	272,745	272,745	272,745	+10,470
3. Nutrition supplement	8,317	33,000	40,000	40,000	40,000	40,000	+7,000
Total, family feeding	536,698	905,275	1,562,745	1,562,745	2,062,745	1,732,745	+1,830,027
D. Direct distribution to institutions	32,227	12,889	26,416	26,416	26,416	26,416	+13,527
E. Nutrition education program	9,948	30,000	50,230	50,230	50,230	50,230	+20,230
Total, food assistance program	1,201,332	1,633,814	[3] 2,537,948	2,433,369	3,141,948	2,811,948	+1,178,134

[1] Reflects approval of Public Law 91-207 (Mar. 12, 1970) to provide additional funds for child nutrition program.

[2] Includes budget amendment of $216,579,000 submitted to the Congress on July 1, 1970, too late to be considered by the House.

[3] Excludes balances carried forward to succeeding year.

Mr. HOLLAND. Mr. President, I also ask unanimous consent that a comparative statement on appropriations showing the new budget obligational authority for fiscal 1970, with comparisons for fiscal 1971 in the budget, in the House bill, in the Senate bill, and the amount agreed by the conferees for each appropriation item in the agricultural appropriation bill be printed in the RECORD at this point.

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

COMPARATIVE STATEMENT OF CONFEREE RECOMMENDATIONS AND NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1970, BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE HOUSE AND SENATE BILLS FOR 1971

[Note—All amounts are in the form of "appropriations" unless otherwise indicated]

Agency and title	New budget (obligational) authority enacted to date, fiscal 1970 [1]	Budget estimates of new (obligational) authority, fiscal year 1971	New budget (obligational) authority recommended in House bill	New budget (obligational) authority recommended in Senate bill	New budget (obligational) authority recommended by conferees	Increase (+) or decrease (−) conferee recommendations compared with— 1970	1971 budget	1971 House bill	1971 Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
TITLE I—GENERAL ACTIVITIES									
Agricultural Research Service:									
Salaries and expenses:									
Research:									
Direct appropriation	$142,886,200	$141,437,200	$146,143,200	$160,446,200	$151,633,000	+$8,746,800	+$10,195,800	+$5,489,800	−$8,813,200
Transfer from sec. 32	(15,000,000)	(15,000,000)	(15,000,000)	(15,000,000)	(15,000,000)	(----------)	(----------)	(----------)	(----------)
Total, research	(157,886,200)	(156,437,200)	(161,143,200)	(175,446,200)	(166,633,000)	(+8,746,800)	(+10,195,800)	(+5,489,800)	(−8,813,200)
Plant and animal disease and pest control	97,393,750	98,763,750	98,619,750	99,369,750	98,619,750	+1,226,000	−144,000	----------	−750,000
Special fund (reappropriation)	2,000,000	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)	−2,000,000	----------	----------	----------
Total, salaries and expenses	242,279,950	240,200,950	244,762,950	259,815,950	250,252,750	+7,972,800	+10,051,800	+5,489,800	−9,563,200
Salaries and expenses (special foreign currency program)	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	----------	----------	----------	----------
Total, Agricultural Research Service	247,279,950	245,200,950	249,762,950	264,815,950	255,252,750	+7,972,800	+10,051,800	+5,489,800	−9,563,200
Cooperative State Research Service: Payments and expenses	62,640,000	72,535,000	65,076,000	69,826,000	68,476,000	+5,836,000	−4,059,000	+3,400,000	−1,350,000
Extension Service:									
Payments to States and Puerto Rico	$114,006,000	$150,431,000	$140,031,000	$150,431,000	$140,031,000	+$26,025,000	−$10,400,000	----------	−$10,400,000
Retirement and employees' compensation for extension agents	10,240,000	13,515,000	13,515,000	12,932,600	12,932,600	+2,692,600	−582,400	−$582,400	----------
Penalty mail	3,400,000	3,617,000	3,617,000	3,617,000	3,617,000	+217,000	----------	----------	----------
Federal Extension Service	4,088,000	4,228,000	4,188,000	4,188,000	4,188,000	+100,000	−40,000	----------	----------
Total, Extension Service	131,734,000	171,791,000	161,351,000	171,168,600	160,768,600	+29,034,600	−11,022,400	−582,400	−10,400,000
Farmer Cooperative Service: Salaries and expenses	1,648,000	1,689,000	1,649,000	1,684,000	1,684,000	+36,000	−5,000	+35,000	----------
Soil Conservation Service:									
Conservation operations	131,736,000	128,467,000	128,557,000	128,457,000	128,507,000	−3,229,000	+40,000	−50,000	+50,000
River basin surveys and investigations	8,839,000	9,043,000	9,043,000	9,043,000	9,043,000	+204,000	----------	----------	----------
Watershed planning	6,750,000	5,434,000	6,698,000	5,434,000	6,066,000	−684,000	+632,000	−632,000	+632,000
Watershed works of improvement	66,232,000	74,278,000	74,278,000	76,000,000	76,000,000	+9,668,000	+1,722,000	+1,722,000	----------
Flood prevention	24,738,000	21,037,000	21,037,000	21,037,000	21,037,000	−3,701,000	----------	----------	----------
Great Pains conservation program	15,417,000	15,355,000	15,355,000	16,355,000	15,855,000	+438,000	+500,000	+500,000	−500,000
Resource conservation and development	10,825,000	13,876,000	13,876,000	14,676,000	14,276,000	+3,451,000	+400,000	+400,000	−400,000
Total, Soil Conservation Service	264,637,000	267,490,000	268,844,000	271,002,000	270,784,000	+6,147,000	+3,294,000	+1,940,000	−218,000
Economic Research Service: Salaries and expenses	14,962,000	16,228,000	14,592,000	16,228,000	14,926,000	−36,000	−1,302,000	+334,000	−1,302,000
Statistical Reporting Service: Salaries and expenses	16,892,800	17,749,800	17,716,800	17,874,800	17,796,800	+904,000	+47,000	+80,000	−78,000

Footnotes at end of table.

COMPARATIVE STATEMENT OF CONFEREE RECOMMENDATIONS AND NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1970, BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE HOUSE AND SENATE BILLS FOR 1971—Continued

[Note—All amounts are in the form of "appropriations" unless otherwise indicated]

Agency and title	New budget (obligational) authority enacted to date, fiscal 1970 [1]	Budget estimates of new (obligational) authority, fiscal year 1971	New budget (obligational) authority recommended in House bill	New budget (obligational) authority recommended in Senate bill	New budget (obligational) authority recommended by conferees	Increase (+) or decrease (−) conferee recommendations compared with—			
						1970	1971 budget	1973 House bill	1971 Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
TITLE I—GENERAL ACTIVITIES—Cont.									
Consumer and Marketing Service:									
Consumer protective, marketing, and regulatory programs	137,957,500	149,247,000	149,247,000	159,247,000	149,247,000	+11,289,500			−10,000,000
Payments to States and possessions	1,600,000	1,600,000	1,600,000	1,750,000	1,675,000	+75,000	+75,000	+75,000	−75,000
Total, Consumer and Marketing Service	139,557,500	150,847,000	150,847,000	160,997,000	150,922,000	+11,364,500	+75,000	+75,000	−10,075,000
Food and Nutrition Service:									
Special milk program	[2] 84,000,000		104,000,000	104,000,000	104,000,000	+20,000,000	+104,000,000		
Child nutrition programs:									
Direct appropriation	122,500,000	301,974,000	90,395,000	301,974,000	301,974,000	+179,474,000		+211,579,000	
Transfer from sec. 32	(194,266,000)	(238,358,000)	(238,358,000)	(238,350,000)	(238,358,000)	(+44,092,000)			
Total, child nutrition programs	[3] (316,766,000)	(540,332,000)	[4] (328,753,000)	(540,332,000)	(540,332,000)	(+223,566,000)		(+211,579,000)	
Food stamp program	596,963,000	1,250,000,000	1,250,000,000	1,750,000,000	1,420,000,000	823,037,000	+170,000,000	+170,000,000	−330,000,000
Total, Food and Nutrition Service	803,463,000	1,551,974,000	1,444,395,000	2,155,974,000	1,825,974,000	+1,022,511,000	+274,000,000	+381,579,000	−330,000,000
Foreign Agricultural Service:									
Salaries and expenses	23,562,000	24,773,000	24,023,000	24,773,000	24,273,000	+711,000	−500,000	+250,000	−500,000
Transfer from sec. 32	(3,117,000)	(3,117,000)	(3,117,000)	(3,117,000)	(3,117,000)				
Total, Foreign Agricultural Service	(26,679,000)	(27,890,000)	(27,140,000)	(27,890,000)	(27,390,000)	(+711,000)	(−500,000)	(+250,000)	(−500,000)
Commodity Exchange Authority: Salaries and expenses	2,491,000	2,552,000	2,552,000	2,552,000	2,552,000	+61,000			
Agricultural Stabilization and Conservation Service:									
Expenses, ASCS:									
Direct appropriation	153,000,000	135,466,000	152,690,000	150,000,000	150,000,000	−3,000,000	+14,534,000	−2,690,000	
Transfer from CCC	(63,782,000)	(68,779,000)	(68,779,000)	(68,779,000)	(68,779,000)	(+4,997,000)			
Total, expenses, ASCS	(216,782,000)	(204,245,000)	(221,469,000)	(218,779,000)	(218,779,000)	(+1,997,000)	(+14,534,000)	(−2,690,000)	
Sugar Act program	93,000,000	83,600,000	83,600,000	83,600,000	83,600,000	−9,400,000			
Agricultural conservation program:									
Advance authorization (contract authorization)	195,500,000		195,500,000	190,000,000	195,500,000		+195,500,000		+5,500,000
Liquidation of contract authorization	(195,500,000)	(185,000,000)	(185,000,000)	(185,000,000)	(185,000,000)	(−10,500,000)			
Cropland adjustment program	77,200,000	77,800,000	77,800,000	77,800,000	77,800,000	+600,000	37,250		
Conservation reserve program	37,250,000					−36,650,000			
Emergency conservation measures	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000				
Indemnity payments to dairy farmers	200,000			500,000	250,000	+50,000	+250,000	+250,000	−250,000
Total, Agricultural Stabilization and Conservation Service	561,150,000	301,866,000	514,590,000	506,900,000	512,150,000	+49,000,000	+210,284,000	−2,440,000	+5,250,000
Rural Community Development Service: Salaries and expenses	450,000		230,000			−450,000		−230,000	
Office of the Inspector General: Salaries and expenses	15,069,000	15,846,000	15,378,000	[5] 12,412,000	[5] 12,412,000	−2,657,000	−3,434,000	−2,966,000	
Packers and Stockyards Administration: Salaries and expenses	3,508,650	3,748,000	3,508,650	3,748,000	3,588,650	+80,000	−159,350	+80,000	−159,350
Office of the General Counsel: Salaries and expenses	5,656,500	5,657,000	5,657,000	5,657,000	5,657,000	+500			
Office of Information: Salaries and expenses	2,297,000	2,256,000	2,256,000	2,256,000	2,256,000	−41,000			
National Agricultural Library:									
Salaries and expenses	3,446,750	3,914,750	3,614,750	3,914,750	3,764,750	+318,000	−150,000	+150,000	−150,000
Library facilities		800,000					−800,000		
Total, National Agricultural Library	3,446,750	4,714,750	3,614,750	3,914,750	3,764,750	+318,000	−950,000	+150,000	−150,000
Office of Management Services: Salaries and expenses	$3,274,000	$3,518,000	$3,384,000	$3,459,000	$3,459,000	+$185,000	−$59,000	+$75,000	
General administration: Salaries and expenses	5,263,000	6,041,000	5,559,000	6,058,000	6,058,000	+795,000	+17,000	+499,000	
Total, title I, general activities	2,308,982,150	2,866,476,500	2,954,986,150	3,701,300,100	3,342,754,550	+1,033,772,400	+476,278,050	+387,768,400	−$358,545,550
TITLE II—CREDIT AGENCIES									
Rural Electrification Administration:									
Loan authorizations:									
Electrification	340,000,000	322,000,000	322,000,000	352,000,000	337,000,000	−3,000,000	+15,000,000	+15,000,000	−15,000,000
Telephone	123,300,000	123,800,000	123,800,000	138,800,000	128,800,000	+5,500,000	+5,000,000	+5,000,000	−10,000,000
Contingency reserve			20,000,000					−20,000,000	
Total, loans (authorization to spend debt receipts)	463,300,000	445,800,000	465,800,000	490,800,000	465,800,000	+2,500,000	+20,000,000		−25,000,000
Salaries and expenses	14,834,000	14,623,000	14,613,000	14,896,000	14,613,000	−221,000	−10,000		−283,000
Total, Rural Electrification Administration	478,134,000	460,423,000	480,413,000	505,696,000	480,413,000	+2,279,000	−19,990,000		−25,283,000
Farmers Home Administration:									
Direct loan account:									
Real estate loans	(83,000,000)	(45,500,000)	(83,000,000)	(123,000,000)	(103,000,000)	(+20,000,000)	(+57,500,000)	(+20,000,000)	(−20,000,000)
Operating loans	(275,000,000)	(275,000,000)	(275,000,000)	(275,000,000)	(275,000,000)				
Soil conservation loans	(8,700,000)	(6,400,000)	(8,700,000)	(8,700,000)	(8,700,000)		(+2,300,000)		
Total, direct loan account	(366,700,000)	(326,900,000)	(366,700,000)	(406,700,000)	(386,700,000)	(+20,000,000)	(+59,800,000)	(+20,000,000)	(−20,000,000)

Footnotes at end of table.

COMPARATIVE STATEMENT OF CONFEREE RECOMMENDATIONS AND NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1970, BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE HOUSE AND SENATE BILLS FOR 1971—Continued

[Note—All amounts are in the form of "appropriations" unless otherwise indicated]

Agency and title	New budget (obligational) authority enacted to date, fiscal 1970 [1]	Budget estimates of new (obligational) authority, fiscal year 1971	New budget (obligational) authority recommended in House bill	New budget (obligational) authority recommended in Senate bill	New budget (obligational) authority recommended by conferees	Increase (+) or decrease (−) conferee recommendations compared with— 1970	1971 budget	1973 House bill	1971 Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
TITLE II—CREDIT AGENCIES—Cont.									
Rural housing:									
Insurance fund	(30,000,000)	(19,000,000)	(30,000,000)	(19,000,000)	(19,000,000)	(−11,000,000)		(−11,000,000)	
Direct appropriation		334,000	334,000	334,000	334,000	+334,000			
Emergency credit revolving fund	31,918,000					−31,918,000			
Rural water and waste disposal grants	46,000,000	24,000,000	100,000,000	100,000,000	100,000,000	+54,000,000	+76,000,000		
Rural housing for domestic farm labor	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000				
Mutual and self-help housing	2,125,000	1,250,000	2,125,000	775,000	775,000	−1,350,000	−475,000	−1,350,000	
Self-help housing land development fund	1,000,000	600,000	1,000,000	400,000	400,000	−600,000	−200,000	−600,000	
Salaries and expenses:									
Direct appropriation	71,450,000	85,091,000	81,150,000	87,250,000	86,000,000	+14,550,000	+909,000	+4,850,000	−1,250,000
Transfer from agricultural credit insurance fund	(2,250,000)	(2,250,000)	(3,250,000)	(2,250,000)	(2,250,000)			(−1,000,000)	
Miscellaneous transfer	(500,000)	(500,000)	(500,000)	(500,000)	(500,000)				
Total, salaries and expenses	(74,200,000)	(87,841,000)	(84,900,000)	(90,000,000)	(88,750,000)	(+14,550,000)	(+909,000)	(+3,850,000)	(−1,250,000)
Total, Farmers Home Administration	154,993,000	113,775,000	187,109,000	191,259,000	190,009,000	+35,016,000	+76,234,000	+2,900,000	−1,250,000
Total, title II, credit agencies	633,127,000	574,198,000	667,522,000	696,955,000	670,422,000	+37,295,000	+96,224,000	+2,900,000	−26,533,000
TITLE III—CORPORATIONS									
Federal Crop Insurance Corporation:									
Appropriation	12,000,000	12,000,000	12,000,000	12,000,000	12,000,000				
Premium income	(2,339,000)	(2,335,000)	(2,335,000)	(2,335,000)	(2,335,000)	(−4,000)			
Total, administrative and operating expenses	(14,339,000)	(14,335,000)	(14,335,000)	(14,335,000)	(14,335,000)	(−4,000)			
Subscription to capital stock	10,000,000					−10,000,000			
Total, Federal Crop Insurance Corporation	22,000,000	12,000,000	12,000,000	12,000,000	12,000,000	−10,000,000			
Commodity Credit Corporation:									
Reimbursement for net realized losses:									
Appropriation	4,198,237,000	3,363,155,000	3,113,155,000	3,363,155,000	3,363,155,000	−835,082,000		+250,000,000	
Liquidation of contract authority	(1,017,697,000)					(−1,017,697,000)			
Total appropriation [6]	(5,215,934,000)	(3,363,155,000)	(3,113,155,000)	(3,363,155,000)	(3,363,155,000)	(−1,852,779,000)		(+250,000,000)	
Limitation on administrative expenses	(32,000,000)	(36,500,000)	(36,500,000)	(36,500,000)	(36,500,000)	(+4,500,000)			
Public Law 480:									
Sales, title I	420,000,000	526,100,000	411,100,000	411,100,000	411,100,000	−8,900,000	−115,000,000		
Donations, title II	500,000,000	406,400,000	291,400,000	291,400,000	291,400,000	−208,600,000	−115,000,000		
Total, Public Law 480	920,000,000	932,500,000	702,500,000	702,500,000	702,500,000	−217,500,000	−230,000,000		
Bartered materials for supplemental stockpile	1,250,000	25,000	25,000	25,000	25,000	−1,225,000			
Total, new budget (obligational) authority, title III, Corporations	5,141,487,000	4,307,680,000	3,827,680,000	4,077,680,000	4,077,680,000	−1,063,807,000	−230,000,000	+250,000,000	
TITLE IV—RELATED AGENCIES									
Farm Credit Administration: Limitation on administrative expenses	(3,839,000)	(4,226,000)	(4,054,000)	(4,226,000)	(4,204,000)	(+365,000)	(−22,000)	(+150,000)	(−22,000)
RECAPITULATION									
Title I: General activities	2,308,982,150	2,866,476,500	2,954,986,150	3,701,300,100	3,342,754,550	+1,033,772,400	+476,278,050	+387,768,400	−358,545,550
Title II: Credit agencies	633,127,000	574,198,000	667,522,000	696,955,000	670,422,000	+37,295,000	+96,224,000	+2,900,000	−26,533,000
Title III: Corporations	5,141,487,000	4,307,680,000	3,827,680,000	4,077,680,000	4,077,680,000	−1,063,807,000	−230,000,000	+250,000,000	
Title IV: Related agencies	(3,839,000)	(4,226,100)	(4,054,000)	(4,226,000)	(4,204,000)	(+365,000)	(−22,000)	(+150,000)	(−22,000)
Total, New budget (obligational) authority [7]	8,083,596,150	7,748,354,500	7,450,188,150	8,475,935,100	8,090,856,550	+7,260,400	+342,502,050	+640,668,400	−385,078,550
Consisting of—									
1. Appropriations	7,422,796,150	7,302,554,500	6,788,888,150	7,795,135,100	7,429,556,550	+6,760,400	+127,002,050	+640,668,400	−365,578,550
2. Reappropriations	2,000,000					−2,000,000			
3. Contract authorizations	195,500,000		195,500,000	190,000,000	195,500,000		+195,500,000		+5,500,000
4. Authorizations to spend from debt receipts	463,300,000	445,800,000	465,800,000	490,800,000	465,800,000	+2,500,000	+20,000,000		−25,000,000
Memoranda:									
1. Appropriations to liquidate contract authorizations	1,213,197,000	185,000,000	185,000,000	185,000,000	185,000,000	−1,028,197,000			
2. Appropriations, including appropriations to liquidate contract authority	8,635,993,150	7,487,554,500	6,973,888,150	7,980,135,100	7,614,556,550	−1,021,436,600	+127,002,050	+640,668,400	−365,578,550
3. Transfers from sec. 32	212,383,000	256,475,000	256,475,000	256,475,000	256,475,000	+44,092,000			
4. Transfer from CCC	63,782,000	68,779,000	68,779,000	68,779,000	68,779,000	+4,997,000			
Total, new budget (obligational) authority	8,083,596,150	7,748,354,500	7,450,188,150	8,475,935,100	8,090,856,550	+7,260,400	+342,502,050	+640,668,400	−385,078,550

Footnotes at end of table.

COMPARATIVE STATEMENT OF CONFSREE RECOMMENDATIONS AND NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1970, BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE HOUSE AND SENATE BILLS FOR 1971—Continued

[Note—All amounts are in the form of "appropriations" unless otherwise indicated]

[Amounts in dollars]

Agency and title	New budget (obligational) authority enacted to date, fiscal 1970 [1]	Budget estimates of new (obligational) authority, fiscal year 1971	New budget (obligational) authority recommended in House bill	New budget (obligational) authority recommended in Senate bill	New budget (obligational) authority recommended by conferees	Increase (+) or decrease (—) conferee recommendations compared with—			
						1970	1971 budget	1973 House bill	1971 Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10
RECAPITULATION—Cont.									
Less: Loan repayments, Rural Electrification Administration [8]	156,600,000	167,300,000	167,300,000	167,300,000	167,300,000	+10,700,000			
Net total, new budget (obligational) authority	7,926,996,150	7,581,054,500	7,282,888,150	8,308,635,100	7,923,556,550	—3,439,600	+342,502,050	+640,668,400	—385,078,550

[1] Includes adjustments for transfers authorized in the indefinite portion of the 2d Supplemental Appropriation Act for financing increased pay costs under Public Law 91-231.
[2] An additional $100,000,000 was provided in the 1970 Appropriation Act from sec. 32, permanent appropriation, which included $20,000,000 for special milk.
[3] An additional $30,000,000 was provided by Public Law 91-207, approved Mar. 12, 1970, from sec. 32, permanent appropriation.
[4] A budget amendment for an additional $216,579,000 was submitted directly to the Senate.
[5] In addition, $3,434,000 is available by transfer from food stamp appropriation.
[6] In addition, there is permanent indefinite contract authority (budget authority established under basic law) of $440,756,000 in the 1971 budget and Senate bill, and $690,756,000 in the House bill. For fiscal year 1970 none is required.
[7] Note—Does not include interest receipts under the Rural Electrification Administration estimated at $116,100,000 in 1970 and $119,300,000 in 1971 that are covered into miscellaneous receipts of the Treasury.
[8] Deducting REA loan repayments from these totals has the effect of converting these figures to a basis comparable with the treatment of all other major loan programs in the Federal budget. Other loan programs operated through revolving funds net loan repayments against budget outlays, whereas REA loan repayments are covered into miscellaneous receipts of the Treasury.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HOLLAND. Has full action now been completed upon the conference report, and all of the amendments reported in disagreement?

The PRESIDING OFFICER. The Senator is correct.

Mr. HOLLAND. I move that the Senate reconsider the action by which it has agreed to the conference report and concurred in the amendment in disagreement.

Mr. FULBRIGHT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1971

The Senate resumed the consideration of the bill (H.R. 19590) making appropriations for the Department of Defense for the fiscal year ending June 30, 1971, and for other purposes.

The PRESIDING OFFICER (Mr. GOLDWATER). The question is on agreeing to the amendment of the Senator from Arkansas to the bill (H.R. 19590) making appropriations for the Department of Defense for the fiscal year ending June 30, 1971, and for other purposes.

Mr. FULBRIGHT. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. FULBRIGHT. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. FULBRIGHT. Mr. President, before we proceed to further consideration of the substance of the amendment, I want to say a few words in commendation of the distinguished acting chairman of the Armed Services Committee.

It is my understanding that the language in this bill prohibiting the use of Defense Department funds to pay for Vietnamese or Thai operations in support of the Cambodian or Laotian Government. It is my understanding that this provision was not in the House bill, but it is in the Senate bill; is that correct?

Mr. ELLENDER. That is correct.

Mr. FULBRIGHT. I congratulate the Senator. I am very pleased indeed that the committee has put that provision in the bill, and I hope very much that in conference the Senator will be able to retain it, because it is my understanding, judging from the attitude of Members of the House of Representatives, that they are not very sympathetic to it.

Again, the Cooper-Church amendment of last year prohibiting the sending of ground troops into Laos and Thailand has been expanded to include Cambodia, if I understand the bill correctly; is that not correct?

Mr. ELLENDER. That is correct.

Mr. FULBRIGHT. Again, I think the Senator and the committee ought to be commended for following the clear and express intent of the Senate in this respect.

I believe the committee also eliminated the $30-million item in the House bill for the International Fighter, another matter which has been debated at considerable length in the Senate; is that not correct?

Mr. ELLENDER. That is correct.

Mr. FULBRIGHT. And the committee retained the Mansfield amendment of last year, the language requiring Department of Defense research to be relevant to a military function?

Mr. FULBRIGHT. This was restored in the bill?

Mr. ELLENDER. It is in the bill.

Mr. FULBRIGHT. Mr. President, these are all actions for which I think the Senator from Louisiana deserves great credit and the commendation of the Senate, because he has done a very good job in all these instances in retaining what I believe to be the majority opinion of the Senate itself.

Mr. President, reverting now to the substance of my own amendment to illustrate one of the points I made earlier—I regret that on this bill, which involves more than $66 billion, when the distinguished chairman presented it and when I offered an amendment, I counted the Senators present, and there were five.

It seems that whenever we have a bill involving as much as $66 billion, we can usually expect to have about five Senators listening to the presentation of the chairman. If it is a bill involving only a little item like $290 million for the SST, I think on that we had 70 Senators present, all intensely interested, as though it involved the whole Treasury of the United States. But the bigger the bill, the less attention is given to it. That has been a standing tradition in both the House of Representatives and the Senate. I remember in the House once we passed what was in those days the largest bill ever passed, which was, back in the 1940's, in the amount of $30 billion; and I believe it passed in approximately 20 minutes, as I recall, without debate. So this is nothing new, in either the House or the Senate, and it is certainly no reflection upon the chairman of the committee. He presented a very good statement and, as I have said, I approve of most of the things he has done with this measure, with this one exception as to public relations.

Mr. President, I have here an illustration of just how far the Defense Department goes in brainwashing the American people in the guise of an information program.

This is a film catalog of the Army's "Big Picture" series, issued in the fall of 1969. The catalog is 32-plus pages long. Judging from the numbers, I estimate there are some 400 films or television programs listed. These do not even show up in the regular public relations budget for which the committee is allowing $30 million. These are the types of things that are made for what they call "internal information," and are allocated and paid for from funds for internal information programs. Yet, on the very first page it is quite clear that these are made not only for that but also for public distribu-

tion. I will read one paragraph contained in "General Information":

Routine distribution of "The Big Picture" is divided into two main phases—primary showings and secondary showings."

Primary showings are made to members of the Army through the Command Information Program at each installation—

They are a captive audience. They have to look at the films—

At the same time, primary showings are seen over television stations throughout the U.S., and Armed Forces television outlets overseas. These stations present the series as a public service offering each week for the Armed Forces and the American public. To provide adequate distribution, films are rotated among the stations using the series.

Following these primary showings, secondary showings are then available. Included in secondary showings are additional Army unit desiring films for use in Command Information Programs, civilian schools, public groups and professional and civic organizations.

In other words, here is a vast education program—paid for by the funds in this bill for internal information programs—designed to persuade the people of the United States to certain points of view, especially about foreign policy questions.

I submit, as I have said many times in the past, that it is not the responsibility of the military to educate the citizens of this country about highly controversial political matters. Yet, this is done. No other facility in the United States is comparable in extent and cost to this.

I read just a few of the types of films they have in this one series. These are very short synopses prepared by the Army about their own films. This is one:

TV 736: Vietnam Crucible. "Vietnam Crucible" is a report to the American soldier of Army activities in Vietnam. This Big Picture presentation portrays the civilian as well as the military situation in the Republic of Vietnam.

Many of the films are devoted to Vietnam, but some do not seem to be about anything that has any direct relation to the military.

Here are some others:

TV 705: The Army's First Infantry Division routs the terror and suffering imposed by the Viet Cong on the citizens of a Vietnamese village.

TV 695: A nation builds. Introduced by Vice President Hubert H. Humhprey and narrated by film star John Wayne, this film traces the dramatic efforts of the people of Vietnam who are struggling to build a nation under the fire of Communism.

Here is a report of the U.S. Army in South America helping the people of Bolivia and Peru. In view of what has happened in Peru, I wonder whether these films are having the desired effect in Peru.

A report of the United States Army in South America, helping the people of Bolivia and Peru map the peaks at the roof of the world and training their special forces units in guerrilla warfare.

And more:

TV 681: The Army in Taiwan. The advice, assistance and training given the armed forces of Taiwan by the United States Army is reported in graphic detail.

TV 680: The Unique War. The story of the American soldier's struggle to build a nation at the grass roots level—the two faces of the war in Vietnam, narrated by Glenn Ford.

Apparently, many use Hollywood talent to present a case which in many instances should be, I think, entirely outside the jurisdiction and responsibility of the military.

The committee has included in the bill the provision that research projects must be relevant to a military purpose, and I congratulate them for doing that. I submit that many of these information or public relations affairs have no direct relation to the military, except the function of obtaining more money from Congress for the purpose of financing whatever program they are interested in.

TV 676: The New First Team. This film dramatically portrays the long and proud battle record of a unit which has made the transition from horse cavalry to sky cavalry.

That is a most important project. Here it is 1969, and a TV film shows the transition from horse cavalry to sky cavalry. I wonder what military purpose that serves.

These are available not just for the military but also to any civic club or any high school. The catalog tells you how to telephone the local office, and you can get any of these films free of charge.

Here is another one, TV 675, entitled "Your Military Neighbor." This is their description:

TV 675: Your Military Neighbor. The Army is often called upon to assist the civilian community during times of emergency. "Your Military Neighbor" is the story of this assistance and the soldier who is active in the affairs of the community.

TV 674: Vietnam Report. This film explains why Americans are in Vietnam and how the American fighting man is dedicated to helping the free people of Vietnam to protect their freedom.

Mr. President, this reminds me of a film which has been much discussed in recent years, entitled "Why Vietnam?", a different film from any of those I mentioned. This description reads:

Outlines U.S. policy with respect to Vietnam as stated to the Nation.

I mention this film because it completely distorts the facts as to how we got into this war. I want to call attention to it now because, apparently, we are about to become involved in Cambodia in much the same way as we became involved in Vietnam.

The point is that the films are all made with Government money, paid for by the taxpayers, for the purpose of what they call informing, but I would call it the brainwashing of the American people about many of our Government's policies.

The USIA is specifically forbidden to brainwash the American people. The USIA makes films of many things but they are restricted for use only in foreign countries. I am not sure that I approve of a lot the USIA does, but as long as they are only misleading foreign people about our policies, that is one thing, but for us to finance our own departments to mislead the American people, I believe is the height of idiocy. I do not think we should allow them to do.

These films are made in the Pentagon and distributed throughout the United States free of charge—that is, free to the recipient, but not free to the taxpayers. They disguise this operation by calling it "troop information." Well if it is troop information, why does the pamphlet say these are all available to civic clubs and high schools or to anyone else who wants them, and free of charge?

Also, they urge television stations to use them and many of the smaller ones like to use them as fillers. What they need is the advertising of this kind of matter. With people like John Wayne, these stations say they like to use him on their stations, as well as Glenn Ford and many others who have well-known names or have famous names. What if anything, they pay John Wayne and others to do this, I do not know. Of course they did make available to him for his movie use of certain Department of Defense facilities. The U.S. Government can supply the equipment, the background, the troops, and everything else for a private movie like the Green Berets.

Recently I saw a part of the movie "Tora, Tora, Tora." It cost millions of dollars, with the greatest part of it using American facilities such as ships, aircraft carriers, military personnel, and so forth. I think that one of the ways they recompense some of the movie actors is to allow them the use of our facilities. I really cannot tell the Senate whether we pay the actors directly or not. But they are used, at least.

Paul Newman narrated one movie. I shall put the list in the RECORD, if the Senate is interested. But a lot of this has really very little to do with informing the troops and could not be justified as a legitimate expense of the Department of Defense.

Here is another which just caught my eye, "The history of the cavalry, from dashing horses to modern armor," released for the 1964–65 season. That is an old one.

Here is another one, entitled "The Finest Tradition, a spectacular summation of the Army's readiness for any mission—brushfire or global conflict."

The idea of global conflict apparently recurs in many of these films. I suppose that is to condition us to the possibility if not the probability of having a global conflict so that we will not be afraid of it or will accept it without protest.

Here is one of "Thailand—a look at the Kingdom of Thailand and the assistance offered this stanch ally by members of the United States Army."

Here is another, "The AEF in Siberia—the little-known story of the expeditionary force which journeyed into Russia following World War I. Shows their mission and activities while in the U.S.S.R."

Really, Mr. President, what does that have to do with our military activities today? What relevance does that have? That was, I guess, in 1918 or 1919. I submit it has nothing to do with the present responsibilities of the Department of Defense.

Here is another one entitled "Soldiers in Grease Paint"—hosted by Hollywood star, Celeste Holm. This is the story of entertainers who traveled wherever the military were in World War II to bring them a laugh and a reminder of home.

Celeste Holm, I assume, would attract a great many people.

Here is another one entitled "Shape of the Nation"—Bob Hope, Alan Shepard, Bud Wilkinson, Bob Richards, Jerry Colonna and Robert Preston participate in this film report on the President's physical fitness program. Mr. Hope serves as host-narrator.

Mr. President, this obviously would be very attractive to any school or television station if they could get it free, but they have to pay for most of Bob Hope's films, I would imagine.

Then there is a film entitled "Hidden War in Vietnam"—James Arness host-narrates this half hour report on American assistance to the Vietnamese.

Mr. MURPHY. Mr. President, will the Senator from Arkansas yield?

The PRESIDING OFFICER (Mr. BELLMON). Does the Senator from Arkansas yield to the Senator from California?

Mr. FULBRIGHT. I yield.

Mr. MURPHY. As one who has had some experience and background in these matters on the Hollywood scene, I can assure the distinguished Senator from Arkansas that to my knowledge actors do not get paid nor do they get any credit for the use of U.S. Government materiel or personnel from the military in the making of any motion picture.

It has been longstanding practice that the Department of Defense makes arrangements whereby, as was the case in the movie "Tora, Tora, Tora," certain payments were decided upon by the Department of Defense covering all the expenses incurred by the Government for the use of its weaponry, ships, and all the rest, and those bills are submitted to the producing companies or the producing studios and they are paid by those companies or studios.

With regard to one of the films that the Senator mentioned, "Soldiers in Grease Paint," I had some interest in that one. That was made during World War II. I am very proud to say that Hollywood sent 85,000 free volunteers from the motion picture industry to travel many places around the world to entertain our military forces, which they did without pay, and on their own time. I do not think there was a more important or worthwhile contribution to the war effort than that.

I would also say that in the beginning, in the making of these films, there was a statement made by Gen. "Hap" Arnold that the use of films made by my colleagues in Hollywood, as well as the volunteer services that were rendered by the motion picture industry, had a great influence on the outcome of World War II, caused by the use of film techniques, and actors and actresses—particularly by my good friend Frank Capra, who, I understand, is presently in town.

We trained our civilian Army in one-third the time the German high command thought was possible and thereby threw the German war program out of gear. This one feature had more to do with the successful outcome of World War II, probably, than any other one thing that could be named.

Mr. FULBRIGHT. The Senator misunderstands my point. I do not suggest that the use of any of these films was solely for the military. These films are being made available for public distribution, to television stations, civic clubs, and high schools all over the country. yet they are being made under the guise of being solely for troop information.

I do not object to use of films for troop information purposes. They are all of entertainment value, but some of them go far beyond that when they undertake to discuss purely the political aspects of some of these situations. But that is not what I am objecting to, or even commenting on.

My point is that these films are being used to indoctrinate the public to take a particular view of grave issues, like the war in Vietnam, through the showing of the films on television and their distribution to schools and civic clubs.

No one has given the Defense Department the responsibility to educate the children or the people of this country, especially in political affairs. That is my point. In any case, there is no criticism because they used movie actors. They used them to make the product attractive for distribution. It is no criticism intended of the movie actors who cooperated with the Pentagon in making these. I have no criticism to offer on that score.

It is a fact, since the Senator mentioned it, that in the making of some films for private distribution and profit, which have used military facilities, the GAO found that the charges made for the utilization of military equipment was nominal compared to the actual cost. If they had charged the reasonable cost for an aircraft carrier, for example, it would have run into tens of thousands of dollars, whereas the actual charge was something like $15,000. It was a nominal charge.

It is very difficult to say how much it is worth to use an aircraft carrier. The cost of a carrier runs into the hundreds of millions of dollars. Even the interest on such a sum for several days would run into a lot of money.

Does the Senator believe the Military Establishment is the agency of the Government dedicated to educating the civilian public about the political problems involved in Vietnam?

Mr. MURPHY. Mr. President, I did not raise that question. The Senator seemed uncertain as to whether John Wayne had been paid and whether Celest Holm was paid. I merely rose to make the record clear. That was the only purpose of my explanation.

Mr. FULBRIGHT. Mr. President, I appreciate the Senators statement. I did not know whether actors are paid directly or not.

I have received a report on the cooperation given in some commercial films. I think one of them was "The Green Berets." It was made at Fort Bragg, I believe, or much of it was. They even brought in special troops. They brought them there to play a part.

I will put this entire list in the RECORD because I think it is interesting. The Senate ought to know what is happening. I cannot imagine why we want to throw money away on this. It is a program that has mounted in cost and effects on our system. Never a day passes that some general, a member of the high echelon of the Pentagon, does not make a speech to someone's constituency to tell them about the great benefits of this or that weapons system and to tell them how wonderful the war is on behalf of our people.

This goes on all the time, beginning with General Westmoreland down. I think that General Westmoreland made 59 speeches in the first 18 months after he came back from Vietnam. That is not to mention the speeches he made when he was in Vietnam. President Johnson brought him back to address a joint session. Why does the Senator suppose that was done? Was it to inform us on the war or to influence our votes? It is one of the first times that a President sought to inject the military into the political life of our system.

This one says, "Patterns of History." This is for public distribution. "The Pattern of Communist Aggression From Early Post-World War II Days in Greece, Through Korea, Southeast Asia and Cuba."

That is an interesting subject. We ought to all be informed. My point is that I do not think we ought to be given only the military view of the significance of this kind of activity. This is what makes the subject the distorted picture that many of our constituents get.

Here is one called, Challenge of Ideas. It reads:

Discussion of the conflict between democratic and Communist philosophies.

Now, who is well qualified to tell us the difference between democratic and communistic philosophies?

The speakers include John Wayne, Helen Hayes, Edward R. Murrow, Lowell Thomas, and others.

It never occurred to me that John Wayne was a specialist or qualified particularly in informing the American public about the characteristics of the communistic philosophy and the democratic philosophy.

I would have thought that someone especially versed in history, especially in the history of the United States and the democratic system would have been used.

Mr. President, I ask unanimous consent to have printed in the RECORD this entire film repertory.

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

THE BIG PICTURE

GENERAL INFORMATION

This catalog supersedes all previous Big Picture catalogues and contains a list of films that are currently available in the Big Picture series.

The Big Picture is the official television report by the U.S. Army to its members and to the American people. Subject matter for episodes ranges from historic moments in the Army's proud history to up-to-the-moment coverage of current actions and accomplishments.

How to obtain individual films

To obtain the Big Picture, military users should use DA Form 11–44 and forward their request to the nearest Audio-Visual Support Center (AVSC). TV stations and other civilian users should make their re-

quest by contacting the nearest Army installation, Attention: Information Officer

Distribution for the weekly series

Routine distribution of the Big Picture is divided into two main phases—primary showings and secondary showings.

Primary showings are made to members of the Army through the Command Information Program at each installation. At the same time, primary showings are seen over television stations throughout the U.S., and Armed Forces television outlets overseas. These stations present the series as a public service offering each week for the Armed Forces and the American public. To provide adequate distribution, films are rotated among the stations using the series.

Following these primary showings, secondary showings are then available. Included in secondary showings are additional Army Units desiring films for use in Command Information Programs, civilian schools, public groups and professional and civic organizations.

In cooperation with his area TV stations, and the Audio Visual Support Center, (AVSCO), the Army Information Officer prepares a schedule for the appearance of each film. The AVSC packages and delivers the film to the TV station as scheduled by the IO. When the run has been completed, the film is returned to the AVSC and is then delivered to the next TV station on the showing schedule.

How to use this catalog

All Big Picture films are listed numerically (TV number) and include the following information:

a. Title
b. Synopsis
c. Release year
d. Film color
e. Restrictions, if any

For further information

For specific questions regarding the Big Picture series or further information, write to: Commanding Officer, United States Army Command Information Unit, Attention: Broadcast/Pictorial Branch, Department of the Army, Washington, D.C. 20315.

Big Picture films are also listed in Department of the Army Pamphlet 108–1.

TV 763: NATO. The North Atlantic Treaty Organization. The Big Picture examines the history and organization of the North Atlantic Treaty Organization: NATO. This timely film provides a close scrutiny of the major force which deters aggression in Europe. Color-Released 68–69 Season

TV 762: D-Day Anniversary. A 25th anniversary look at the sights and sounds of the famous beaches of Normandy. This Big Picture replays the drama and battle action of the period leading up to the historic landings and the fierce combat to overcome the wall of "Fortress Europe" in June of 1944. Black and White-Released 68–69 Season

TV 761: U.S. Army Europe. Following World War II, U.S. Army Europe was given the mission of helping to protect the borders of the West against possible aggression. Despite tensions and conflicts elsewhere in the world, Europe remains a critical area and a constant challenge to peace. In this issue of the Big Picture, you will see some of the ways in which the men of U.S. Army Europe perform their mission as an important element of the NATO forces guarding the peace. Color-Released 68–69 Season

TV 760: Your Army Reports #16. The Big Picture cameras travel to Fort Hood, Texas to attend a double anniversary celebration for the First and Second Armored Divisions, and to the 1968 conference of the Association of the United States Army. Color-Released 68–69 Season

TV 759: Call Me Mister. The highly qualified men and women of the U.S. Army who wear the insignia of the Warrant Officer perform a vital role. These officers with a warrant provide special talent in such fields as photo-mapping, automotive maintenance, flying Army aircraft, nuclear power plant operations and many others. Big Picture cameras look at some of these activities and some of the training provided by the Army in the Warrant Officer program. Color-Released 68–69 Season

TV 758: Ranger. The small unit leader of the modern U.S. Army must be a highly resourceful individual capable of directing operations under many types of geographical and climatic conditions. The Big Picture visits Fort Benning, Georgia, where selected officers and non-commissioned officers are trained to develop their leadership skills to the ultimate degree and earn the coveted "Ranger" shoulder tab. Color-Released 68–69 Season

TV 757: Korea Revisited. In the summer of 1950 the forces of communism unleashed an attack upon the Republic of Korea causing death and destruction. The United Nations answered the attack with a multi-nation fighting force which drove out the enemy and set up a shield behind which the people could rebuild. The Big Picture presents a look at the Republic of Korea today to show the progress and development of the nation and its people. Color-Released 68–69 season

TV 756: The Silver Rifles. Many symbols recognize excellence and valor in the nation's armed forces. Among the most prized is the Combat Infantryman's Badge. The meaning and traditions behind the award of these Silver Rifles is the subject of this "Big Picture" episode. Narrated by Fess Parker. Color-Released 68–69 Season

TV 755: The Voice of Command. The U.S. Army is on duty in every corner of the globe. To function effectively, it must have a highly developed communications system, a vital network that can unite these widely dispersed army elements into a single cohesive force, instantly responsive to our nation's needs. The Big Picture tells the story of the globe-spanning communications chain which carries to the ends of the earth, "The Voice of Command." Color-Released 68–69 Season

TV 754: The Soldier's Heritage. Through all of this nation's wars, the American soldier has distinguished himself by bravery and determination. He has established a heritage of which all Americans can be proud. To preserve and portray this enduring record, The Big Picture presents the historical summary of these accomplishments from the Revolutionary War to the present in "The Soldier's Heritage." Color-Released 68–69 Season.

TV 753: Seek and Strike. The modern armor soldier moves to battle on mounts of increasing mobility and firepower to seek and strike the enemy. The Big Picture takes you to the U.S. Army Armor Center at Fort Knox, Kentucky for a look at the historical development of mobile armor and examines the training of the tanker as he learns to move, shoot and communicate from aboard the latest combat vehicles. Color-Released 68–69 Season.

TV 752: The Army Air Mobility Team. Modern combat operations demand an immediately responsive fighting force. Previously, armies have been bound to earth in transporting men and supplies to and from battle. Today our highly mobile U.S. Army soldiers have the most modern vertical and short take-off aircraft to support them in combat operations. The Big Picture, "The Army Air Mobility Team" examines how men and Army aviation function in the difficult terrain in Southeast Asia. Color-Released 68–69 Season.

TV 751: Equal to the Environment. Wars must often be won by conquering a hostile environment as well as an enemy Army. The United States Army has often been forced to conduct operations in steaming tropical jungles, on sub-arctic coasts, towering mountains, in sub-zero cold and bleak deserts. The Big Picture "Equal to the Environment" tells how lessons learned, and history, are used as a basis for training our fighting men in ways and means of combating the dangers and problems of climate and terrain. Color-Released 68–69 Season.

TV 750: West Point—the Army Challenge. Duty, Honor, Country—the West Point motto, which motivates the lives of all who join the long gray line. The big picture documents the story of a young man who enters the U.S. Military Academy and completes the four years of study to qualify for a commission as a Second Lieutenant, United States Army. Color-Released 68–69 Season.

TV 749: Logistics in Vietnam. No soldier has been as well supplied as the U.S. soldier on duty in Vietnam. For a look at the magnitude of the support and supply activities, U.S. Army camera crews covered the action for this episode of the big picture. "Logistics In Vietnam" documents the activities and facilities which provide medical, transportation, engineer, supply and other services to the American fighting men. Color-Released 68–69 Season.

TV 748: 1st Air Cavalry Division. The famous "First Team" became airmobile in July 1965. Shortly afterward, its new power was trained on the aggressive forces in Vietnam. This is the story of how that new power, air-mobility, is helping the 1st Cavalry win the battle for freedom in Southeast Asia. Color-Released 68–69 Season.

TV 747. The Big Green Lab. In the tropics jungle heat and humidity can destroy man and deteriorate his weapons. And so in the forests of Panama the "Big Green Lab" of the Army Materiel Command's Test and Evaluation Command wage a constant battle against the ravages of environment. Color-Released 68–69 Season.

TV 746. 9th Division. In North Africa, in France and Germany, the 9th Division was unbeatable. Today, "The Old Reliables" meet a new challenge in Vietnam and add new victories to their battle record. Color-Released 68–69 Season.

TV 745: Soldier's Christmas. No matter where the soldier is stationed, in a remote Arctic outpost or the steaming jungles of Vietnam, the spirit of Christmas finds its way to our servicemen. Color-Released 68–69 Season.

TV 744: To Serve a Solder. The soldier with a high morale is a tough man to beat. Special Services has the responsibility of providing morale support activities and activities and services to the soldier, wherever he may be stationed in the world. The Big Picture presentation "To Serve A Soldier" documents the important mission of Special Services. Color-Released 68–69 Season.

TV 743: Your Army Reports No. 15. Presents brief features of Army activities worldwide. In this issue: The "Missile Mentor" that helps protect our country from surprise attack; the U.S. Army Orthopedic Clinic in Boston; the Demilitarized Zone in Korea. Color-Released 68–69 Season.

TV 742: Meeting the Need. To assure that our soldiers will be the best equipped, fed and clothed fighting men in the world, the U.S. Army Natick Laboratories provide research, development and testing of foods, clothing and equipment. The Big Picture "Meeting the Need" takes a comprehensive look at the scientists and facilities of the Natick Labs. Color-Released 68–69 Season.

TV 741: Men With a Mission. The Big Picture traces the history of the U.S. Army Reserve and its present mission of providing the backup force to the active Army in times of emergency. Narrated by Efrem Zimablist Jr., this film shows the men of the Army Reserve training to maintain their high state of readiness. Color-Released 68–69 Season.

TV 740: Policing the Front. The role of the Military Policeman has always been important but never so vital as in the present war in Vietnam. The men who wear the MP armband are shown in a variety of activities as they handle the complex problems of law enforcement and security against the back-

ground of a war with no conventional frontlines. Narrated by Jack Webb. Color-Released 68–69 Season.

TV 739: Soldiers-at-law. The responsibility for U.S. Army judicial and legal activities lies with the Judge Advocate General. The BIG PICTURE "Soldier-At-Law" shows the training which qualifies the civilian attorney as a judge advocate or military lawyer. The film emphasizes how individual rights, which are protected by the civilian judicial system, are also guarded by the military judicial system. Color-Released 68–69 Season.

TV 738: USARPAC. One of the U.S. Army's largest areas of activity is spread the length and breadth of the blue Pacific. This command, known as U.S. Army Pacific or USARPAC, includes responsibility for men and missions in Vietnam, Korea, Okinawa, Japan, Thailand, Taiwan and Hawaii. The BIG PICTURE, "USARPAC", takes a look at missions of our soldiers in the Far East. Color-Released 68–69 Season.

TV 737: The Bridge. The soldier and his family can always count on the spiritual services of the Chaplain. For a look at the U.S. Chaplain Corps through history and the dedication of these clergymen in uniform, John Daly hosts a visit to the Chaplain's School at Fort Hamilton, New York and some of the duty stations where Chaplains serve. Color-Released 68–69 Season.

TV 736: Vietnam Crucible. "Vietnam Crucible" is a report to the American soldier of Army activities in Vietnam. This Big Picture presentation portrays the civilian as well as the military situation in the Republic of Vietnam. Color—Released 67–68 Season.

TV 735: The Fight for Life. The war in Vietnam is fought in a hostile environment against an elusive enemy. As in any war, the sick and wounded require immediate medical assistance. The Big Picture documents the work being done by the men and women of the U.S. Army Medical Services as they help the soldier win, "The Fight for Life." Color—Released 67–68 Season.

TV 734: YAR #14. The men of the United States Army Reserve have an important mission to fulfill in defense of America. To meet this mission they must be well trained in the latest techniques of modern warfare. "Your Army Reports, #14" features the training activities of the 205th Infantry Brigade (Separate) of the U.S. Army Reserve as it prepares to meet its mission in defense of America. Color—Released 67–68 Season Withdrawn from TV.

TV 733: Platoon Leader. It takes men of leadership to lead a platoon of men in battle, men who can quickly assess the situation and make the right decision at the right time. The story of these men and the training they receive in the Army is depicted in this Big Picture presentation. Color—Released 67–68 Season.

TV 732: They Clear the Way. Part of the job of the U.S. Army Engineers is to build the bridges, airfields and roads which bring mobility to the combat forces. The Big Picture presentation, "They Clear the Way," depicts the story of these difficult and challenging missions in Vietnam. Color—Released 67–68 Season.

TV 731: The Senior Soldier. In today's modern and complex Army the role of the noncommissioned officer has greatly expanded. He has become part of a highly technical, creative, and resourceful middle management team. "The Senior Soldier" is the story of this team and the men who provide the face to face leadership which gets the job done. Color—Released 67–68 Season.

TV 729: Yar No. 13. The Army Chief of Staff, General Harold K. Johnson, decorates Warrant Officer Jerome R. Daley for gallantry in action in this edition of "Your Army Reports." Army combat photographers move forward with the 1st Cavalry Division and Vietnamese troops during an amphibious landing and search for the Viet Cong. And finally, "Your Army Reports No. 13" depicts the important mission of harbor pilots in the busy Port of Qui Nhon. Color—Released 67–68 Season. Withdrawn from TV.

TV 728: The Army Triangle. Three things dear to the heart of the soldier are food, mail and pay. The story of how these important items are processed and delivered to the soldier is detailed in this Big Picture documonetary film. Color—Released 67–68 Season.

TV 727: CONARC, HQ of the U.S. Soldier. The weapons of warfare are not enough to defend America in today's complex international community. It takes organization and men of vision; men capable of seeing the Big Picture. "Continental Army Command-Headquarters of the U.S. Soldier" is the Soldier" is the story of these men and how they are organized and trained to defend America. Color—Released 67–68 Season.

TV 726: The Army's Civilians. The Army Civilian plays an important role in the defense of America. Highly skilled, and completely dedicated to his country, he serves America well at home and abroad; in peace and in war. The Big Picture presentation, "The Army's Civilians," depicts the story of these men and women and their service to our country. Color—Released 67–68 Season.

TV 725: Song of the Soldier. Throughout history soldiers have gone to war with a song. Their songs express pride in country, belief in cause, and determination to win the battle and return home. You are invited to join the United States Army band and chorus in the Big Picture presentation, "The Song of the Soldier," as they sing the songs of the American soldier, from the Revolutionary War to Vietnam. Color—Released 67–68 Season.

TV 724: Ready To Strike. The "Tropic Lightning" 25th Infantry Division has a distinguished history beginning in World War II. The exploits of this division in Vietnam as a combat unit and a nation building force are portrayed in the Big Picture "Ready to Strike." Color—Released 67–68 Season.

TV 723: When the Chips Are Down. A major portion of the nation's strength in reserve lies in the National Guard. Bob Hope uses his light touch to narrate this Big Picture presentation which shows the training and readiness of the citizen soldiers. Color-Released 67–68 Season.

TV 722: YAR No. 12. The Army Chief of Staff, General Harold K. Johnson, speaks at the Annual Convention of the Association of the United States Army in this edition of "Your Army Reports." Then it's off to Vietnam to visit with Vietnamese civilians working with the United States Army, and a special feature on the Army Combat Photographer. Color-Released 67–68 Season. Withdrawn from TV.

TV 721: Physical Fitness. The future of America's fighting force is invested in the Physically Fit; the men and Women with the strength and courage to protect her interests. Therefore, the Army places a great deal of emphasis on physical training in developing the soldier. This training is the theme of the Big Picture, "Physical Fitness." Color-Released 67–68 Season.

TV 720: The Sky Soldiers. Since its arrival in Vietnam in 1965 the 173rd Airborne Brigade has played an important role in war and in peace . . . the 173rd landed at Vung Tau to secure and defend the airfield; . . . the 173rd mounted a large scale attack against the enemy in the heavily fortified Bien Hoa area and the 173rd undertook the mission of protecting the rice harvest for a hungry people under operation "New Life." The Big Picture presentation "The Sky Soldiers" shows the 173rd Airborne Brigade in Vietnam in a role of courage and sacrifice. Color-Released 67–68 Sesson.

TV 719: Army Transportation—Key to Mobility. Transportation has always played an important role in deciding the victory in warfare. The Spanish Armada of 1588, for instance, never accomplished its mission, and the Spanish Army never reached the battlefield. In the American Army today, delivering men and equipment to the battlefield is the job of the Army Transportation Corps. This challenging job is handled by highly trained professionals. "Army Transportation—Key to Mobility" is the story of these professionals and their training in the Army Transportation Corps, Color-Released 67–68 Season.

TV 718: Your Army Reports #11. The helicopter pilot has a big job in the Army, and this job gets even bigger when he arrives in Vietnam. For the helicopter lends mobility in difficult terrain, as it transports men and equipment to the battlefield. "Your Army Reports #11" spends a day with a helicopter pilot, and then joins a Chaplain who uses the helicopter to bring religious services to men of the Special Forces in Vietnam. Finally, this edition of "Your Army Reports" travels to Europe for firepower demonstrations at the Seventh Army Senior Commander's Orientation. Color-Released 67–68 Season.

TV 717: Ready 'Round the World. In the cold realism of war you are either ready or you're dead. There is no second chance. This is true of nations as well as individual soldiers. A nation must be ready to meet any action another nation may initiate. Its strength and ability must discourage nations of hostile intent. "Ready Round the World" is a film which depicts America's strength in the complex international world of the sixties. It is a film which speaks of men on guard around the world protecting the American way of life. Color-Released 67–68.

TV 716: The Big Red One in Vietnam. In World War II the First Infantry Division landed on Omaha Beach. After securing the beach they drove inland toward Hitler's Germany, and became a legend in their own time. Twenty-one years later a new threat to free men arose, and "The Big Red One" returned to the battlefield in Vietnam. The Big Red One in Vietnam is the story of this battlefield and one of America's most colorful units. The story of men bringing hope and security to people who have known only disillusionment and fear. Color—Released 67–68 Season.

TV 715: The O.C.S. Story. Thomas Jefferson expressed a basic attitude of the American people, when he said: "I have sworn upon the altar of God eternal hostility against every form of tyranny over the mind of men." This fundamental belief in the individual has met the test of the 20th century, as the American Army has met the challenge of Fascism, Nazism, and Communism. The Army is welded together by leadership; by men who inspire young American men and the special training they receive in the United States Army to become Second Lieutenants. Color—Released 67–68 Season.

TV 714: Screaming Eagles in Vietnam. The 101st Airborne Division earned a place in history with its gallant fight during the battle of the bulge. General McAuliffe's reply to the German surrender ultimatum was "Nuts" and this aggressive spirit made the division an incomparable fighting team. Twenty years later, a new generation of soldiers, with the same esprit-de-corps, took the battlefield in southeast Asia. Their dynamic exploits are recorded in "The Screaming Eagles in Vietnam." Color—Released 67–68 Season.

TV 713: Your Army Reports No. 10. This issue of "Your Army Reports" travels to Virginia and the Institute of Heraldry, where a group of specialists design and develop a variety of heraldic insignia for agencies of the Federal Government. Then a story from Thailand where United States Army Engineers assist the government in constructing houses, bridges and roads. And finally "Your Army Reports" goes to Vietnam where infantrymen search Viet Cong tunnels for arms and information. Color-Released 67–68 Season.

TV 712: The Pershing—Seventh Army Blackjack. In 1958 it became evident that a smaller, lighter and more mobile solid propellant ballistic missile was needed to replace the Redstone. An Army rocket team was assembled to work with Martin Aircraft Company on the project. This combined team developed the Pershing Missile; a supersonic, surface-to-surface missile with a four hundred mile range. The film "The Pershing—Seventh Army Blackjack" tells the story of this mission. Color-Released 67–68 Season.

TV 711: The "I" in Infantry. A young man entering the Army is trained to be an Infantry Soldier. It doesn't happen overnight. It takes time. He has to learn how to control his fear, to handle his weapons, and more important he must find himself. He must learn where he fits into his infantry unit. And he must learn that his unit, and his comrades are depending on him—the individual. The "I In Infantry" is the personal story of a young man's development as an Infantryman. Color-Released 67–68 Season.

TV 710: Shotgun Rider. The Shotgun Rider, protecting the stagecoach, blasted a colorful trail through the pages of American history. Today he still plays a colorful role, for the war in Vietnam has put the shotgun rider back in business. Not aboard a stagecoach, but in a helicopter. His weapon is no longer a shotgun, but a machine gun. His mission, however, is the same; to protect the interest of a free people as he stretches from his helicopter firing at enemy targets. The film "Shotgun Rider" is the story of these men, and their important mission in Vietnam. Color-Released 67–68 Season.

TV 709: It's Up to You—Basic Combat Training. A military unit needs well-led, intelligent, rugged and skilled soldiers. This is the function of Army training; to shape the men who are the Army. The eight weeks of basic combat training are shown in this film as a new trainee learns the skills from seasoned veterans and progresses from civilian to soldier. Color-Released 67–68 Season.

TV 708: Stay Alert Stay Alive. To stay alive, the soldier must stay alert. Training in the United States readies him for his job but new lessons are learned every day. To pass this information on to newly arriving soldiers at the 1st Brigade of the 101st Airborne Division in Vietnam, an intense, rugged school is conducted by men who have stayed alert and stayed alive. This film shows how this training program operates on the scene in Vietnam. Color-Released 67–68 Season.

TV 707: Your Army Reports #9. In this edition of "Your Army Reports" we visit Vietnam, Taiwan and Germany. Patrol Air Cushion Vehicles, developed specifically for the war in Vietnam, are featured in this film. These heavily armed PACV's travel on a cushion of air, at speeds up to 50 knots. In Taiwan the Army is shown giving assistance at a Nationalist Chinese Cadre School, while paratroopers in Germany train to drop behind enemy lines. "Your Army Reports #9" is another report to the American soldier on Army activities throughout the world. Color-Released 67–68 Season.

TV 706: The Inner Ring. History's alternative to the wail of the early warning siren is silence. Silence of the dead, of a civilization destroyed. It would speak mutely of an apathetic people who refused to face reality and lacked the strength and wisdom to survive. "The Inner Ring," narrated by Darren McGavin, dramatically illustrates how the U.S. Army Air Defense Command safeguards America against sudden air attack and assures us that silence will not be our epitaph. Color-Released 67–68 Season.

TV 705: Village Reborn, Vietnam. The Army's First Infantry Division routs the terror and suffering imposed by the Viet Cong on the citizens of a Vietnamese village. Color-Released 66–67 Season.

TV 704: The Army and Vietnam. This film tells the story of how the American Army is meeting the challenge of Vietnam with well trained soldiers and new methods of logistical support. Color-Released 66–67 Season.

TV 703: Probe and Pursue. This is a graphic portrayal of the hazards faced by American soldiers as they engage in search and clear missions. Color-Released 66–67 Season.

TV 702: To Answer the Call. The men of the National Guard are charged with the responsibility of answering calls from the federal and state governments in time of emergency. This is the story of how the Army and Air National Guard cooperate in combat and in times of national catastrophe. Color-Released 66–67 Season.

TV 701: The Test of Battle. This film depicts the role of the United States Army Combat Development Command in providing new means of fighting and existing in a combat zone. Color-Released 66–67 Season.

TV 700: Your Army Reports #8. A round-up of action in Vietnam, shot by American cameramen on the scene, is depicted in this issue of Your Army Reports. The men and women of the United States Army are shown performing the tasks of defending our nation from the forces of aggression. Color-Released 66–67 Season.

TV 699: The Army's Floating Workshop. The USS Corpus Christi has been renovated and equipped with the finest material for performing the job of repair and maintenance of the Army's aircraft in Vietnam. The history of this vessel and its utility in combat support are documented in this film. Color-Released 66–67 Season.

TV 698: Alaskan Centennial. This film depicts the history of Alaska; first as a possession, then as the 49th State. It describes the role of Alaska in assisting the United States in defense, resources, and manpower for peace. Color-Released 66–67 Season.

TV 697: U.S.O.—Wherever They Go. The story of the U.S.O., depicting its history and service to the Armed Forces, is told in this star packed film, which is introduced by Bob Hope and narrated by John Daly. Color-Released 66–67 Season.

TV 696: Your Army Reports #7. This issue of Your Army Reports takes you to Taiwan, Korea, Germany and Vietnam, where U.S. soldiers are helping to defend freedom. Color-Released 66–67 Season.

TV 695: A Nation Builds. Introduced by Vice President Hubert H. Humphrey and narrated by film star John Wayne, this film traces the dramatic efforts of the people of Vietnam who are struggling to build a nation under the fire of Communism. Color-Released 66–67 Season. Withdrawn from TV.

TV 694: Chopper Pilot. A portrayal of the rigorous training that Army Aviators receive in preparation for their role in moving men, equipment and wounded in Vietnam. Color-Released 66–67 Season.

TV 693: The Red Diamond. This film report of the Red Devils of the Fifth Infantry Division (Mechanized), tells the story of one division which has seen service in twenty countries in nine campaigns. Color-Released 66–67 Season.

TV 692: Your Army Reports No. 6. This episode of the Big Picture presents some of the highlights of 1966—Remembrance Day in Luxembourg honoring General Patton, the selection of the Sergeant Major of the U.S. Army, President Johnson's visit to Fort Campbell, Kentucky, and from Vietnam, Combat Operations Hawthorne and Paul Revere. Color-Released 66–67 Season. Withdrawn from TV.

TV 691: Claws for the Eagle. A report on the modern weaponry used by the fighting men of the U.S. Army in many different situations. Color-Released 66–67 Season.

TV 690: Soldiers and Altars. The extensive religious activities and facilities that the Army provides for servicemen and their families—in peace and in combat. Color-Released 66–67 Season.

TV 689: Your Army Reports, No. 5. In Vietnam, in Thailand, in Germany, in Korea, in the United States, the Army is undertaking responsible missions. What, where and why is the subject of this report. Color-Released 66–67 Season.

TV 688: Something To Build On. What opportunities are available for the young man who makes a career of the United States Army? The many advantages are objectively considered in this report. Color-Released 66–67 Season.

TV 687: Firepower for Freedom. A vivid portrayal of this history of munitions and the work presently in progress in research and development of modern firepower. Color-Released 66–67 Season.

TV 686: U.S. Army in the Andes. A report of the United States Army in South America, helping the people of Bolivia and Peru map the peaks at the roof of the world and training their special forces units in guerrilla warfare. Color-Released 66–67 Season.

TV 685: Your Army Reports, No. 4. Probe and Pursue missions in Vietnam, assistance to the Montagnards in the Central Highlands, and a patrol of the 101st Airborne Division sweeps the "Iron Triangle" in this issue of Your Army Reports. Color-Released 66–67 Season.

TV 684: Our Heritage. Dr. Frank C. Baxter traces the chain of events surrounding the Declaration of Independence. These events and the documents are tied to the present day situation. Color-Released 66–67 Season.

TV 683: Lifeline. The difficult task of AMC—The Army Materiel Command—supplying our forces at home and abroad with the necessities of life and defense. Color-Released 66–67 Season.

TV 681: The Army in Taiwan. The advice, assistance and training given the armed forces of Taiwan by the United States Army is reported in graphic detail. Color-Released 66–67 Season.

TV 680: The Unique War. The story of the American soldier's struggle to build a nation at the grass roots level—the two faces of the war in Vietnam, narrated by Glenn Ford. Color-Released 66–67 Season.

TV. 679: Missions Unlimited. This is a report on the Army's many missions and how the U.S. soldier is ready to respond in all areas of possible conflict. Color-Released 65–66 Season.

TV 678: Your Army Report #3. Featured in this issue of Your Army Reports are: the merging of First and Second United States Armies, under a single headquarters located at Fort Meade, Maryland; a visit to a 1st Cavalry Airmobile Division Base in Vietnam; and Reserve Officers training in Kentucky. Color-Released 65–66 Season.

TV 677: Your Army Reports #2. Army cameramen travel to Vietnam, Korea and White Sands Proving Grounds for this issue of Your Army Reports. Color-Released 65–66 Season.

TV 676: The New First Team. This film dramatically portrays the long and proud battle record of a unit which has made the transition from horse cavalry to sky cavalry. . . . The First Cavalry Division (Airmobile). Color-Released 65–66 Season.

TV 675: Your Military Neighbor. The Army is often called upon to assist the civilian community during times of emergency. "Your Military Neighbor" is the story of this assistance and the soldier who is active in the affairs of the community. Black and White-Released 65–66 Season.

TV 674: Vietnam Report. This film explains "why" Americans are in Vietnam and how the American fighting man is dedicated to helping the free people of Vietnam to protect their freedom. Black and White-Released 65–66 Season. Withdrawn from TV.

TV 673: M–60, King of Armor. This film presents the concepts, prototype, exhaustive tests, production and field use of the world's newest battle tank, M–60, King of Armor. Black and White-Released 65–66 Season.

TV 672: Your Army Reports #1. Pictorial reports on the U.S. Army which includes . . . The chinook helicopter, the experimental Jungle Canopy Platform System, the Aerial

Gunners, the 35th Engineer Group building logistic and air support bases at Cam Rahn Bay in Vietnam, the 809th Engineer building a road in Thailand, the First Cavalry Division on patrol in Vietnam, and a report on the Army's new Drill Sergeants. Color-Released 65–66 Season.

TV 671: Army Medical Research. This film tells the story of Army Medical Research. How this research is conducted and the latest advances in preventive medicine. Color-Released 65–66 Season.

TV 670: Alaskan Earthquake. This is the story of how the United States Army, along with both state and federal agencies, responded to the Alaskan earthquake. Black and White-Released 65–66 Season.

TV 669: Strike Command. This film shows graphically the fighting potential of the quick-response, diverse and versatile team called the United States Strike Command. A joint command which includes fighting men of the Army, Air Force and Navy. Color-Released 65–66 Season.

TV 668: Science Moves the Army. This is the story of the Army Tank Automotive Center where Scientists are developing vehicles for a modern Army. Color-Released 65–66 Season.

TV 667: The Army Nurse—Soldier of Mercy. This film traces the history of military nursing—as old as our country—to current action with our soldiers in Vietnam. Black and White—Released 65–66 Season.

TV 666: E.O.D. (Explosive Ordnance Disposal). The story of military men who risk their lives to make safe or destroy undetonated explosives. Color—Released 65–66 Season.

TV 665: Assignment Taiwan. Filmed in Taiwan, this is the story of the United States Military Assistance Advisory Group in the Republic of China. Black and White—Released 65–66 Season.

TV 664: Ice Cap. The frozen North reveals its mysteries to the relentless probing of Army Engineers. The research, experimentation and daring of Army and civilian scientists at the North Pole have yielded information that will benefit all mankind for years to come. Black and White—Released 65–66 Season.

TV 663: Berlin Duty. This is the story of American soldiers serving in the shadow of the Iron Curtain and how their presence is symbolic of the West's refusal to abandon a beleaguered people to Communism. Black and White—Released 65–66 Season.

TV 662: Drill Sergeant. A portrayal of the role of the Army's Drill Sergeant as a leader, instructor, counselor, and friend to the recruits who will be tomorrow's combat-ready soldiers. Color-Released 65–66 Season.

TV 661: Desert Strike. The story of a mock war waged in the mountains and deserts of our Southwest by the United States Strike Command. Many weapons in our defense arsenal are put to use by opposing forces in Exercise Desert Strike, as a rehearsal of STRICOM'S ability to deal with specific emergencies the world over. Black and White-Released 65–66 Season.

TV 659 part 1, TV 660 part 2: Tigers on the Loose. Former members of the 101st Armored Division, including General Anthony MacAuliffe—German Generals Hasse Von Manteuffel and Siegfried Westphal—and German author Manfred Gregor, recall the fierce combat in which the division particiapted during World War II. Black and White-Released 65–66 Season.

TV 657 part 1, TV 658 part 2: The Bridge at Remagen. On March 7th, 1945, a bridge at Remagen was captured intact, providing the first American bridgehead on the Rhine. The story of this bridge—and the men who fought to take it—is the subject of this two part film. Black and White-Released 65–66 Season.

TV 656: Operation Scoreboard. Focuses attention on the Army Sports program and opportunities available to the young soldier of today for participation in team athletics. Black and White-Released 65–66 Season.

TV 655: Assignment Iran. This film following a young Army officer through his preparation and assignment in Iran. He is trained in guerrilla warfare, in the native language, history and culture of Iran. Black and White—Released 65–66 Season.

TV 654: Action Vietnam. The stories of two American heroes in Vietnam. The late Captain James Spruill and Captain Roger Donlon, Medal of Honor recipient. Black and White—Released 64–65 Season.

TV 653: A Soldier's Warranty. Vic Morrow introduces this salute to TECOM—the Army's Test and Evaluation Command. TECOM makes sure that the American soldier receives only the best equipment. Black and White—Released 64–65 Season. Withdrawn from TV.

TV 652: Prologue to Leadership. A pictorial report of the summer training of ROTC cadets at Indiantown Gap Military Reservation, Pennsylvania. Black and White—Released 64–65 Season.

TV 650/651: Tried by Fire. Paul Newman narrates the two part story of the 84th Infantry Division during the final months of the war in Europe. Vivid eyewitness accounts of the 84th in action from the Siegried Line to the Elba River are given. Black and White—Released 64–65 Season.

TV 648/649: The Battle of St. Vith. Narrated by Robert Taylor, this two-part episode recalls the key engagement that disrupted the overall German plan for the Battle of the Bulge. German and American participants in the battle reflect on their particular roles during those days of crisis. Black and White-released 64–65 Season.

TV 647: History of the Cavalry. The history of the U.S. Cavalry from dashing horses to modern armor. Black and White-Released 64–65 Season.

TV 646: The Finest Tradition. A spectacular summation of the Army's readiness for any mission—brush fire or global conflict. Black and White-Released 64–65 Season.

TV 645: Years of Menace. The Berlin Wall . . . Lebanon . . . Laos . . . South Vietnam . . . Cuba. President Kennedy's ultimatum to Khrushchev. Black and White-Released 64–65 Season.

TV 644: The Cold War. The world in tension, South Vietnam struggles against the communists. Black and White-Released 64–65 Season.

TV 643: The Cobra Strikes. The invasion of South Korea. The bitter panorama of the Korean War. Black and White-Released 64–65 Season.

TV 642: The Years Between. Uneasy peace. The Berlin Blockade and Chinese Communists present a new menace to world peace. Black and White-Released 64–65 Season.

TV 641: The Victory. Highlights of the victory in Europe and in the Pacific. Soviet Russia's occupation of territory presents a new threat. Black and White-Released 64–65 Season.

TV 640: The Tide Turns. The invasion of France and the drive inland that led to victory. Black and White-Released 64–65 Season.

TV 639: Global War. Pre-D-Day build-up of forces and the progress of the war on all fronts. Black and White-Released 64–65 Season.

TV 638: The Slumbering Giant Awakens. The combined efforts of the *military, industry, and labor* to make possible a giant war machine. Black and White-Released 64–65 Season.

TV 637: The Spreading Holocaust. The U.S. girds to meet the challenge of the world's mightiest crusade for freedom. Black and White-Released 64–65 Season.

TV 636: Flames on the Horizon. The Nazis and Facists overrun Europe. Pearl Harbor! Black and White-Released 64–65 Season.

TV 635: The Three Faces of Evil. The build-up of Facism, Nazism, and Japanese Militarism. Black and White-Released 64–65 Season.

TV 634: The Winds of Change. The events leading to the American participation in World War I. Black and White-Released 64–65 Season.

TV 633: America on the Move. A documentary described the spirit and motivation of our country as it meets the challenge of today. Black and White-Released 64–65 Season.

TV 631: Exercise Delawar. Film coverage of a joint U.S.-Iranian Exercise. STRAC troops from Fort Campbell are airlifted to Iran to participate. Black and White-Released 64–65 Season.

TV 630: Wherever Brave Men Fight. Vic Morrow, star of TV's COMBAT, narrates the story of the Infantryman. Black and White-Released 64–65 Season.

TV 629: Wings at the Treetops. The story of Army Aviation which has given the American soldier a dimension of mobility undreamed of twenty years ago. Color-Released 64–65 Season.

TV 628: Background to Berlin. From the rubble of World War II, a dynamic, prosperous city, West Berlin, has risen. An outpost of freedom in the jungle of Communist slavery. Black and White-Released 64–65 Season.

TV 627: Soldier's Heritage. An intimate look at the American soldier—his fears—his courage—his convictions; his role in shaping the history of our nation. Black and White-Released 64–65 Season.

TV 626: Meeting the Challenge. The citizen—soldiers, the National Guard—have helped write American military history; this is their story. Black and White-Released 64–65 Season.

TV 625: Old Glory. A documentary tribute to the American flag. Even more colorful in its heritage than in its stars and stripes. Color-Released 64–65 Season.

TV 624: Thayer of West Point. Lowell Thomas narrates the story of the father of West Point and his unique influence upon our nation's destiny. A dramatized documentary featuring stage and screen star, Shepherd Strudwick, as Sylvanus Thayer. Black and White-Released 64–65 Season.

TV 623: How Sleep the Brave. A poetic memorial to those generations of Americans who lived and struggled for American ideals and now rest in Arlington National Cemetery. Color—Released 64–65 Season.

TV 622: Medal of Honor. Depicts the gallantry of the men who have been decorated with the nation's highest award from Gettysburg to Korea. Black and White—Released 64–65 Season.

TV 621: Salute to the Coast Guard. The U.S. Army's tribute to a sister service which has logged a long and distinguished record in war and peace. Black and white—Released 64–65 Season.

TV 620: Traditions and Achievements. The heritage of the American Army from the days of the Revolution through the Korean War. Black and White—Released 64–65 Season.

TV 619: One Week in October. How U.S. diplomacy, determination and readiness in October, 1962 caused the removal of Soviet Ballistic Missiles from Cuba. Black and White—Released 64–65 Season. Withdrawn from TV.

TV 618: Third Army (The Big A). Story of the modern Third Army, covering seven southern states and including the Infantry, Signal & Military Police Schools, plus the special units assigned at various posts. Black and White—Released 64–65 Season. Withdrawn from TV.

TV 616: Thailand. A look at the kingdom of Thailand and the assistance offered this staunch ally by members of the U.S. Army. Color—Released 63–64 Season.

TV 614: Battalion Comamnder. A pictorial report of a day in the life of a Battalion Commander on duty in Europe. Shows his many functions as "the old man" with his unit and its troops. Black and White—Released 63–64 Season.

TV 613: Pershing Joins the Ranks. The field testing by the U.S. Army of the Pershing missile with actual firings shown at White Sands Missile Range. Black and White—Released 63–64 Season. Withdrawn from TV.

TV 612: AEF in Siberia. The little-known story of the Expeditionary Force which journeyed into Russia following World War One. Shows their mission and activities while in the U.S.S.R. Black and White—Released 63–64 Season.

TV 611: Soldiers in Grease Paint. Hosted by Hollywood star Celeste Holm, this is the story of entertainers who travelled wherever the military were in WWII to bring them a laugh and a reminder of home. Features many stars on tour as shown by Signal Corps cameramen during the war. Black and White—Released 63–64 Season.

TV 610: An Army Moves. The saga of early trans-continental motor convoy by Army trucks in the first days of combustion engines. Follows the convoy from the East Coast to the Pacific as it winds over rugged trails, sustaining itself along the way. Ends with a look at modern mobility of the Army. Black and White—Released 63–64 Season.

TV 609: R.O.T.C. a Pattern for Progress. Traces the story of an R.O.T.C. officer from his college days through his first few years of Army duty, showing the increased responsibilities challenges and privileges as he advances. Black and White—Released 63–64 Season.

TV 608: Point of the Spear. A pictorial summary of the tremendous air-lift operation of October 1963, dubbed "Big Lift." The cameras follow the 2nd Armored Division from Fort Hood, Texas, to Germany and then into maneuvers in West Germany. Color—Released 63–64 Season. Withdrawn from TV.

TV 607: Operation Montagnard. The story of how the rugged mountain tribes in Vietnam were trained to become defenders of their areas against the wily Viet Cong. Demonstrates the methods used by U.S. Army Special Forces to help win over these tribes to the cause of South Vietnam. Black and White—Released 63–64 Season.

TV 605: U.S. Army Advisor in Vietnam. The story of the Army advisor's tour in Vietnam and how he works closely with a Vietnamese unit, advising on defense, offense, training and tactics. Black and White—Released 63–64 Season.

TV 604: Mapping Adventure. Army engineers work hand-in-hand with Latin American neighbors on the difficult project of mapping South American jungles, mountains and swamps. Color—Released 63–64 Season.

TV 602: Paris '44. The recapture of Paris in 1944, and how the Allies saved it from mass destruction by the occupation forces of the Nazi regime. Scenes of General DeGaulle in Paris during the first few days of liberation. Black and White—Released 63–64 Season.

TV 600: Climb to Glory (part two). The final break-through by the 10th Mountain Division in its relentless push toward final victory in Italy in WWII. Black and White—Released 63–64 Season.

TV 599: Climb to Glory (part one). The 10th Mountain Division in Italy and how the unit succeeded in breaking the Gothic Line, highly touted as invincible by the Nazi leaders. Black and White—Relased 63–64 Season.

TV 598: Operation Amigo. Civil action at work in Latin and South America with assistance offered by members of the U.S. Army. Road-building, medical help and education for the masses are demonstrated as they happened. Color—Released 63–64 Season.

TV 597: Prelude to Taps. The famed 3rd Infantry, "The Old Guard," in the Nation's capital, offers a colorful, marching salute to all members of the Army team. Shown is a retreat review, a salute of flags and country, rifle drill and the marching precision of the Honor Guard drill team. Color—Released 63–64 Season.

TV 596: Famous Generals Series—*Stilwell*. The military career of "Vinegar Joe" Stilwell in the Far East during WWII. Black and White-Released 63–64 Season.

TV 595: Famous Generals Series—*Arnold*. General "Hap" Arnold's career during WWII, which is also the story of the growth of the present-day Air Force. Depicts much of the aviation activity in this era. Black and White-Released 63–64 Season.

TV 594: Famous Generals Series—*Patton*. The military career of forceful, colorful, George S. Patton, with emphasis on his WWII action in Africa and Europe, narrated by Ronald Reagan. Black and White-Released 63–64 Season.

TV 593: A Nation Sings. A musical remembrance of Civil War tunes and songs, featuring Ray Morgan as host-narrator with Bill Hayes and Gloria Lambert as vocalists. Backed up by the U.S. Army Band and Chorus. Black and White-Released 63–64 Season.

TV 592: Famous Generals Series—*Marshall*. An encompassing chronology of the career of General George C. Marshall, including his post-military assignment as Secretary of State. A capsule look at the Army prior to WWII and the events leading up to that war. Black and White-Released 63–64 Season.

TV 591: Famous Generals Series—*Bradley*. The story of the quiet General Omar Bradley and his rise to top rank in WWII. Traces his early days and schooling as well as his military career. Black and White-Released 63–64 Season.

TV 590-Famous Generals Series—Eisenhower. General Eisenhower's career with the military is traced from West Point through WWII. Does not cover his service as President of the U.S. Black and White—Released 63–64 Season.

TV 589-Famous Generals Series—MacArthur. The career of General MacArthur with emphasis on WWII action in the Pacific and during the post-war-era in Japan, plus early days of fighting in Korea. Black and White—Released 63–64 Season.

TV 588-Famous Generals Series—Pershing. The military highlights of "Blackjack" Pershing's career, from prior to the turn of the century through WWII to include his retirement days. Emphasis on WWII activity. Black an White—Released 63–64 Season.

TV 587-Fortress in the Sea. The recapture of Corregidor in WWII by General MacArthur's forces. Includes recollections of an Army nurse, a commander of paratroopers and an Army sergeant who saw action on the island. Black and White—Released 62–63 Season.

TV 568B-Salute to the Air Force. Host-narrated by Eli Wallach, the film features a review of aviation history from World War I to present age of space flights. Black and White—Released 62–63 Season.

TV 584: Alaskan Scout. Features the activity of Eskimo scouts in the Alaska National Guard as they operate from fishing village of Shishmaref, near Arctic Circle. Black and White-Released 62–63 Season.

TV 583: AFN–The American Forces Network. A report on the largest military radio broadcasting network in Europe. Features operations in Frankfurt, Berlin, Munich. Black and White-Released 62–63 Season.

TV 582: Shape of the Nation. Bob Hope, Alan Shepard, Bud Wilkinson, Bob Richards, Jerry Colonna and Robert Preston participate in this film report on the President's Physical Fitness program. Mr. Hope serves as host-narrator. Black and White-Released 62–63 Season. Withdrawn from TV.

TV 581: Salute to MATS. Film features four giant airlifts conducted simultaneously. Famous airlifts of the past are shown. Black and White-Released 62–63 Season.

TV 579: Beachhead: Anzio. World War II—the establishment of a beachhead at Anzio. Features footage not previously released. Black and White-Released 62–63 Season.

TV 578: The Third Challenge: Unconventional Warfare. Film portrays Communist techniques used in situations to take over political parties, countries, create discord, sabotage. Color-Released 62–63 Season.

TV 576: Beyond the Call (part two). Alexander Scourby narrates the concluding episode of this two-part tribute to America's heroes who have earned the Medal of Honor. Black and White-Released 62–63 Season.

TV 575: Beyond the Call (part one). Alexander Scourby narrates the first episode of a two-part series paying tribute to the heroic soldiers and gallant men of all services who have earned the Medal of Honor. Black and White-Released 62–63 Season.

TV 572: Command Decision: The Invasion of Southern France. Operation "Dragon" is revealed in this historic motion picture which features Roosevelt, Churchill, Chiang Kai-Shek and Stalin. Black and White-Released 62–63 Season.

TV 569: Salute to the Navy. A film tribute to the Navy featuring a pictorial review of the Navy's history, its achievements and future role in the military establishment. Black and White-Released 62–63 Season.

TV 568: The Army's All Americans. Noted sports commentator, Chris Schenkel, host-narrates this story of Army sports. Famous athletes are featured. Black and White-Released 62–63 Season.

TV 567: The Soldier Is Tops. A report on the impact of technological, physical and special requirements of today's fighting man, his selection and training. Black and White-Released 62–63 Season.

TV 566: Dragon's Teeth. General J. Lawton Collins tells of the fight to take the Siegfried Line in World War II, and of the campaign to cross onto the soil of Germany. Black and White-Released 62–63 Season.

TV 562: Hidden War in Vietnam. James Arness host-narrates this half-hour report on American assistance to the Vietnamese. Color-Released 62–63 Season.

TV 561: Guerrilla, U.S.A. The 101st Airborne Division and Special Forces Troops engage in maneuvers in mountains of West Virginia under realistic conditions. Film involves local townspeople. Black and White-Released 62–63 Season.

TV 560: Road to the Wall. Documentation of the rise of Communism from St. Petersburg, Russia, in early days of Lenin and Trotzky to Berlin and Cuba under the influence of Krushchev. Black and White-Released 62–63 Season. Withdrawn from TV.

TV 555. The Aggressor. Features role of Aggressor soldiers. Emphasize means they employ in testing defenses, security measures and plans of operation of the Army. Black and White-Released 62–63 Season. Withdrawn from TV.

TV 554: Sky Divers. Features U.S. Army parachute teams in two-mile high maneuvers. Black and White-Released 62–63 Season.

TV 552: Soldier Statesman. President Kennedy addresses the 1962 graduating class at West Point and emphasizes the dual role they must perform as officers and statesmen representing America abroad. Black and White-Released 62–63 Season. Withdrawn from TV.

TV 550: Patterns of History. The pattern of Communist aggression from early post WWII days in Greece, through Korea, Southeast Asia and Cuba. Black and White-Released 61–62 Season. Withdrawn from TV.

TV 548: Military Assistance Program (part two). Parallels MAP–Part One (TV 529) and features the Military Assistance Program in the Far East, and how it is essential to our allies. Black and White-Released 61–62 Season.

TV 547: Special Forces. Documents the training of the Special Forces soldier at Fort Bragg, N.C., and moves to the Alps in Southern Bavaria where a training mission is covered. Black and White-Released 61–62 Season.

TV 546. The Famous Fourth. Traces history of Fourth Division in World War I, WWII, and concludes with airlift of unit across North Pole to assignment in West

Germany. Black and White-Released 61–62 Season.

TV 544. Solid Punch. Documents the history of U.S. Army missiles and shows examples of types, uses and versatility of Army missile power. Black and White-Released 61–62 Season. Withdrawn from TV.

TV 543: Top of the World. An examination of the defense posture and strategic importance of Alaska, the Northwest Territory, Canada and Greenland. Features DEW Line and electronic sentinels on guard there. Black and White-Released 61–62 Season.

TV 539: This is the Infantry. Centered on activity at the Infantry School, Ft. Benning, Ga., the film presents the story of how the infantryman is trained to be resourceful, aggressive and self-reliant. Black and White-Released 61–62 Season.

TV 538: The Army Chaplain—Yesterday and Today. A pictorial essay on the Army Chaplain. Film spans all American wars from the Revolutionary to the Korean War, and emphasizes the Chaplain's role as a spiritual leader. Black and White—Released 61–62 Season.

TV 536. The U.S. Army in Berlin: Checkpoint Charlie (part two). Picks up the report on Berlin, the divided city, in the critical summer of 1961. Companion film to TV 530. Black and White-Released 61–62 Season.

TV 532: The Chaplain and the Commander. A pictorial essay on the Army Chaplain, his religious services, pastoral activities and duties as a staff officer. Black and White-Released 61–62 Season.

TV 530: The U.S. Army in Berlin: Timetable for Crisis (part one). A review of the troubled times of Berlin from VE Day to the critical summer of 1961. Companion film to TV 536. Black and White—Released 61–62 Season.

TV 529: Military Assistance Program (part one). Shows how the U.S. Military Assistance Program functions as a vital part of U.S. foreign policy in furnishing training, equipment and advice to allies. Reports on NATO success. Companion to TV 548. Black and White—Released 61–62 Season.

TV 528: Caribbean Command. A report on Latin America and the importance of our neighbors to the south in the maintenance of our freedom. Black and White—Released 61–62 Season. Withdrawn from TV.

TV 527: Patrolling. An Army lieutenant leads a combat night patrol into enemy territory and returns after establishing contact with the enemy. Black and White—Released 61–62 Season.

TV 523: The Army's Music Men. The U.S. Army Band, Fort Myer, Va., is featured in this unique presentation which brings musical selections from World War I to contemporary tunes. Alexander Scourby narrates. Black and White—Released 61–62 Season.

TV 520: U.S. Army and the Boy Scouts. John Daly host-narrates this program which shows the many ways in which the Army and the Boy Scouts have shared experiences. Black and White—Released 61–62 Season.

TV 518: Silent Warriors. A Special Forces unit's training in Utah armed with deadly bows and arrows. Black and White—Released 60–61 Season.

TV 517: MP Story, Review of Military Police History and the MP's training at Fort Gordon, Ga., covering laboratory work to physical training. Black and White—Released 60–61 Season.

TV 515: West Point—Education for Leadership. Shot on location at the United States Military Academy, the camera records the unrehearsed action and responses of cadets in classrooms, laboratories and on the playing fields. Black and White—Released 60–61 Season.

TV 514: City Under Ice. The Army in action on the polar frontier. Shown is the story of Camp Century, a research and development project in Greenland. Black and White—Withdrawn from TV.

TV 512: Challenge of Ideas. Discussion of the conflict between democratic and communistic philosophies. Speakers include John Wayne, Helen Hayes, Edward R. Murrow, Lowell Thomas and others. Black and White—Released 60–61 Season. Withdrawn from TV.

TV 509: Role of Armor. Authentic combat footage from WWII and Korea is used to depict the growth and development of Armor from its earliest beginnings to its all-important role in today's Army. Black and White—Released 60–61 Season. Withdrawn from TV.

TV 506: Breakout and Pursuit. The story of "Operation Cobra," one of the most daring war plans of WWII, directed by General Omar Bradley. American forces breakout from Normandy and begin their dash across France. Black and White—Released 60–61 Season.

TV 505: Partners in Progress. How the Army's Corps of Engineers worked with American Industry to keep America strong and free. A historical sequence demonstrates the Corps' work from the early days of Western Frontiers, through war and peace. Black and White—Released 60–61 Season.

TV 504: History of Aviation (part three). The final episode in this trilogy depicting military aircraft in the present-day concept of mobility and dispersion. Shows many unconventional transport devices including one-man flying platforms and "air cars" Companion film to TV 503 and TV 502. Black and White—Released 60–61 Season.

TV 503: History of Aviation (part two). Covers the period from the Billy Mitchell era to the present-day jet age. On-camera appearances of many air age "greats" heighten the film. Companion film to TV 504 and TV 502. Black and White—Released 60–61 Season.

TV 502: History of Aviation (part one). First in a trilogy showing the development of aircraft from the crude beginning to the present day. Covers period of early pioneer efforts to the pre-Billy Mitchell Era. Companion film to TV 503 and TV 504. Black and White—Released 60–61 Season.

TV 495: Mouth-to-Mouth Resuscitation. An excellent film on this newest of artificial respiration methods. Black and White—Released 60–61 Season.

TV 493: Dateline: West Berlin. How an Army newspaper in Berlin mirrors the daily life of hundreds of military men on guard in the divided city. Black and White—Released 60–61 Season.

TV 489: Eighth Army—Shield of the Free World. Traces the history of the Eighth Army in WWII, the Japanese Occupation, and its role in Korea. Black and White—Released 60–61 Season.

TV 486: They Were There. The Army's role in civil disaster. Film reviews the Johnstown Flood, San Francisco Earthquake and more recent holocausts: the Chilean Earthquake and the tidal wave damage inflicted on Hawaii: Black and White—Released 60–61 Season.

TV 485: Battle of North Africa (part two). A review of the military campaigns in North Africa during WWII. Covers the destruction of the fleet at Oran in June, 1940, and concludes with Field Marshal Montgomery's bitter battle for El Alamein. Companion film to TV 484. Black and White—Released 60–61 Season.

TV 484: Battle of North Africa (part one). A two-part presentation of the military campaigns in North Africa during World War II. Companion film to TV 485. Black and White-Released 60–61 Season.

TV 482: The Story of Stars and Stripes. Herbert Mitgang of the *New York Times* and famed commentator Baukhage tell the story of this world famous Army newspaper. Alexander Scourby and Sheppard Strudwick narrate the absorbing film. Black and White.

TV 481: Payoff in the Pacific (part two). The war in the Pacific. Covers the island-hopping victories of the Allies to the Japanese surrender abroad the Battleship Missouri. Companion film to TV 480. Black and White-Released 60–61 Season.

TV 480: Payoff in the Pacific (part one). World War II from Pearl Harbor and the loss of the Philippines to the early victories in the South Pacific and to the B–29 bases constructed on Saipan. Companion film to TV 481. Black and White-Released 60–61 Season.

TV 477: Operation Cartwheel. An outstanding historical report on a World War II Pacific Theater operation. Demonstrates the Allies' success in bypassing and isolating enemy strong points. Black and White-Released 60–61 Season.

TV 459: The Joe Mann Story. A highly sensitive memorial to a soldier killed in World War II. Expertly photographed with unusual backgrounds in Holland. Black and White-Released 59–60 Season.

TV 447: War's End. Brigadier General S.L.A. Marshall presents some penetrating thoughts about the Korean War and the effect it has had upon training in today's Army. Black and White—Released 59–60 Season.

TV 446: Winter War. William H. Lawrence, *New York Times* correspondent, narrates this second Big Picture episode covering Korea War History. Companion film to TV 445. Black and White—Released 59–60 Season.

TV 445: Summer Storm. Korean War Military history. Jim Lucas, Scripps-Howard Newspaper Alliance, is interviewed at the program close. Black and White—Released 59–60 Season.

TV 444: The Pershing Story. A film biography of General John J. Pershing. Covers period from 1860 through 1948, the year of his death. Black and White—Released 59–60 Season.

TV 443: West Point Summer Training. A typical summer training program at Camp Buckner where West Point cadets gain valuable field experience. Black and White—Released 59–60 Season.

TV 441: Battle for New Guinea. The bitter fight through unending mud to take New Guinea. Broadens the viewer's perspective of the role of the infantryman. Black and White—Released 58–59 Season.

TV 431: Battle of San Pietro. John Huston narrates this film about one of the most dramatic battles of WWII, Italy. Black and White—Released 59–60 Season.

TV 429: Character Guidance. The Army's Character Guidance program is explored in this documentary presentation. Black and White—Released 58–59 Season.

TV 428: The Code of the Fighting Man. A study of the Soldier's Code of Conduct—an outline of the U.S. Army Soldier's moral obligation to his country. Black and White—Released 58–59 Season.

TV 417: Battle of Manila. Invasion of the Philippines. Covers the landings through the final liberation of the City of Manila. Black and White—Released 58–59 Season.

TV 413: Battle of the Bulge. The story of America's "winter soldier" through the years from Valley Forge to the Battle of the Bulge. Black and White—Released 58–59 Season.

TV 406: Battle of Salerno. A fast-moving dramatic film covering the fighting by Fifth Army Forces of Lieutenant General Mark W. Clark, in Italy. Black and White—Released 58–59 Season.

TV 373: Preamble to Peace. An examination of the meaning of the U.S. Constitution and its preamble. Black and White—Released 57–58 Season.

Mr. FULBRIGHT. Mr. President, this is not the first time I have raised questions about the Pentagon's public relations program. I realize that the acting chairman of the committee has gone

along with a small cut in the direct appropriation. This is an appropriation for direct public relations. All of this television and film material that I have been reading about is not included in the direct appropriations for public relations. This is in a different area, for internal information. That program amounts to a great deal more money.

I am not trying to cut that with this amendment. All I am doing is criticizing what they are doing with it.

No one can say that the Military Establishment is not entitled to have a public relations program, I agree that it is. But the present program goes much too far and is too costly. They use this material to distribute all over the United States.

I do hope that the Senate will accept this very minor cut. I would not exaggerate its importance. It is only to cut it back to $20 million.

This is still over seven times what Congress allowed them for direct propaganda only 11 years ago when the Congress took off the ceiling. It used to be $2,720,000.

I am asking that a ceiling of $20 million be put on this activity.

PEANUT ACREAGE ALLOTMENTS

Mr. TALMADGE. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 17582.

The PRESIDING OFFICER (Mr. BELLMON) laid before the Senate H.R. 17582, to amend the peanut marketing quota provisions to make permanent certain provisions thereunder.

Mr. TALMADGE. Mr. President, this bill was passed by the Senate yesterday on the Consent Calendar. It was likewise passed yesterday by the House of Representatives.

This proposed action has been cleared by the majority leader, the acting majority leader, the chairman of the Committee on Agriculture and Forestry, the ranking minority member of the Committee on Agriculture and Forestry, the distinguished Senator from Vermont.

It merely made permanent the law relating to the leasing of peanut acreage that has been on the statute books for about 3 years.

Mr. President, I ask unanimous consent that the bill be considered as having been read twice and that the Senate proceed to its immediate consideration.

Mr. FULBRIGHT. Mr. President, reserving the right to object, and I shall not object, the Senator says it is to make permanent the peanut acreage. Does that mean that there can be no change in the future?

Mr. TALMADGE. No; this is a leasing provision where small peanut growers may lease land from their neighbors only within the neighborhood where peanuts are grown.

Mr. FULBRIGHT. Mr. President, I thought the Senator said it was to make permanent the peanut acreage.

Mr. TALMADGE. Mr. President, I did not mean to say that. The bill has been acted upon unanimously by the Agriculture Committee of the House, the Agriculture Committee of the Senate, and unanimously by the Senate as a whole.

Mr. FULBRIGHT. Mr. President, I do not object. I just wanted to know what it was.

The PRESIDING OFFICER. Without objection, it is so ordered. And the Senate will proceed with the consideration of the bill.

The question is on the third reading of the bill.

The bill (H.R. 17582) was ordered to a third reading, was read the third time, and passed.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1971

The Senate resumed the consideration of the bill (H.R. 19590) making appropriations for the Department of Defense for the fiscal year ending June 30, 1971, and for other purposes.

Mr. ELLENDER. Mr. President, I shall not detain the Senate very long, and I do not expect to answer all the arguments made by my good friend from Arkansas (Mr. FULBRIGHT). I realize there are some abuses in the public affairs functions of the Department of Defense, but I consider those necessary evils.

Mr. President, in 1969 the amount appropriated for public affairs functions was $44.1 million. In 1970 it was $39.7 million. In the present bill the Budget Bureau provided for $38.298 million. The House has cut the program limitation back to $30.4 million. That is the amount that is now in the bill.

Since July 1, these activities have been funded under the authority of the continuing resolution at a monthly rate of at least $2.5 million. This means that at the end of this month approximately $15 million will have been obligated, and under the proposed amendment, only $5 million would be available for the last half of the fiscal year.

As a matter of fact, we have already given notice to the Department of Defense that they can expect a limitation of $28 million for the public affairs functions of the Department of Defense for next fiscal year.

Mr. FULBRIGHT. How much?

Mr. ELLENDER. It is $28 million.

I do hope that the Senate will reject the amendment.

Mr. President, I ask unanimous consent to have printed in the RECORD two inserts, one a comment from the committee report and the other additional material descriptive of the public affairs function.

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

PUBLIC AFFAIRS FUNCTIONS

The fiscal year 1971 requests for public affairs functions of the Office of the Secretary of Defense, the Army, the Navy and Marine Corps, the Air Force, the Defense Agencies and Joint Chiefs of Staff, where such functions constitute the primary mission of an organizational element, total $38,298,000 which includes $633,000 for Security Review Activities. For fiscal year 1970 approximately $39,700,000 was provided for these activities, and for fiscal year 1969 approximately $44,100,000 was provided.

Of the total requested for fiscal 1971, $12,312,000 is for the Army, $12,186,000 is for the Navy and Marine Corps, $9,650,000 for the Air Force, $3,527,000 for the Secretary of Defense, and $623,000 for the various Defense Agencies and Joint Chiefs of Staff.

The committee recognizes the requirement for an adequate public affairs program within the Department of Defense and the Army, the Navy and Marine Corps, and the Air Force in order that the public may be provided with accurate, timely information on Department of Defense programs and activities. This matter was discussed in a memorandum from the Secretary of Defense to the secretaries of the military departments and other Department of Defense officials, dated March 4, 1969. In this memorandum, the Secretary of Defense stated:

"Our obligation to provide the public with accurate, timely information on major Department of Defense programs will require, in some instances, detailed public information planning and coordination within the Department and with other government agencies. However, I want to emphasize that the sole purpose of such planning and coordination will be to expedite the flow of information to the public. Propaganda has no place in Department of Defense public information programs."

While the Committee recognizes the requirement for these activities, it is the view of the Committee that the total requested can and should be substantially reduced. Therefore, the Committee has recommended concurrence in the specific reductions made by the House in the request for funds for these activities. The committee also recommended concurrence in the specific reductions made by the House in the request for funds for these activities. The committee also recommends concurrence in the House action imposing specific limitations on the funds available for public information affairs, which is based on a total limitation of $28,000,000 annually. However, due to the lateness in the fiscal year the specific limitations recommended for fiscal year 1971 total $30,400,000. The recommended limitations, which are not applicable to Security Review Activities, are:

Army	$10,300,000
Navy/Marine Corps	10,400,000
Air Force	8,100,000
Office of Secretary of Defense	[1] 1,200,000
Defense Agencies and Joint Chiefs of Staff	[1] 400,000
Total	30,400,000

[1] Applicable to "Operation and Maintenance" only. Military personnel assigned to these activities are subject to the limitation imposed on each of the services.

The Public Affairs function provides for the following activities:

It provides a daily news briefing, necessary in-country transportation, accreditation, and other logistic support to more than 400 newsmen in South Vietnam and responds to their inquiries concerning military operations in that nation.

It conducts a daily regularly-scheduled on-the-record briefing for newsmen covering the Department of Defense, at which there is an extended exchange of questions and answers concerning a wide variety of subjects related to the Department's activities.

It arranges and conducts special news briefings and conferences at which the Secretary of Defense and other knowledgeable officials are available to answer newsmen's questions concerning subjects of interest. In addition to the daily briefings, 60 other additional news briefings were arranged for newsmen at the Pentagon in 1969.

It arranges interviews for newsmen and authors with key officials of the Department at the behest of these newsmen and authors. For example, in 1969 more than 450 inter-

views requested by newsmen were arranged by the Office of the Assistant Secretary of Defense (Public Affairs). In that same year, that office was responsible for arranging for Secretary Laird meeting with newsmen on 60 occasions.

It provides the 35–50 newsmen covering the Pentagon daily and others in Washington and throughout the nation, with a 24-hour-2-day, seven-day-a-week, availability to respond to inquiries. In 1969, more than 35,000 news inquiries were handled by the office providing this service.

It schedules knowledgeable speakers from the Department to meet, insofar as possible, requests received from the public and from organizations.

Coordinates and arranges news coverage of major news events to insure equitable treatment for all news media, efficient and prompt handling of news copy, film, and sound recording; as well as access to news sources. For example, coverage of the movements of the Sixth Fleet during the Jordanian crisis was arranged and coordinated by the Office of the Assistant Secretary of Defense (Public Affairs).

In response to requests from community, civic, and other organizations; it coordinates and schedules the appearance of demonstration teams, such as the Blue Angels, Thunderbirds and Golden Knights throughout the nation.

It monitors military operations and programs to insure that accurate information on these activities is publicly released on a timely basis and is consistent with the requirements of national security.

It reviews, for security and policy, Defense information that is proposed for release by the Government to the public, in addition to reviewing for security thousands of pages a year of Congressional testimony by Defense witnesses in order to permit open publication of the hearings.

It assists the Secretary of Defense and other key officials of the Department in responding to voluminous correspondence addressed to them or referred to them as a result of public or Congressional inquiries.

It provides technical assistance to radio, television and broadcasting representatives covering news events associated with Department of Defense operations.

It exerts continuous effort throughout the Department of Defense to insure promptness, accuracy, and completeness in the release of information concerning the Department's activities in consonance with the Freedom of Information Act and the Principles of Public Information enunciated by the Secretary of Defense.

In conjunction with the Department of State and in support of our Paris peace negotiators, it makes available to the American and world public, information concerning the plight of American Prisoners of War and Missing in Action. Cooperates with a great variety of organizations in focusing world attention on the problem. The program is carried out under the supervision of the Deputy Assistant Secretary of Defense for Public Affairs (Operations).

It arranges and provides briefings at the request of student groups and thus affords an opportunity for exchanging ideas and information during question and answer periods. For example, since January 1, 1970, approximately 125 student and youth groups composed of 3,792 members attended Defense briefings at the Pentagon or locations in the Washington area, and engaged in discussions at their request.

Mr. YOUNG of North Dakota. Mr. President, movies and slides are used more and more each year, especially in our school systems. It is one of the best ways of teaching young people. I have seen some of these films. They are very good. I think we will need more and more of them in the military system, particularly if we are to sell a voluntary military system to our people. The Department of Defense will have to produce films showing how good life is in the military if we are to have a completely voluntary military force by the date we have set, which is about a year from now.

We always have a problem of public relations wherever the military is involved, especially in Southeast Asia. Even in my State we have the Minuteman missiles scattered over one-third of our State, and we have two large Air Force bases, and now a large ABM system which involves 12 or 15 towns and cities. They have many problems as the result of this huge program.

Both the Army and the Air Force have an obligation to the people of North Dakota to explain what they are doing there. If a chamber of commerce wants a speaker to explain what they are doing, they should be able to get a speaker to tell them what they are doing. If they want General Westmoreland to speak, and I was able to get him, he would serve a good purpose.

I do not see how it is possible to cut out something that is so vital in the Department of Defense. As the chairman of the committee has pointed out, there would be little funds left for the remainder of the year if this motion were agreed to.

Mr. FULBRIGHT. Mr. President, I think the purpose of the amendment is misunderstood. General Westmoreland is not paid out of the funds of public relations. He is on the regular payroll. My proposal would not affect his speechmaking activities. The Senator has distorted the purpose of the amendment. My proposal relates to the use of the vast resources of the military to influence the attitudes and political judgments of Americans in general.

But these are vast programs. There are over 400 films in one catalog. It is a process, I think, of brainwashing the American people. There is no competing agency. I wonder what the attitude of the Senator from North Dakota would be if the State Department undertook to sell the American people on one of its policies and we appropriated $100 million for them to make films to distribute all over the country to propagandize the current President's views on foreign policy. As has been said before, and I joined in, we forbid USIA to distribute any of its material in the United States.

The Senator asked how we are going to sell a voluntary army. I do not think it is a function of the military to sell a voluntary army. At present I am opposed to the idea of a volunteer army. I do not think it is consistent with the preservation of a democratic system to establish a voluntary army which is disassociated from the people. I might change my mind, but as of the moment I am opposed to it. That is a matter that all of us in public life will have to thrash out sooner or later.

My amendment is addressed to the program of public relations. This program does not finance General Westmoreland's travels.

The Senator mentioned the ABM. I think it is not proper, if we are going to preserve the independence of judgment in the Senate, to use the full impact of the Military Establishment to go out and sell the ABM. That is one of the most controversial political issues we have ever had come before us.

Last year the first matter was decided on a 50–50 vote. Now, you throw into the breach all the pressure of the military to make people think it is a good thing and that it would be a strong step. I think that is not in keeping with our democratic system.

Mr. YOUNG of North Dakota. Apparently the Senator was not listening to my remarks.

Mr. FULBRIGHT. I was listening very carefully.

Mr. YOUNG of North Dakota. We have an ABM in North Dakota. It involves 12 to 15 towns and cities. They are all being affected one way or another. It is up to the military to go to these towns and cities and tell them how they are being affected. We have another situation with the Air Force.

Two years ago we had a terriffic storm and the Air Force came to help the Indian people—giving them clothes and other help.

I do not say these funds should have to be used to sell the ABM but to tell the local communities how they will be affected.

Mr. FULBRIGHT. The Senator remembers that last year we had the famous Starbird memorandum. General Starbird was in charge of selling the ABM. He put out a memorandum which was secret to begin with, but an enterprising reporter discovered it, and the Washington Post published it. He set forth how to go about selling the program. It would have organized the manufacturers and the industrial companies who were involved in the project and their people would be used to go to each community, inform the leading citizens there, and get them to speak up for ABM. He had in the memorandum every possible approach of the Pentagon and its related allies, especially contractors to sell the ABM to the American people.

I thought that is what the Senator from North Dakota had reference to. I assume they told the people in North Dakota that, having the missiles in their midst, the ABM would be the salvation of the world and make them feel that they are a great part of a mission which contributes to peace and safety. I do not know what else they would say to the people there. They would not say, "Look, there is a great difference of opinion on this ABM. Half of the Senate voted for it and half against it."

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. YOUNG of North Dakota. The people of North Dakota need no selling at all. They think it is a patriotic thing to do. They accepted the ABM and the Minuteman and two Air Force bases.

Mr. FULBRIGHT. The Senator from North Dakota is the one who sold them. What the Senator from North Dakota is for, the people there are for. I myself do not see why they had to send the military

there, because the Senator from North Dakota can do better than the military. That is his function. I think it is his function, as a Senator and a political officer. I think the Senator would be derelict if he did not explain his views and interpretation of the ABM. He supported it. That is his right and duty, if he believes in it.

I do not think we ought to turn the primary education of the American people on military matters over to the military—that is, if we want to preserve the American system. They simply have too much muscle, money, and personnel. They have all of their people at their beck and call to sell their views. If we think the military can do it better than the Congress, then all right. But as long as I am a Senator, sworn to uphold the Constitution, I feel it is my duty to uphold the integrity of the Senate and its function. If it does not perform properly, the people can change things.

I must say one wonders about it on some subjects, but I still have confidence in the political system we have. I think the education of the people on military matters should be done by Senators, Representatives, and the press—the civilian part of our Government and country. We are not a militaristic society—at least we are not in the past. But I must say we do not give as much emphasis to that aspect as we did in the past. Consider the bill we are going to vote on in a few minutes—$66 billion. That is more than the money provided for all of the rest of the agencies combined, if we leave out the trust funds, for which we do not appropriate.

This one agency can call on any of its 4 million people, and send them anywhere it wants to, to tell its story. The Pentagon has sent veterans all over the country. They have been down in my State. General Walt has been down there several times. They send in sergeants to say what a great job we are doing in Vietnam and how we are teaching the people hygiene and what a great job we are doing there. They send them into my State, obviously to offset my criticism. I think I am within my province in saying what I do. My constituents can retire me if they want to, but they cannot do anything about military officers who come there.

I say the system is getting out of bounds when there is such a huge organization educating the American people on military projects.

A short while ago I read the memorandum of the President of the United States, issued on November 6th, directing agencies to cut back on their propaganda activities, in very specific terms. I shall not read it again; I read it a moment ago.

My amendment is in direct support of the announced policy of the President of the United States. Therefore I think the Senate should support the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arkansas (Mr. FULBRIGHT). On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Connecticut (Mr. DODD), the Senator from Maryland (Mr. TYDINGS), and the Senator from Georgia (Mr. RUSSELL), are necessarily absent.

Mr. GRIFFIN. I announce that the Senator from Kentucky (Mr. COOK), the Senator from Colorado (Mr. DOMINICK), the Senator from New York (Mr. GOODELL), the Senator from Iowa (Mr. MILLER), and the Senator from Texas (Mr. TOWER) are necessarily absent.

The Senator from Oregon (Mr. HATFIELD) is absent on official business.

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

If present and voting, the Senator from South Dakota (Mr. MUNDT) would vote "nay."

On this vote, the Senator from New York (Mr. GOODELL) is paired with the Senator from Colorado (Mr. DOMINICK). If present and voting, the Senator from New York would vote "yea" and the Senator from Colorado would vote "nay."

On this vote, the Senator from Oregon (Mr. HATFIELD) is paired with the Senator from Texas (Mr. TOWER). If present and voting, the Senator from Oregon would vote "yea" and the Senator from Texas would vote "nay."

The result was announced—yeas 44, nays 46, as follows:

[No. 416 Leg.]

YEAS—44

Bayh	Hughes	Pearson
Burdick	Inouye	Pell
Byrd, W. Va.	Javits	Percy
Case	Kennedy	Proxmire
Church	Long	Randolph
Cooper	Mansfield	Ribicoff
Cranston	Mathias	Saxbe
Eagleton	McCarthy	Schweiker
Fulbright	McGovern	Spong
Gore	Metcalf	Stevenson
Gravel	Mondale	Williams, N.J.
Harris	Montoya	Williams, Del.
Hart	Moss	Yarborough
Hartke	Muskie	Young, Ohio
Hollings	Nelson	

NAYS—46

Aiken	Ellender	McIntyre
Allen	Ervin	Murphy
Allott	Fannin	Packwood
Anderson	Fong	Pastore
Baker	Goldwater	Prouty
Bellmon	Griffin	Scott
Bennett	Gurney	Smith
Bible	Hansen	Sparkman
Boggs	Holland	Stennis
Brooke	Hruska	Stevens
Byrd, Va.	Jackson	Symington
Cannon	Jordan, N.C.	Talmadge
Cotton	Jordan, Idaho	Thurmond
Curtis	Magnuson	Young, N. Dak.
Dole	McClellan	
Eastland	McGee	

NOT VOTING—10

Cook	Hatfield	Tower
Dodd	Miller	Tydings
Dominick	Mundt	
Goodell	Russell	

So Mr. FULBRIGHT's amendment was rejected.

Mr. ELLENDER. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. YOUNG of North Dakota. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. MATHIAS. Mr. President, I was greatly encouraged this past week to learn that the Appropriations Committee, under the dedicated leadership of the Senator from Georgia and the Senator from Louisiana, had decided to report the Department of Defense appropriations bill to the Senate with a decrease of $389 million below the amount recommended by the House. When one considers that the House version was itself about $1.9 billion below the original estimate, it is possible to hope that at least in this area, Christmas may arrive a few weeks early to the American taxpayer.

The Appropriations Committee, by declining to include in this bill funds which were not in the President's budget and which have not received the required annual authorization, has demonstrated the proper emphasis on orderly procedure which is essential for efficient, economical government.

Several months ago, when the Senate was debating the military authorization bill, I spoke on the twin bulwarks for a strong, secure America in the future. They were education and science. Without a renewed commitment to these, areas, which have not been accorded the support they require, all of our sophisticated new hardware could conceivably incase our society in a suit of inflexible, inanimate steel. I believe we have become aware of this danger and are determined to prevent it.

Today, however, I would like to mention very briefly a different type of strength that is needed for a strong America. This strength resides in the spirit and soul of the American people. It is a deep desire for peace: of necessity peace with security, but peace that provides hope and confidence for the future of America and all mankind. A society that continues, year after year, to concentrate a large bulk of its resources on the machinery of war and destruction runs the risk of debilitating its innermost morality and inherent humanity. For the best part of three decades we have run this risk. Now perhaps there is a chance for change. As we vigilantly maintain our national security, by prudent and judicious defense expenditure, as we disengage from war in Asia, and as we closely watch negotiations in Paris and Helsinki, we may be able to divert a greater proportion of our resources to peaceful needs at home.

I view this current appropriations bill as a step toward this end. While I had hoped it might be possible to effect an even greater reduction in the amount recommended, I am satisfied that it is an excellent beginning. I commend the members of the committee for their action.

Mr. COOPER. Mr. President (Mr. SPONG), I do not intend to repeat the arguments made many times in the early part in the Cooper-Church-Mansfield-Aiken amendment. It was said at the time that the amendment we offered

was an unusual amendment and without precedent. In my statement I have noted the many reasons, on which this question has been raised and considered by the Senate in previous years.

In 1954, the debates show, on the question of the Korean security treaty, a colloquy between the distinguished Senator from Mississippi and then chairman of the Committee on Foreign Relations, Mr. Wiley, and myself, in which the Senator from Mississippi raised this question of the "constitutional process" provided in that treaty, as necessary to implement the treaty—to provide for the argument of the United States in war.

Since that time, the Senate has looked into the question and the Foreign Relations Committee, under Senator FULBRIGHT, examined them rigorously. The subcommittee under the Senator from Missouri (Mr. SYMINGTON), reviewing U.S. commitments, in action last year taken on the national commitments resolution, approved by the Senate, the approval of an amendment which I offered to the defense authorization bill, which was stricken in conference; later, the amendment which Senator MANSFIELD and I offered to the defense appropriation bill, which was modified by the effective work of Senator Church—and that is the beginning of our work together on later amendments—and the Senator from New York (Mr. JAVITS), the Senator from Colorado (Mr. ALLOTT), the Senator from Michigan (Mr. GRIFFIN), and others, a limitation upon the use of troops in Laos and Thailand was accepted by Congress and by the administration.

The action which has been taken by the Committee on Appropriations follows a long line of precedents.

I appreciate very much, and I know my colleagues do, the action of the Appropriations Committee.

Mr. President, over the past 2 years the Senate has rigorously examined the constitutional framework of policymaking for foreign affairs and national security matters. A very important application of the responsibilities of the Senate in these areas was the debate over Cambodia. A decisive statement of the majority view of the Senate is found in the pending bill, the Department of Defense appropriations bill, 1971. Section 843 provides:

SEC. 843. In line with the expressed intention of the President of the United States, none of the funds appropriated by this Act shall be used to finance the introduction of American ground combat troops into Laos, Thailand, or Cambodia.

The committee report states that the committee's recommendation for the inclusion of Cambodia in section 843 of the bill is based upon the earlier action of the Senate with respect to the defense authorization bill on December 15, 1969, and the Cooper-Church amendment to the foreign military sales bill, H.R. 15628, was adopted by the Senate, 58 to 37.

This clear affirmative action by the Appropriations Committee marks another important step in the effort by the Senate to fulfill its constitutional responsibilities in the joint making of foreign policy, particularly with respect to engagement in war over a period of years—certainly since 1954.

The primary purpose of the Cooper-Church amendment was to assert the view of the Senate that the United States should not become involved in a new war in Cambodia, a country to which it has no commitments, without the expressed approval of the Congress. Underlying their purpose is an attempt to resolve the continuing and contentious problem of whether a decision to enter into a war should be made by the President alone or by the President and the Congress, and whether the involvement of the United States in a war is necessary for the security of the United States and its people. These are issues which have troubled the Congress and the people during the life of the Republic, but more particularly since World War II.

The Constitution provides that the Congress has the authority to declare war, to make rules and regulations for the Armed Forces and to raise and support armies and a Navy, to suppress insurrection and repel invasion. The Constitution provides that the President shall be Commander in Chief of the Army and the Navy of the United States and the militia when called into service of the United States. While the notes of members of the Constitutional Convention distinguished the power of the President from that of the King of England who had the power to declare war and to raise armies and to make war, the exact and distinctive war powers of the President and the Congress have never been determined.

There has never been any doubt, nor is there now, in the event of sudden attack upon the territory of the United States or upon U.S. forces, the President has the authority and duty to repel attack. But since World War II, the way in which the Government of the United States—the Congress and the Executive—decide upon whether war is necessary for our security, has been continually at issue.

On January 26 of 1954 in the debate on the Korean security treaty, the distinguished chairman of the Armed Services Committee, Mr. STENNIS, and I, engaged in a colloquy with the then chairman of the Foreign Relations Committee, Senator Wiley of Wisconsin. The issue was over the meaning of "constitutional processes" and I am going to place in the RECORD at the conclusion of my remarks the full colloquy—a colloquy which I believe throws much light on the issue that has been so heatedly debated over the past 2 years. At this point I would like to quote the following portion. Senator STENNIS is questioning Senator Wiley then chairman of the Foreign Relations Committee about the meaning of "constitutional processes":

Senator STENNIS. If the language does not mean the President can act without the action of the Congress, then what does it mean and why include such language?

Mr. WILEY. To put it in a little different way, let me say the language simply means that if there is an overt attack by an aggressor upon one of our allies, the United States will simply take whatever action is determined by the President and the Congress to be advisable under the circumstances, having in mind the obligations of this Treaty, if it is ratified.

Mr. STENNIS. The Senator says 'the President and the Congress.' He means, does he not, that the language did require affirmative action by Congress before the United States could enter into armed conflict or into a war?

A few moments later in the debate, Senator STENNIS, seeking further clarification of the war-making powers of the President and the Congress, said as follows:

Mr. STENNIS. Of course, we protect our troops wherever they may be. However, apart from that, does the Senator from Wisconsin agree that before we would be called on to act under this Treaty, affirmative action by the Congress as well as the President would be required? Does the Senator agree to that?

Mr. Wiley replied:

Very well. I think that if the circumstances were such as I have suggested, namely, if there had been an overt act of aggression but our troops were not involved or if there had not been an attack of our own troops but simply an attack of our allies, it would necessarily follow under Article III [of the UN Charter], that we would act to meet the common danger; and our action at that time would be in accordance with Constitutional processes. If it did not mean consultation, or something similar, with respect to which the Executive has the power, and if it meant utilization of the armed forces, I believe that Congress would and should have to decide.

Mr. WILEY. I agree....

Mr. COOPER. The Senator from Mississippi has raised the most searching question that can be addressed to this treaty. As the Senator from Wisconsin has said, it is the age-old constitutional question, "Under what circumstances can the President of the United States take action which, as a practical matter, may have the effect of committing this Nation to war without a congressional declaration of war?"

The phrase, "constitutional processes" must imply the powers of both President and Congress. Under the Constitution the President of the United States can assert under certain circumstances—such as our troops being attacked or our physical area being invaded—his constitutional power as Commander in Chief to take action for the security of the country. Such action could, of course, lead to war.

The important language in this article, it seems to me, in addition to the phrase "constitutional processes," which is difficult of interpretation, is the language defining the area, and conditions in which the United States would be morally committed to take some action under its constitutional processes.

I believe the distinguished Senator from Wisconsin has said that he did not intend to make a statement which would interpret in any way the words "constitutional processes" to exclude the constitutional power of the President of the United States as Commander in Chief to act, under certain circumstances which he might think proper, to protect the security of the United States. Is that correct?

Mr. WILEY. Yes, of course. Again we get into a field which has been the subject of discussion for some 165 years, as I have said. However, I believe that with the understanding which has been appended as a result of the suggestion of the Senator from Georgia [Mr. GEORGE] there can be no question as to what the meaning of the treaty is. As I have stated, there is nothing in the treaty which would delimit the constitutional power of either Congress or the President.

Mr. COOPER. We seem simply to speak in a circle and come back to where we started. What does "constitutional processes" mean?

Mr. WILEY. It is not a Bricker amendment, if that is what the Senator has in mind.

Mr. COOPER. We come back to the question: What are the constitutional powers of the President and Congress with respect to tak-

ing steps toward war? I believe that the distinguished Senator from Wisconsin has said that, in the absence of such circumstances as demanded the protection of the security of the United States, we would certainly expect that Congress would determine whether the United States should go to war.

The debate I have quoted from 1954 concerned Korea. However, the problem of national commitments was very much the principle at issue then as it is now.

The history of the past 25 years provides many significant examples of the processes of progressive involvement to war without any express prior commitment by our Government. It could, occur again and in situations where our national security and interests are not actually threatened.

The collapse of Nazi Germany brought the Soviet armies into Eastern Europe where they still remain. The fall of Nationalist China, the attack upon South Korea, and the possibility of a takeover of Southeast Asia by Communist China, caused the United States to construct a wide ranging series of bilateral and multilateral mutual defense agreements designed primarily to contain the Soviet Union and Communist China. They are eight in number and include 43 nations. Among them are NATO, SEATO, and ANZUS and American multilateral treaties with Japan, Korea, the Philippines, and Nationalist China.

While these treaties differ in certain respects, particularly NATO, which states that an attack upon any part of a large area designated by the treaty, shall be considered as an attack upon all the parties—they are similar in substance. In essense, the treaties affirm that armed attack against any party to the treaty would endanger the safety of all and that each party would act to meet the danger "in accordance with its constitutional processes." The term, "constitutional processes," is not defined or spelled out in the treaties. Does "constitutional processes" mean that the President acting as Commander in Chief could commit the forces of the United States to the military assistance of another treaty country? Or does it mean that the President shall consult with the Congress to determine whether the use of American forces is essential to the security of the United States as well as the other country and that he will not commit forces until the Congress has given its approval, either by a declaration of war or by a joint resolution of the Congress?

In fact, as the situation exists today, with the presence of our Armed Forces in a number of other countries, there is obviously a great danger that we could become engaged in a war without "constitutional processes" ever being exercised by joint action by the President and the Congress. For in addition to Vietnam, American troops are stationed in large numbers in Korea, Japan, the Philippines, Thailand, Nationalist China, and Western Europe.

Senator SYMINGTON's subcommittee of the Senate Committee on Foreign Relations has made a very thorough examination of our forces commitments around the world and has asked many basic questions about the necessity for their continued presence. The administration is making a similar examination. Both branches are seriously examining the possibility of the withdrawal of our forces from other countries consistent with our security.

This is a worthwhile and necessary inquiry, for it is evident that the mere presence of sizable forces in other countries is a significant factor that could lead to war without "Constitutional processes." Our involvement in war in Vietnam began with a limited military training program to the Government of South Vietnam. In 1962, the United States expanded its forces in South Vietnam as the Vietcong and the North Vietnamese enlarged the war against the Government of South Vietnam. Gradually, our forces grew from 650 in 1962 to about 17,000 in 1963, to a peak of 535,000 in 1969. When our forces were fired upon, our involvement in a major war was irretrievably determined. This involvement was approved by the Congress in August of 1964 with the Tonkin Bay Resolution, but the many small but increasingly binding decisions had been made over a period of at least 10 years.

I do not believe that any of the Presidents who have been involved with Vietnam, Presidents Truman, Eisenhower, Kennedy, Johnson, or President Nixon, foresaw or desired that the United States would become involved in a large scale war in Asia. But the fact remains that a steady progression of small decisions and actions over a period of 20 years had forestalled a clear-cut decision by the President or by the President and Congress—decision as to whether the defense of South Vietnam and involvement in a great war were necessary to the security and best interest of the United States. In the light of the experience in Vietnam, a basic change in attitude has taken place. In constitutional terms, the recognition that "Constitutional processes" become difficult if not irrelevant once engaged in a war, has underlined the urgency of the debate of the past few years over Cambodia.

Of course, economic difficulties and severe social problems at home, the desire to change our priorities, are factors in congressional concern, but most important, I submit, is a growing awareness on the part of the Congress that it must carry out its constitutional responsibilities to share the burden of decisionmaking and judgment on vital issues of policy and national security.

On June 25, 1969, by a vote of 70 to 16, after several years of thought and consideration, the Senate approved the national commitments resolution. In brief, the resolution states that the use of Armed Forces of the United States or the promise of their use to another country upon the territory of another country, shall not be deemed a national commitment of the United States unless explicitly agreed to by the President and the Congress by a treaty, statute or resolution.

Building upon this principle, I introduced an amendment on August 12, 1969, to the defense authorization bill denying funds for the use of American forces in support of Laos or Thailand. This amendment was approved 86 to 0 on September 17, 1969, but was deleted in conference with the House. Later, on December 15, Senator MANSFIELD and I introduced an amendment for the same purpose to the defense appropriations bill. It was modified by Senator CHURCH and thus marked the beginning of our association on Cooper-Church—and supported by Senators JAVITS, ALLOTT, and GRIFFIN, among others, denying the use of funds for American ground forces in Laos. It was passed by the Congress and approved by the President and remains the law of the land. The intended effect of these amendments was to insure that before American forces could be committed to the defense of these countries in war, the President must secure the approval of the Congress.

The Cooper-Church amendment to the military sales bill which passed the Senate by a vote of 58 to 37 on June 30, 1970, had a similar purpose: That is, to require that before any future commitment to a country with which we have no obligation that any new commitments must be the result of a joint decision on the part of the Executive and the Legislature.

I am very pleased that the Senate Appropriations Committee has accepted the basic principles of the Cooper-Church amendment and incorporated it as a part of the bill. Senator CHURCH and I are extremely grateful to Senator RUSSELL, Senator ELLENDER, and Senator STENNIS and others for their careful consideration of our written request to the Appropriations Committee that Cambodia be a part of the prohibition for U.S. ground combat troops along with Laos and Thailand.

The action of the Appropriations Committee is an affirmation of the constitutional principle that the President cannot commit troops to war in support of another country without the approval of the Congress.

The debate of the past several years and this most recent action by the Senate Appropriations Committee is in no sense a derogation of the President on the constitutional authority of the President. On the contrary, it is a clear expression of the reestablishment of the proper relationship between the Congress and the President with respect to the warmaking powers.

This effort to reestablish a proper constitutional relationship has in no way restricted the President's powers to protect our forces—to respond to an attack upon U.S. forces or upon the United States itself. In these actions, the President does not require the approval of Congress but he cannot take the United States into war unless the threat to our security is immediate, without the consent of the Congress. And in the event of an action to meet some immediate threat the Congress has the right to cut off funds for such actions if the Congress after due deliberation decides that continued action is not essential to U.S. security.

There has been suggested by some commentators that the process of the past several years to reestablish the congressional role in the making of foreign policy, and security affairs is a part of a movement toward neoisolationism. Comparisons have been made with the battle over the Bricker amendment in the early 1950's. This is a false analogy. The Bricker amendment largely con-

cerned the issue of the overriding of domestic law by treaties and conventions. It would have provided that domestic law could not be superseded except by a statute approved by the Congress. The Bricker amendment was part of a larger conflict between those who advocated a major international role for the United States and the isolationists.

There are very few Members of Congress who desire a return to fortress America kind of isolationism. What is at issue is not whether we should be involved in the world but rather, how our power should be used to best further our interests. It is my belief that the debate of the past few years in the Senate and the Congress over Indochina and the review of our other commitments has strengthened the ability of the legislature to make the joint decisions called for by the Constitution. The action of the Appropriations Committee on section 843 is an important declaration of this new institutional strength.

Mr. President, I ask unanimous consent to insert into the RECORD at this point the debate that took place January 26, 1954, in the Senate.

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

MUTUAL DEFENSE TREATY WITH KOREA

The Senate, as in Committee of the Whole, resumed consideration of the treaty, Executive A (83d Cong., 2d sess.), a Mutual Defense Treaty between the United States of America and the Republic of Korea, signed at Washington on October 1, 1953.

Mr. ROBERTSON. Mr. President, will the Senator from Wisconsin yield?

Mr. WILEY. I yield to the Senator from Virginia.

Mr. ROBERTSON. Mr. President, I preface my question by saying if anyone who is interested in knowing why the Bricker amendment was presented, will take the trouble to read the debate in the Senate in 1945, when the Senate, unanimously, with the exception of only one Member, voted to ratify the charter of the United Nations, he will find that the people of the Nation, and almost every Senator, were so imbued with the thought that the charter of the United Nations would be the instrumentality of preventing another world war that the hope was expressed by many, including Members of the Senate who discussed the charter, that posterity would look upon that action as it did upon the work of the Philadelphia Convention of 1787, when the Nation was formed.

Some very eloquent and wonderful speeches were made on the floor of the Senate at that time, but only one minor part of the charter was discussed, and that was done by the distinguished Senator from Michigan (Mr. FERGUSON), who raised the question as to what kind of agreement would be involved if the Security Council called on the President of the United States to send troops abroad in the event of another war, or to stop an aggression which might lead to a major conflict. The Senator from Michigan hazarded a guess that in such a case a treaty would have to be submitted to the Senate. That viewpoint was challenged, primarily on the ground that the Security Council was only a part of the United Nations, that the United Nations was not a super sovereign government, and that never in the past had we negotiated a treaty except with a sovereign nation.

At the time of the debate there was no discussion of the fact that an international FEPC was involved in the United Nations Charter, and also the question of human rights, which some persons claim can, if acted on in a certain way change our Bill of Rights. So, as I say, without any mature consideration of what the Charter meant, but in an impulsive way, all but one Member of the Senate voted for its ratification.

In 1948 we find the Senate Committee on Labor and Public Welfare considering an FEPC bill. That committee reported a bill, with a substantial number of Senators signing their names to the report, stating that, regardless of whether such a bill could be authorized by our Constitution, it was authorized by the Charter of the United Nations.

Again, when a President of the United States seized the steel companies without any apparent authority, so far as the average lawyer or Member of Congress knew, the Chief Justice of the United States and two other judges who agreed with him held that, even if the President did not have the power he claimed under the Constitution, he had it under the Charter of the United Nations. Consequently, many of us felt that it would be quite appropriate to insert in the Constitution, a clear definition of what all good constitutional lawyers said had been the law all the time—and I agree with that viewpoint—that no treaty which violates the Constitution of the United States can be valid and effective.

Another treaty is now brought before the Senate, a treaty with Korea. I find in the report of the committee that the heart of the treaty is article III, which recites:

"ARTICLE III

"Each party recognizes that an armed attack in the Pacific area on either of the parties in territories now under their respective administrative control, or hereafter recognized by one of the parties as lawfully brought under the administrative control of the other, would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes."

The question I desire to ask my friend, the distinguished chairman of the Foreign Relations Committee, which reported the treaty, is this: Will he be good enough to make it crystal clear to us in his explanation of the treaty to what extent under this treaty we are being committed to a future war on the mainland of Asia? The article of the treaty to which I have just referred provides that our aid will be rendered in accordance with constitutional processes.

Mr. WILEY. That is correct.

Mr. ROBERTSON. So that, certainly, would clear up the question raised by the Senator from Michigan (Mr. FERGUSON) with reference to constitutional processes in connection with the United Nations.

We all know that when the United Nations voted to enter the Korean war to try to stem the communistic aggression of North Korea, the President of the United States furnished troops, and Congress, to this day, has never been asked to vote or given the privilege of voting on the question whether the Congress should carry out the provision of the Constitution that the Nation cannot make war except by an act of Congress.

I wish the distinguished chairman of the Foreign Relations Committee would discuss this particular aspect of the treaty. Will we be committed to war if, at the end of the stalled negotiations in the Far East, the President of Korea decides he has had enough of such tactics, that North Koreans are in the territory of South Korea, as indeed they are, and that situation justifies South Korea to make war. In that event will we also be at war, under this provision? If that is what we are being committed to, certainly we should not go to war until Congress so votes.

Mr. President, I hope the distinguished chairman of the committee will not leave in doubt any provision of the treaty. Most of us have had little opportunity to consider it. We are all busy with other committees. I had four committee meetings today, and could not attend them all, and from now on there will be constant meetings of the Committee on Banking and Currency. I am on five subcommittees of the Appropriations Committee, and they will be in constant session. Of necessity I must rely upon the members of the Foreign Relations Committee, when that committee reports a treaty, to explain it fully in order that I may vote intelligently. I frankly admit that I am not one who wants to confess to the Nation that the Senate is incapable of analyzing treaties which it is called upon to ratify. If I thought that such was the case I would say, Change the Constitution and let the House of Representatives approve treaties.

I have pointed out that we ratified the most far-reaching treaty in the form of a charter in our history. We did not know what was in it. We do not yet know everything that is in it in its full application. That is the reason why a change in the Constitution is now being proposed. If something comes out of that treaty which is clearly in violation of our Constitution, I want to be sure that it is not going to be the overriding law of this land.

So I call on my distinguished colleague with reference to this and all other treaties that may come before the Senate for approval to make sure that we are fully advised of what we are doing.

Mr. STENNIS. Mr. President, will the Senator from Wisconsin yield for a brief question?

Mr. WILEY. Mr. President, I yielded for a brief question a quarter of an hour ago, and my Jeffersonian friend from Virginia delivered quite a speech which was very challenging. I would prefer to carry on with my statement, and I am sure the answer to the question which was finally propounded by the distinguished Senator from Virginia will be as complete as the English language can make it.

Mr. STENNIS. If the Senator would rather proceed with his speech I shall withhold my question.

Mr. WILEY. Mr. President, in order that it may appear in the RECORD more clearly, I ask unanimous consent at this time that the very brief Mutual Defense Treaty between the United States and the Republic of Korea be printed at this point in my remarks.

The PRESIDING OFFICER (Mr. PAYNE in the chair). Without objection, it is so ordered.

The treaty is as follows:

"MUTUAL DEFENSE TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF KOREA

"The parties to this treaty,

"Reaffirming their desire to live in peace with all peoples and all governments, and desiring to strengthen the fabric of peace in the Pacific area,

"Desiring to declare publicly and formally their common determination to defend themselves against external armed attack so that no potential aggressor could be under the illusion that either of them stands alone in the Pacific area.

"Desiring further to strengthen their efforts for collective defense for the preservation of peace and security pending the development of a more comprehensive and effective system of regional security in the Pacific area,

"Have agreed as follows:

"ARTICLE I

"The parties undertake to settle any international disputes in which they may be involved by peaceful means in such a manner that international peace and security and justice are not endangered and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations, or obligations assumed by any party toward the United Nations.

"ARTICLE II

"The parties will consult together whenever, in the opinion of either of them, the political independence or security of either of the parties is threatened by external armed attack. Separately and jointly, by self-help and mutual aid, the parties will maintain and develop appropriate means to deter armed attack and will take suitable measures in consultation and agreement to implement this treaty and to further its purposes.

"ARTICLE III

"Each party recognizes that an armed attack in the Pacific area on either of the parties in territories now under their respective administrative control, or hereafter recognized by one of the parties as lawfully brought under the administrative control of the other, would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes.

"ARTICLE IV

"The Republic of Korea grants, and the United States of America accepts, the right to dispose of United States land, air, and sea forces in and about the territory of the Republic of Korea as determined by mutual agreement.

"ARTICLE V

"This treaty shall be ratified by the United States of America and the Republic of Korea in accordance with their respective constitutional processes and will come into force when instruments of ratification thereof have been exchanged by them at Washington.

"ARTICLE VI

"This treaty shall remain in force indefinitely. Either party may terminate it 1 year after notice has been given to the other party.

"In witness whereof the undersigned Plenipotentiaries have signed this treaty.

"Done in duplicate at Washington, in the English and Korean languages, this 1st day of October 1953.

"For the United States of America:

"JOHN FOSTER DULLES.

"For the Republic of Korea:

"Y. T. PYUN."

Mr. WILEY. Mr. President, on Thursday, January 21, the Committee on Foreign Relations reported the Mutual Defense Treaty With Korea—Executive A, 83d Congress, 2d session—signed at Washington on October 1, 1953, unanimously recommending that the Senate give its advice and consent to ratification at an early date.

When this body gave its approval to the security pact between the United States and Japan in 1951, one of the primary elements which motivated our decision was the conviction that while such a pact was essential to preserving the safety of this country in the Far East, it was also a prerequisite to the restoration of Japan as a free nation in a divided world community. For we knew, and we know now, that if the Soviet Union and a Sovietized China could encompass Japan within their sprawling, expanding orbit, then the power of world communism in the Pacific, buttressed by Japan's great industrial potential, would directly and gravely menace the security of the United States in the westward approaches to this continent.

Parenthetically, Mr. President, I might say that most of us realize that we are no longer living in yesteryear. This little world has changed considerably, even since the beginning of the Second World War, and has become very small, indeed. We have airplanes that can travel a thousand miles an hour. We now have the A-bomb and the H-bomb. We are now able to cross our own continent in a matter of 4 hours, and we cross the Atlantic in 4 hours, if it is necessary. The result is that every nation is in every other nation's backyard, speaking figuratively and realistically.

I was speaking a moment ago about Japan. Virtually the same considerations are valid with respect to the Mutual Defense Treaty with Korea which the Senate now has before it. If we learned in the Second World War that the Pacific Ocean was a pathway for Japan to attack our westernmost possessions. we have learned, and we should now realize, that the security of Japan depends upon our preserving a free and independent Korea in the territory across the Sea of Japan—territory which points as a bayonet at the heart of the island empire.

The security of Korea is therefore a matter of the most vital concern to the United States, the United Nations, and the free world. One treacherous attempt has already been made to lay hands upon this bastion of freedom, which came perilously close to suceeding. Have we forgotten the ordeal of Pusan? Have we forgotten what the position of Japan and of our forces stationed there would have been had the Communists from North Korea driven the defenders of the republic into the sea?

Many who are experienced in world affairs are convinced that this aggressive attack against Korea, conceived, prepared, and armed by an outside power, might never have been unleased had the enemy been advised in advance—and this is important—that it could expect the United States to react with immediate and vigorous means in aid to the victims. One of Secretary of State Dulles' principal preoccupations has been to avoid this repetition of past error, that we do not again permit a would-be violator of free territory to miscalculate the intentions of the United States. In the words of Mr. Dulles:

"I believe, as one looks back at the wars of this century, that it can be said with a high degree of probability that if the aggressors had known in advance what we would do, that probably they would have not committed the acts of aggression.

"I think it is absolutely clear as to what we would do, if Korea were again invaded from the north. We would do what we did before.

"The important thing is to let that be clearly known. Then, I think it is not likely to happen, but if there is doubt about that, then it is likely to happen."

In short, the primary value of this treaty consists in giving the Communists notice, beyond any possibility of misinterpretation, that if they embark upon another aggression in Korea, the United States will not sit idly by, but that we can be expected to take prompt and adequate measures to meet it. At the same time, the treaty constitutes an additional link in the system of mutual security thus far developed in the Pacific. It fills a gap in the fabric of treaties which have already been concluded between the United States, on the one hand, and the Philippines, Australia and New Zealand, and Japan. Like the other security treaties with these countries, the Korean Treaty provides for consultation and, when necessary, appropriate action. And it reaffirms the belief of the United States that the greatest measure of security is to be found in collective measures.

The provisions of this treaty evidence our desire for peace. It is not a threat to any nation, but rather further proof of our will to live in peace, and to work toward that end through collective action for the protection of the free nations in the Pacific. This is clearly recognized in the preamble, which proclaims the determination of the parties to defend themselves against external armed attack, and to strengthen their efforts for collective defense pending the development of a more effective system of regional security in that area. It is also confirmed in article I, under which the parties undertake to settle by peaceful means any international dispute in which they may be involved, and to refrain in their international relations from the threat or use of force inconsistent with the purposes of the United Nations, or obligations assumed by any party toward the United Nations.

Whenever either party is of the opinion that the political independence or security of either is threatened by external armed attack, the parties are required, under article II, to consult together. This article, which, as will be noted, incorporates the principle of the Vandenberg resolution—Senate Resolution 239, 80th Congress—obliges the parties, separately and jointly, to undertake, through self-help and mutual aid, to maintain and develop appropriate means to deter armed attack and to implement the treaty.

The heart of the treaty, as was said by the distinguished Senator from Virginia [Mr. ROBERTSON], who recently asked me a question, is contained in article III, which received a most careful examination in the committee. It is worded as follows:

"Each party recognizes that an armed attack in the Pacific area on each of the parties, in territories now under their respective administrative control, or hereafter recognized by one of the parties as lawfully brought under the administrative control of the other, would be dangerous to its own peace and safety and declares that it would act to meet the danger in accordance with its constitutional processes."

The unusual phraseology of this article relative to territory under the administrative control of one of the parties, was drafted to take cognizance of the fact that at present the Republic of Korea has effective control only over a part of the peninsula, and to anticipate the day when a settlement unifying the country would be reached through processes recognized as lawful by the United States.

It should be emphasized that the treaty does not become operative unless one of the parties is the victim of an external armed attack. It does not extend to the case of large-scale domestic riots or disturbances instigated by an outside power, nor does it apply to the violent overthrow of the Government or to a coup d'etat. An armed attack initiated by one of the parties to the treaty falls outside its scope. The instrument, in other words, is not an offensive alliance.

More significant, it does not apply to territories not now under the administrative control of either party, nor to territory which is not at some future time recognized by the United States as having been lawfully brought under the administrative control of the other party. In order to eliminate all possible doubts on this score, it was suggested by the Senator from Georgia [Mr. GEORGE] that there be included in the Senate resolution giving its advice and consent to ratification an interpretative clause worded as follows:

"It is the understanding of the United States that neither party is obligated, under article III of the above treaty, to come to the aid of the other except in case of an external armed attack against each party; nor shall anything in the present treaty be construed as requiring the United States to give assistance to Korea except in the event of an armed attack against territory which has been recognized by the United States as lawfully brought under the administrative control of the Republic of Korea."

The suggestion was adopted in the committee. Such an understanding is altogether consistent with the intention of the parties at the time the agreement was being negotiated; for Secretary Dulles indicated to the committee at the hearings that this very point was emphasized to the representatives of the republic when article III was drafted. The United States, under the treaty, reserves for itself the right to determine whether territory not now under the administrative control of Korea has lawfully been brought under such control.

There can be no question, therefore, of the United States becoming involved under this treaty in hostilities resulting from a unilateral attempt to the Government of Korea to unify the country by forceful means or by

any other means not regarded as lawful by the United States. Whatever the practical consequences of such action by the other party would be, we are not warranted in assuming that the Republic of Korea will do other than to abide by the terms of the armistice agreement to which they and we have solemnly subscribed.

Mr. President, I believe it is important to call attention to one other element in the formula of article III, which recognizes that the armed attack referred to would be dangerous to the peace and safety of the parties. Any action we take pursuant thereto would then, under this article, be determined in accordance with our constitutional process.

Mr. STENNIS. Mr. President, will the Senator from Wisconsin yield for a question at that point?

The PRESIDING OFFICER (Mr. PAYNE in the chair). Does the Senator from Wisconsin yield to the Senator from Mississippi?

Mr. WILEY. I yield.

Mr. STENNIS. The Senator from Wisconsin has quoted from article III the phrase "in accordance with its constitutional processes."

Will the Senator explain fully, exactly what is meant by the phrase "in accordance with its constitutional processes," and also give his opinion as to whether or not constitutional processes were met at the time the United States went to war in Korea?

I ask the question in all good faith, and not in criticism of anyone. I was a Member of the Senate at the time the United States went to war in Korea. I did not raise any objection at the time we sent our troops there. However, I believe we have learned something in a practical way about what the clause can mean, and what it did mean, because it is to be found in article 43 of the United Nations Charter, which is on the subject of the use of troops and force.

So I shall appreciate the opinion, conclusion, and assurance of the Senator from Wisconsin as to what is meant by the phrase "in accordance with its constitutional processes," as used in article III of the Mutual Defense Treaty between the United States of America and the Republic of Korea.

Mr. WILEY. My reply to that question would be that any action we take under the terms of article III would then be determined in accordance with our constitutional process. This approach follows the principle of the Monroe Doctrine, rather than the "attack upon one is an attack upon all" principle of the North Atlantic Treaty. I think it will be agreed that the Korean treaty approach, which was previously formulated by Mr. Dulles in the Philippine and Australian-New Zealand pacts, has some advantages over the North Atlantic Treaty formula; and it avoids the constitutional question marks which seem to have been suggested by the latter.

The proposed treaty does not change in any way the constitutional relationship between the President and the Congress with respect to the use of the Armed Forces of the United States. What we do will be in accordance with the constitutional processes.

If the Senator will refer to page 5 of the report he will find this language under the headline "'Monroe Doctrine' Formula," paragraph 6:

"The second element to be noted in the formula of article III is its replacement of the specific commitment language used in the North Atlantic Treaty——

Which I have just read—

by what Secretary Dulles has called the "Monroe Doctrine" principle. Thus, each party, in article III, recognizes that the armed attack referred to therein would be dangerous to its own peace and safety. The action to be taken would then be determined in accordance with its constitutional process. By contrast, the North Atlantic Treaty formula makes an attack upon one tantamount to an attack upon all, so that such an attack, which might not take place against the United States itself, is nevertheless so regarded."

That is, in the North Atlantic Treaty.

"Because of the constitutional issues which the approach suggests, for example, whether an attack upon another gives the President the same inherent right to act as an attack upon United States territory, the language of President Monroe was regarded by Secretary Dulles as preferable when he negotiated the Philippine and Australia-New Zealand Pacts, and is reproduced in the Korean Treaty.

"In short, the phraseology of article III of the Korean Pact permits the United States to take any action we deem appropriate by our constitutional processes, and gives adequate assurance of support to the other country which may be the victim of an attack. It has the additional advantage of never having been challenged throughout our history, from the constitutional standpoint, as altering the balance of power between the President and Congress."

Mr. STENNIS. Mr. President, will the Senator from Wisconsin yield for another question?

Mr. WILEY. I yield.

Mr. STENNIS. Specifically the clause we are discussing means that before the United States can resort to force or use troops, before it can go to war, it will be necessary that the matter be brought before the Congress. Is that correct?

Mr. WILEY. I think the constitutional process in the case referred to by the Senator from Mississippi would call for a declaration of war by the Congress. I am not so naive as to say, however, that something might not happen which would be in the nature of an attack upon our forces or upon a part of our territory. In such a case we would not wait for a declaration of war; we would go into battle. Constitutional process might also include, withdrawing our ambassador, by the President, issuing of an Executive warning, cutting off aid, and so forth.

Mr. STENNIS. If the Senator will yield further, regardless of what particular circumstances might exist at the time the question may arise, are we committing ourselves now, in agreeing to this treaty, to go to war if Korea is attacked, without any declaration by the Congress?

Mr. WILEY. In my opinion, very definitely the answer is no, but we enter into an undertaking that if there is an overt act by an aggressor upon our ally, then we will do that which we think is advisable and in accordance with our constitutional processes.

Mr. STENNIS. Who is "we"? Is that the Congress, or is it the President?

Mr. WILEY. It is the Congress and the President who have to determine that question.

Mr. STENNIS. Under that interpretation, then, an act of Congress would be required before American forces could be used, or the United States could go to war under the treaty, as the Senator has explained it. Is that correct?

Mr. WILEY. As I understand the question, I agree that if an overt act is committed by an aggressor upon an ally, it then rests with the constituted authority, to wit, the Congress, to decide whether or not we shall regard such aggression as a basis for going to war.

Mr. STENNIS. That is the interpretation the Senator from Wisconsin places upon the pact the Senate is considering today; is it?

Mr. WILEY. That is correct.

Mr. STENNIS. And on article III?

Mr. WILEY. Yes.

Mr. STENNIS. Will the Senator say that, in his opinion, that was the opinion of the committee which has reported the treaty, and which he represents on the floor today, the Committee on Foreign Relations?

Mr. WILEY. Supplementing what I have said, I would state that of course the President, as Commander-in-Chief, would undoubtedly come to the Congress, he would undoubtedly submit to the Congress a statement of the facts, and Congress would make the decision as to whether it would make a declaration of war.

Mr. STENNIS. It is the opinion of the Senator that that is as far as the treaty or pact goes, and that it does not authorize an attack by us or obligate us to make an attack unless the Congress so declares?

Mr. THYE. Will the Senator yield for a question at that point?

The PRESIDING OFFICER. The Senator from Wisconsin has the floor. Does the Senator from Wisconsin yield?

Mr. WILEY. I desire to have the Senator from Mississippi to restate the question, because I wish to be very clear about the facts stated in the question. I might say that we always have to be very sure of our facts. As I have said many times, until one obtains the facts, one had better not apply a principle; otherwise one may apply the principle to the wrong set of facts.

Mr. STENNIS. Mr. President, I am very glad to try to restate my question, because I think it is a very vital question before the Senate. I am referring to article III. The last clause therein reads: "in accordance with its constitutional processes."

Applying that to the United States, and assuming that an attack might be made on Korea, my question is, Would the consent of the Senate to the ratification of the pact, or treaty, authorize the President of the United States to act without action by Congress, and to respond to an attack on Korea by force and send Korea aid, by the use of the Army, the Navy, or airpower, or to go to war?

Mr. WILEY. My answer is that there is nothing in the treaty which would change, delimit, or add to the powers of the President of the United States.

Mr. STENNIS. I know the Senator does not mean to be evasive. However, I am asking the Senator to go as far as he can in stating what he thinks the treaty means. The Senator is presenting the treaty to the Senate and asking for its ratification. In my opinion, merely to say that the treaty does not change the authority of the President of the United States does not go far enough to answer the question fully and directly.

Is the treaty a committal by the United States to go to war even though Congress does not so declare?

Mr. WILEY. I think I think I have answered the question. There is a certain angle to the question of the Senator which has been debated for almost 165 years. The President, as the Executive and as the Commander in Chief, under certain circumstances, in a number of instances, in our relations with countries in South America, has assumed the right and has exercised the power when there was a question of American rights being invaded.

Let me try to be so clear in this matter that there shall not be any suggestion whatsoever that I am trying to evade the issue. I have said that the treaty does not in the slightest add to or attempt to control or delimit the right of the constitutional power of the President of the United States. In substance, it becomes an agreement with an ally that if and when an aggressor attacks that ally, we will go to the aid of the ally only if and when constitutional processes are followed.

Mr. STENNIS. Mr. President, if the Senator from Wisconsin will yield further——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield further to the Senator from Mississippi?

Mr. WILEY. I yield.

Mr. STENNIS. Then, Mr. President, let us suppose that such a condition arose that the President honestly felt justified and required the United States to go to war, but that Congress thought to the contrary, or perhaps was not in session. Then we would

be directly confronted with the question, What is the President's authority?

I should like to raise a further point for the consideration of the Senator from Wisconsin. This exact language is in article 43 of the United Nations Charter. This language leads most interested citizens to believe that it means the question would have to come before Congress, and that Congress would have to vote a declaration of war, before the United States could go to war. That would be my interpretation of the language, but there is a precedent to the contrary.

Now it is proposed that we reenact the same language. I think we are entitled to know the bottom rock opinion of every member of the Foreign Relations Committee in regard to exactly how far we are committed, before we vote on the treaty. That is why I am pressing for an answer to this question.

I fully appreciate the very fine sentiments of the chairman of the Foreign Relations Committee, and I know he is sincere in what he says.

Mr. WILEY. Of course, the courts have held that the United Nations Charter is not self-executing; and, of course, in the case of any obligation which we have undertaken under the United Nations, the meaning is simply that we are obligated to handle it under our own constitutional processes. This, to me, at least, is very clear. I believe it means—as I have said several times—that we have entered into an arrangement with an ally to protect that ally if she is attacked. Otherwise, there is no obligation whatever. But if our ally is attacked, still it will be up to our appropriate constitutional authorities to-wit, the Congress and the President, to determine how the United States will live up to the agreement. If a resort to war is indicated, then clearly Congress will have to take action.

Mr. THYE. Mr. President, will the Senator from Wisconsin yield to me at this point?

Mr. WILEY. I yield.

Mr. THYE. The question which has been raised is that before the United Nations can commit us to use our troops, the United States Congress have a right to act upon a resolution which might be before the Security Council, and we have a right to exercise a veto in the event such a resolution is adopted by the Security Council, and therefore we have that safety insofar as the United Nations is concerned. In the case of the treaty now before the Senate, of course we have a right to examine the various questions.

The only part of the Korean Treaty which seems to me to be dangerous is the part which might affect the troops we now have in Korea. Of course we expect to have them there for some months to come. In the event a conflict between the South Koreans and the North Koreans should arise, our troops would be in the center of the conflict. Then the President would have to have the right and the courage to proceed to protect our troops at the very moment when shellfire broke out. But I believe that within the United Nations we do have the security of having a resolution considered by the Security Council; and we have the right to veto that resolution if we must.

Mr. STENNIS. Mr. President, if the Senator from Wisconsin will yield further to me, I should like to boil down the question, repeating only a part of it: So far as language is concerned, virtually the same language is in the United Nation Charter; and a precedent was established under that language at the beginning of the Korean war.

It seems to me to be good logic and commonsense that if now we reenact virtually the same language, we reinforce the precedent which already has been established, we approve it, and we read into this language the meaning which has been given it. That is very clear; it is both law, logic, and precedent. Therefore, I am raising that particular point. I am not referring to all the conditions now existing in Korea.

As the Senator from Minnesota (Mr. THYE) has said, we already are at war in Korea. It is true there is a truce there now, but it is merely a temporary truce; and if a treaty of peace is not concluded, of course it is possible that our troops will have to resume the fighting. I am not trying to cover that point at all. Certainly our men will be protected.

But now the Congress is asked to legislate for the future, hoping at the same time that the present situation and condition will clear up. We are proposing to legislate for the long-time future, and it is proposed that we establish a precedent in the case of the continent of Asia. All the other agreements or arrangements were in relation to various islands in the Pacific, which at least can be surrounded by our aircraft carriers, submarines, and airpower.

But now we are proposing to deal with the continent of Asia and with a pact which will operate for an indefinite time in the future, unless terminated under its terms.

Therefore, I think this is the very heart of the question. If the language does not mean that the President can act without action by Congress, then what does it mean, and why include such language?

Mr. WILEY. To put it in a little different way, let me say the language simply means that if there is an overt attack by an aggressor upon one of our allies, the United States will simply take whatever action is determined by the President and Congress to be advisable under the circumstances, having in mind the obligations under this treaty, if it is ratified.

Mr. STENNIS. The Senator says "the President and the Congress." He means, does he not, that the language would require affirmative action by Congress before the United States could enter into armed conflict or into a war?

Mr. WILEY. I think it means before we could get into a full-scale war; I am sure of that.

But I agree fully with the statement of the distinguished Senator from Mississippi, namely, that, regardless of wherever our troops may be, if they are attacked, they will not await action by the President in calling Congress into session; or if an attack were made on any of our territory, the President would be obligated, as Commander in Chief, immediately to take the steps which would be advisable under the circumstances.

In that connection, I think the declaration of the 16 nations relating to the armistice is very significant, and I now ask unanimous consent to have it printed at this point in the RECORD.

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

"DECLARATION OF THE 16 NATIONS RELATING TO THE ARMISTICE, JULY 27, 1953 [1]

"We, the United Nations members whose military forces are participating in the Korean action, support the decision of the Commander in Chief of the United Nations Command to conclude an armistice agreement. We hereby affirm our determination fully and faithfully to carry out the terms of that armistice. We expect that the other parties to the agreement will likewise scrupulously observe its terms.

"The task ahead is not an easy one. We will support the efforts of the United Nations to bring about an equitable settlement in Korea based on the principles which have long been established by the United Nations, and which call for a united, independent, and democratic Korea. We will support the United Nations in its efforts to assist the people of Korea in repairing the ravages of war.

"We declare again our faith in the principles and purposes of the United Nations, our consciousness of our continuing responsibilities in Korea, and our determination in good faith to seek a settlement of the Korean problem. We affirm, in the interests of world peace, that if there is a renewal of the armed attack, challenging again the principles of the United Nations, we should again be united and prompt to resist. The consequences of such a breach of the armistice would be so grave that, in all probability, it would not be possible to confine hostilities within the frontiers of Korea.

"Finally, we are of the opinion that the armistice must not result in jeopardizing the restoration or the safeguarding of peace in any other part of Asia."

Mr. WILEY. Mr. President, I shall read a part of the declaration of the 16 nations. It relates to the United Nations members whose military forces are participating. I read the following:

"We affirm in the interest of world peace that if there is a renewal of the armed attack, challenging again the principles of the United Nations, we should again be united and prompt to resist. The consequences of such a breach of the armistice would be so grave that in all probability it would not be possible to confine hostilities within the frontiers of Korea.

"Finally, we are of the opinion that the armistice must not result in jeopardizing the restoration or the safeguarding of peace in any part of Asia."

Mr. STENNIS. Mr. President, will the Senator from Wisconsin yield at this point for a brief question?

Mr. WILEY. Yes; I yield.

Mr. STENNIS. Of course, we protect our troops wherever they may be. However, apart from that, does the Senator from Wisconsin agree that before we would be called on to act under this treaty, affirmative action by the Congress, as well as by the President, would be required? Does the Senator agree to that?

Mr. WILEY. The Senator from Mississippi now speaks, does he, about the use of force?

Mr. STENNIS. Yes; the use of force.

Mr. WILEY. Very well. I think that if the circumstances were such as I have suggested, namely, if there had been an overt act of aggression, but our troops were not involved, or if there had not been an attack upon our own troops, but simply an attack upon the troops of our allies, it would necessarily follow, under article III, that we would act to meet the common danger; and our action at that time would be in accordance with constitutional processes. If it did not mean consultation, or something similar, with respect to which the Executive has the power, and if it meant utilization of the Armed Forces, I believe that Congress should and would have to decide.

Mr. STENNIS. I thank the Senator very much.

Mr. COOPER and Mr. HUMPHREY addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield, and if so, to whom?

Mr. WILEY. I have only a little left of my statement, and then I shall be glad to open myself to general questions, if that is agreeable.

Article IV of the Treaty grants to the United States the right to dispose United States land, air, and sea forces in and about the territory of the Republic of Korea, as determined by future mutual agreement. By contrast with the corresponding provision of the Japanese Mutual Security Treaty, the United States is under no obligation under the Korean Treaty to participate in the internal security of the Korean Republic, or, as I have already noted, to take any military measures as a result of a revolution within Korea. We can, in fact, pull out all our Armed Forces from that area any time we

[1] U. N. Document S/3079, August 7, 1953, made public August 7, 1953.

desire to do so; not that there is any such intention. The existing military situation in Korea makes it more than likely that the stationing of United States forces there will be in our national interest for some time. As a consequence, a supplementary agreement to implement the terms of article IV will be needed to regulate the presence of our Armed Forces on Korean soil. Our committee has been assured that we will be consulted by the Department of State concerning the terms of the anticipated agreement.

The treaty is to remain in force indefinitely, although either party may terminate it 1 year from the date that it gives notice thereof to the other party.

Now, Mr. President, let me say just a few words about the United Nations. In our treaties with the Philippines, and with Australia and New Zealand, the parties agree to report to the Security Council any action taken to repel an armed attack. This language has been omitted from the Korean Treaty. Does this mean that the United States is disregarding its obligations under the U.N. Charter?

I want to dispel any doubts Senators may have on this point. The facts of the matter are these. Article 51 of the United Nations Charter, which restates the fundamental right of states to defend themselves against attack, specifically refers to members of the U.N. Since South Korea is not a member of the United Nations, it was deemed desirable, during the negotiations, to omit any reference to the Security Council in this treaty. This in no way reflects any change in the warm support of the present administration for the United Nations.

Mr. President, this is not a one-sided treaty. It is not a gesture of altruistic deference to the Korean people; but it is an instrument which is eminently in the best interests of both the United States and Korea. The Korean Army has been tested and tempered in the crucible of battle. It has proven itself to be a valiant, fearless, and able ally. In testimony before our committee, Gen. Matthew Ridgway referred to instances in the history of our operations which demonstrated that Korean troops, under Korean leadership, fought with much the same effectiveness as our own. According to General Ridgway the Korean soldier, if provided with proper training, equipment, and leadership, will fight with very great gallantry and very great efficiency. This military reservoir, which is not negligible, complements the deterrent effect which is the primary purpose of the treaty—to put the world on notice that we intend to defend the peace in Korea.

Prompt ratification of the treaty will prevent doubts from arising in the minds of those who covet the soil of Korea as to just what our intentions are. The treaty itself will be a stabilizing factor in an area which has known little stability for so many years.

Mr. President, the Korean Mutual Defense Treaty is a testimonial to a gallant people, a long-suffering people who bear the scars of a terrible scourging endured through 3 years of misery, 3 years of indescribable devastation, and its accompanying sorrow of hunger, disease, and death. Victims of a cruel and premeditated aggression carefully prepared by the Communist enemies of civilization, they fought a desperate struggle, at first inadequately armed and inadequately supplied but richly endowed with a spiritual resource that enabled Korea to bear up proudly under any adversity which would have humbled others in more fortunate circumstances and blessed with greater advantages.

We have been proud to call the Koreans our ally; and we are proud to have fought and worked with them. And we should be proud to join with them in this instrument of mutual faith and confidence, which will serve the cause of peace and freedom, and strengthen our Pacific defenses.

I strongly urge the Members of the Senate to accept the recommendations of the Committee on Foreign Relations, and to give their advice and consent to the ratification of this treaty, subject to the understanding which has been described.

In our discussion in the committee there followed, as a result of the contribution made by the Senator from Georgia (Mr. GEORGE), the understanding, which is made a part of the resolution of ratification. The understanding reads as follows:

"It is the understanding of the United States that neither party is obligated, under article III of the above treaty, to come to the aid of the other except in case of an external armed attack against such party; nor shall anything in the present treaty be construed as requiring the United States to give assistance to Korea except in the event of an armed attack against territory which has been recognized by the United States as lawfully brought under the administrative control of the Republic of Korea."

I now yield to the Senator from Kentucky.

Mr. COOPER. I thank the Senator from Wisconsin for yielding.

The PRESIDING OFFICER. Is the Senator from Wisconsin yielding the floor, or yielding for a question?

Mr. WILEY. I yield for a question.

Mr. COOPER. I have been very much interested in the searching questions asked by the distinguished Senator from Mississippi (Mr. STENNIS). I should like to say, first, that I do not believe that the wording of the United Nations Charter has relevancy in this situation.

I ask the Senator from Wisconsin if it is not true that the United Nations, contrary to popular belief held by some, has no power whatsoever to commit this Nation to war.

Mr. WILEY. That is correct.

Mr. COOPER. There is only one situation in which the United Nations might have any power to commit our troops. If under the Charter nations have made available to the Security Council of the United Nations fixed and permanent military forces, consenting in advance for their use to maintain peace, there would be authority to commit the forces. As this has not been done by the United States or any other nation, I say and I am sure the Senator from Wisconsin will agree—that there is absolutely no power in the United Nations, to commit this Nation to war.

Mr. WILEY. I agree.

Mr. COOPER. The Senator from Mississippi has raised the most searching question that can be addressed to this treaty. As the Senator from Wisconsin has said, it is the age-old constitutional question, "Under what circumstances can the President of the United States take action which, as a practical matter, may have the effect of committing this Nation to war without a congressional declaration of war?"

The phrase, "constitutional processes" must imply the powers of both President and Congress. Under the Constitution the President of the United States can assert under certain circumstances—such as our troops being attacked or our physical area being invaded—his constitutional power as Commander in Chief to take action for the security of the country. Such action could, of course, lead to war.

The important language in this article, it seems to me, in addition to the phrase "constitutional processes," which is difficult of interpretation, is the language defining the area, and conditions in which the United States would be morally committed to take some action under its constitutional processes.

I believe the distinguished Senator from Wisconsin has said that he did not intend to make a statement which would interpret in any way the words "constitutional processes" to exclude the constitutional power of the President of the United States as Commander in Chief to act, under certain circumstances which he might think proper, to protect the security of the United States. Is that correct?

Mr. WILEY. Yes, of course. Again we get into a field which has been the subject of discussion for some 165 years, as I have said. However, I believe that with the understanding which has been appended as a result of the suggestion of the Senator from Georgia [Mr. GEORGE] there can be no question as to what the meaning of the treaty is. As I have stated, there is nothing in the treaty which would delimit the constitutional power of either Congress or the President.

Mr. COOPER. We seem simply to speak in a circle and come back to where we started. What does "constitutional processes" mean?

Mr. WILEY. If it is not a Bricker amendment, if that is what the Senator has in mind.

Mr. COOPER. We come back to the question: What are the constitutional powers of the President and Congress with respect to taking steps toward war? I believe that the distinguished Senator from Wisconsin has said that, in the absence of such circumstances as demanded the protection of the security of the United States, we would certainly expect that Congress would determine whether the United States should go to war.

Mr. WILEY. I believe that expresses very forcefully the position I take as to what the language means. However, I cannot help but say that, as we discuss the treaty, which relates to a small country, a mere dot on the perimeter of the earth, so to speak, we cannot close our eyes to the fact that in the day in which we are living—and I say this very thoughtfully—I am sure if we could foresee any danger of a third world conflict which would make it advisable for the President not to convene Congress in Washington, where we could be immediately blown out of existence by a bomb, but himself to take the steps which were necessary under the circumstances, Congress should provide the machinery to make it possible to vote, if necessary, by television or in any other way, so that that which happened to Hiroshima could not happen to Washington.

The story has been told that the Commander in Chief was consulted on the wisdom of dropping the A-bomb on Tokyo, and he said, "If we do so, we will kill the Emperor, and kill all the high government officials in Japan. We cannot do that to Japan, because we need the Emperor, around whom the people can gather when we take over."

There will be nothing like that in a third world war. The object will be to paralyze at one time the entire Government—Congress, the Executive, and the courts. Consequently, there should be adequate machinery available whereby Congress could vote by long distance on the subject.

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

Mr. WILEY. I yield further to the Senator from Kentucky.

Mr. COOPER. I thank the Senator from Wisconsin. I know I share the hope of every Senator that there will be no resumption of the Korean war, but if there should be, there will be opportunity for Congress to take proper constitutional action.

But we cannot take away from the President his constitutional powers to protect our security, and I do not believe we ought to give to this treaty any interpretation which would permit any assumption that he would not act to protect our forces or to meet further aggression in Korea.

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

Mr. WILEY. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I feel that the questions which the Senator from Mississippi [Mr. STENNIS] has asked and the probing he has done are of such significance that those of us who served on the Committee on Foreign Relations at the time of the discussion of the treaty should make our own positions quite clear.

First of all, I concur in the general analysis and interpretation of the treaty as given by the Senator from Kentucky [Mr. COOPER]. When we mention the phrase "constitutional processes" we must remember that in article III of the Korean treaty, which is now under discussion, the phrase is preceded by the language: "would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes."

The Government of the United States would determine the action in the area which would be dangerous to its own peace and security.

The truth of the matter is that "constitutional processes" relate to two sections of our Constitution. The phrase relates to article I, dealing with the legislative authority of Congress to declare war. It also relates to article II, the Executive authority, in which article the President is made the Commander in Chief of the Armed Forces of the United States. He takes an oath of office to defend the Republic and uphold the Constitution.

It seems to me that to argue the question of constitutional processes is beyond the point. The fact is that the courts have interpreted, and the President, by effective Executive action, has made it clear and unmistakable, that the Executive, the President of the United States, under the Constitution, within the constitutional processes, can take the action he deems to be necessary in order to protect the peace and safety and security of the Nation.

The only reason we are entering the treaty at all is because we feel it is in the interest of the security of the United States to do so.

I asked the Secretary of the Army, Mr. Stevens, and General Ridgway whether it was their feeling that the defense of Korea was important to our national security. The answer is to be found in the hearings. General Ridgway answered unmistakably, as did the Secretary of the Army, that the defense of South Korea against armed attack was absolutely essential to the safety and jurisdictional integrity of the United States.

I want my friend, the Senator from Mississippi (Mr. STENNIS) to know that I do not interpret the term "constitutional processes" to mean necessarily that there would be an open declaration of war by Congress.

I would hope that the preceding section of article II, which refers to consultation by the parties in case of an impending attack, would give the President time to come before Congress. However, it is entirely possible, as we sit here today, now at this very minute, that an attack could be launched against American installations in Okinawa or in the Philippines or in Korea. Surely under such circumstances we would expect the President to take effective action, as the Commander in Chief, to protect our forces and our interests. I want that point to be absolutely clear in light of the important questions which the Senator from Mississippi has asked.

It is important to bear in mind that we have a flexible defense structure, under which, as the Secretary of State and the Secretary of Defense stated, in answer to questions by Senators, it is the policy of the United States not necessarily to restrict action, in case of aggression in Korea or in other areas, to the immediate geographical area where the combat is occurring, but to pick and choose as we please.

I asked questions along that line of the Secretary of Defense and of General Ridgway, when they appeared before the committee. I asked General Ridgway the question: "Would we be limited under the treaty to confine our military action to South Korea?" His answer was that we would not be so limited, but that we would be able to pick and choose. He did not say where we would pick and choose, but he said that we would use our forces where we saw fit to use them.

I think we all ought to understand that fact when we vote on the treaty, as we should understand what we are voting for. I shall vote for the ratification of the treaty.

Mr. STENNIS. Mr. President, will the Senator from Wisconsin yield?

Mr. WILEY. I was about to yield to the Senator from Utah [Mr. WATKINS]. I am perfectly willing to sit down and permit the Senator from New Jersey to speak on the treaty.

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

Mr. WILEY. I yield.

Mr. WATKINS. I did want to ask a question of the Senator from Wisconsin, but inasmuch as the Senator from Minnesota has made his statement I believe it is only fair to give the Senator from Mississippi [Mr. STENNIS] an opportunity to make a statement.

Mr. STENNIS. Mr. President, the Senator from Minnesota [Mr. HUMPHREY] referred to the Senator from Mississippi, and I should like to have the opportunity of replying on the time of the Senator from Wisconsin, if he does not object.

Of course, if our troops were attacked in Korea or in Okinawa, or anywhere else, the President of the United States could immediately act to defend them. That, however, is entirely apart from the argument today. The question before the Senate today goes far beyond the sphere of activity of the United States Government in protecting American troops. It goes to the question of saying to a foreign nation: "If you are attacked, under any circumstances, we will come right into the fray."

That is the question before us. I ask now: By constitutional processes is it meant that Congress will be ignored? The Senator from Wisconsin has been very honest and has stated how Congress would enter the picture. Others may be just as honest and yet disagree. However, let us keep our eye on the ball. The question is whether, in certain circumstances, we will commit ourselves unconditionally to go into a foreign country.

It is a new policy. The question is, What does "constitutional process" mean? If it does not mean that Congress is involved, why have that clause in the treaty? If it does not mean that Congress is to declare war, then I believe it is included argumentatively, and I say let us strike it out so that it may be clearly defined and a two-thirds majority of the Senate may give an interpretation. I think we should include the action of the Congress. We are treading on dangerous ground when we commit ourselves to take action thousands of miles from home without giving Congress an opportunity to participate in the decision.

Mr. SMITH of New Jersey. Mr. President, will the Senator from Wisconsin yield for a moment?

Mr. WILEY. I will yield shortly. I do not think there is a great amount of difference between the two Senators who have spoken on the other side of the aisle. The treaty contemplates that an overt act of aggression being committed on South Korea—that is the single fact we will take into consideration—and in that event there is no question in my mind that the phrase "constitutional processes" means action by the Congress. I have said so 3 or 4 times in different ways, but I again refer to the understanding which is made a part of the treaty:

"It is the understanding of the United States that neither party is obligated, under article III of the above treaty, to come to the aid of the other except in case of an external armed attack against such party; nor shall anything in the present treaty be construed as requiring the United States to give assistance to Korea except in the event of an armed attack against territory which has been recognized by the United States as lawfully brought under the administrative control of the Republic of Korea."

That expresses what we think the treaty means in relation to an overt attack by any nation upon South Korea.

Let us assume, as has been suggested, an attack upon Okinawa or upon our Armed Forces in Hawaii, and it comes to the knowledge of the President. He cannot permit our forces to be sitting ducks. His duty is to be alert and to be ready for any emergency, and the forces under him must be ready.

I do not think I can say anything more than I have said, that the treaty does not delimit the power of the Executive or the power of the Congress. Everything remains as is provided for in the Constitution. We are saying to an ally, "You remain at home. If an aggressor attacks you, then, pursuant to congressional authority or constitutional process, we will decide what we are going to do."

Mr. HUMPHREY. Mr. President, will the Senator from Wisconsin yield at that point?

Mr. WILEY. I yield.

Mr. HUMPHREY. The Senator's comments about the interpretative clause I think should be clearly understood to involve two things: First, to define the scope of the treaty, as the Senator has pointed out; second, if the Government of South Korea should start a unilateral action and try to defend Korea by military means, which was the subject of interrogation of witnesses, under this treaty, because of such unilateral action within the peninsula of Korea, started let us assume, by our partner to the treaty, we would be under no obligation to furnish military defense. This does not rule out the possibility that, as a result, it may be necessary for us to take action within the area to defend our own installations, our own interests, but it makes it clear that this treaty can be interpreted in no way as binding the United States to aid in some expedition on the part of Dr. Rhee.

I should like to make it clear, Mr. President, because we are at a point in foreign affairs where we must be mature and, I should say, somewhat bold and frank, that this treaty does not make mandatory a declaration of war on the part of the Congress of the United States. It does, however, require that the President of the United States, following constitutional processes in article I and article II, defend the security, the peace, and the interests of the United States.

Mr. President, I should like to quote what General Ridgway had to say. I said to General Ridgway in questioning him:

"Senator HUMPHREY. Do we consider the southern half of Korea as essentially necessary, or essential to our defense in the Pacific—to the defense of our own security and territorial responsibilities that we have in the Pacific?

"General RIDGWAY. Positively; yes, sir."

That is a clear-cut answer.

So, finally, it seems to me that the chairman of the committee has given the only answer that can be given; namely, it bears upon the situation, and the President can surely come to the Congress if it is humanly possible, particularly if the hostilities are of great dimension; but no Congress would want to tie the President's hands in doing what is necessary for the fundamental interests and security of the Nation.

Mr. WILEY. We will determine the action for consultation, well and good. But if we should find ourselves in a situation similar to that at Pearl Harbor, where our country took action before it declared war, and the

President asked later for a declaration of war under this treaty or any other treaty, we would not expect the President of the United States to stand idly by and see the security of our own country threatened and not take positive action.

I desire to make clear that the military authorities have said they believe the defense of South Koera is essential to our own security.

Mr. WILEY. Mr. President, I said I would yield to the Senator from Utah.

Mr. WATKINS. Suppose a situation exists in which the war which has been raging in Korea is settled, and a peace treaty is entered into. This treaty, I understand, extends beyond such a period.

Mr. WILEY. That is correct.

Mr. WATKINS. It goes on indefinitely.

Mr. WILEY. That is correct.

Mr. WATKINS. Suppose Korea were again threatened. Am I to understand that Congress would be required to act before the President could send forces to defend against another attack?

I notice the Senator from Minnesota [Mr. HUMPHREY] is shaking his head. I totally disagree with his interpretation of the powers of the President.

Mr. WILEY. If I understand the Senator's statement is referring to a threatened attack. Does he mean there has actually been an overt attack?

Mr. WATKINS. Suppose another nation should attack Korea and the situation which we now have did not exist——

Mr. WILEY. I read, and I thought the Senator from Minnesota also referred to this language:

"Nor shall anything in the present treaty be construed as requiring the United States to give assistance to Korea except in the event of an armed attack against territory which has been recognized by the United States as lawfully brought under the administrative control of the Republic of Korea."

I think that if an armed attack occurred, it would be up to the President of the United States to submit the matter to Congress.

Mr. WATKINS. That is my understanding.

Mr. WILEY. I have said that 50 times.

Mr. WATKINS. I wanted to be certain. I desired to ascertain what would happen if we were enabled to get out of the present condition, which has never been legally declared to be war, but actually is war. When that situation has passed and there is peace again in the world, then, in the event of another attack upon Korea, or upon South Korea—let me put it that way—under this treaty, what would be the constitutional processes the United States would go through to become a party to that conflict or to decide not to become a party to the conflict?

Mr. WILEY. It would be necessary to follow the constitutional processes. The President would undoubtedly report the situation to Congress; and in such a case, if the attack was simply an isolated attack upon South Korea by an aggressor, I think the language of the treaty is very plain.

Mr. WATKINS. That Congress would have to make the decision whether the United States would go to war or would not go to war?

Mr. WILEY. The Senator is correct.

Mr. WATKINS. That is what I wanted to have made clear.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. BUTLER of Maryland. I am sorry I have not had an opportunity to follow the debate as closely as I should have. My question may already have been answered.

I wish to ask the distinguished Senator from Wisconsin if it is the desire of the contracting parties to leave the matter to their own individual constitutional processes within their own countries, why does the treaty provide that we shall perform acts to meet dangers, instead of following the formula as laid down by the Atlantic Pact, which makes it optional as to whether we shall?

Mr. WILEY. I do not have any question in my mind that it is made optional, entirely depending on the act of Congress. Article II provides:

"ARTICLE II

"The parties will consult together whenever, in the opinion of either of them, the political independence or security of either of the parties is threatened by external armed attack. Separately and jointly, by self help and mutual aid, the parties will maintain and develop appropriate means to deter armed attack and will take suitable measures in consultation and agreement to implement this treaty and to further its purposes."

Then article III sets forth:

"ARTICLE III

"Each party recognizes that an armed attack in the Pacific area on either of the parties in territories now under their respective administrative control, or hereafter recognized by one of the parties as lawfully brought under the administrative control of the other, would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes."

In order to make it absolutely clear—and I have read this three times previously—the distinguished senior Senator from Georgia [Mr. GEORGE] submitted an understanding to be appended to the treaty, and all members of the Committee on Foreign Relations agreed that it should be appended. It reads as follows:

"It is the understanding of the United States that neither party is obligated, under article III of the above treaty, to come to the aid of the other except in case of an external armed attack against such party; nor shall anything in the present treaty be construed as requiring the United States to give assistance to Korea except in the event of an armed attack against territory which has been recognized by the United States as lawfully brought under the administrative control of the Republic of Korea."

As we said by the distinguished Senator from Minnesota [Mr. HUMPHREY], the committee debated very clearly the issue: Suppose Syngman Rhee started the battle. Would there be any obligation on the part of the United States? The answer was, "No, there would be no obligation whatsoever."

Does that answer the question of the Senator from Maryland?

Mr. BUTLER of Maryland. I think the Senator has answered my question.

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

Mr. WILEY. I yield.

Mr. CHAVEZ. I wish to clear up a point in my own mind. I am in accord with what the United States has done in the case of South Korea. But I see Korea divided into South Korea and North Korea. Suppose Syngman Rhee, possibly feeling as did Abraham Lincoln about our own country, that it should not be divided into South United States and North United States, decided to go to war about the division of Korea? What would be the obligation of the United States under the treaty?

Mr. WILEY. There would be no obligation.

Mr. CHAVEZ. The Senator will remember that once upon a time Lincoln took the United States to war on the question of a divided country, and many men from Wisconsin and every other State of the Union north of the Mason and Dixon's line fought in battle against those who lived south of the Mason and Dixon's line, who felt the other way about the question. If Lincoln was right, would Syngman Rhee, likewise, be right, if he declared a war to unite Korea?

I think I am asking a fair question. Should there be a South Korea and a North Korea?

Mr. WILEY. I shall be very happy to try to answer the Senator's question. First, if Syngman Rhee should precipitate a war, there would be no obligation upon the United States under this treaty.

Mr. CHAVEZ. That is the point.

Mr. WILEY. There would be no obligation whatsoever upon our Government.

Second, when Lincoln said there should be one nation, indivisible, he recognized that if the South should win, it would have been the beginning of "dividitis," and the United States would have been merely another country of the Balkan type.

Mr. CHAVEZ. What about Korea?

Mr. WILEY. So Abraham Lincoln was right.

Third, so far as Syngman Rhee is concerned, so far as the United Nations is concerned, and so far as the United States is concerned, we have said that we will take steps, and we are trying to take steps, to bring about a unification of Korea, but we will not go to war for that purpose. I think that policy is definite and certain. I think all of us sympathize with Syngman Rhee and with Korea. All of us hope that if and when the world conflagration simmers down, Korea can again be united and be one people. But that is some distance in the future.

The philosophy of this treaty was stated better than I myself could state it by our distinguished colleague, Mr. Dulles, who is now Secretary of State. The purpose is to serve notice upon those who caused the devastation in Korea that if they attempt to take South Korea, then we will take such steps, pursuant to our congressional processes, as we deem advisable.

Furthermore, as I have said, the United Nations has said substantially the same thing. Sixteen of the United Nations have declared that to be their policy.

Mr. CHAVEZ. I wish to thank the Senator from Wisconsin for his indulgence. The only point I wished to make, and I think the Senator from Wisconsin has answered my question correctly, is that by our preachments we try to sell our ideas of government to other countries. But once in a while I become very much confused. I see South Korea, and I see North Korea. Yet we have the example of Lincoln, who was a peaceful man, permitting Americans to be killed in order to hold the United States together. I do not know for certain, but it seems to me that once in a while we are willing to have people of the same type and kind divided.

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

Mr. WILEY. I yield.

Mr. WATKINS. I wish to ask the Senator from Wisconsin why a treaty is needed when we already have the United Nations operating. The United Nations is supposed to protect the interests of all the small nations of the world, and that covenant has still a long time to run.

Will the Senator explain why this treaty is needed, even though the United Nations has been and is supposed to be continuing to fight to defend the integrity of South Korea?

Mr. WILEY. I believe I answered the inquiry of the Senator in my opening remarks. I showed quite clearly that the reasons for the treaty was given by Secretary Dulles, and by the other witnesses who testified at the hearings. If the Senator will read the hearings, I think he will find the answer to his question.

My own conclusion is that, among other things, we have been precipitated into leadership in the world, and that we ought to enter into the treaty. I felt that in view of the treaties into which this country had entered with Japan, the Philippines, Australia, and New Zealand, it was necessary to serve notice upon the Kremlin that we would do what is set forth in the pending treaty. After all, the Kremlin is pulling the strings. The Kremlin pulled the strings when we were involved in hostilities with North Korea. After we defeated the North Koreans, the Kremlin induced General Mao and the Chinese Com-

munists to enter the conflict. We fought the Chinese Communists and succeeded in halting them. About 2 million lives were lost in the conflict. We are stating to the Kremlin now, "If you start again, what follows may not necessarily have to be a limited war"—and it may not be a limited war.

In the opinion of that branch of Government which spearheads foreign policy, it was thought that to enter into the pending treaty would be in the interest of peace and security.

In the course of my remarks I called attention to the fact that if South Korea were defeated by the Communists, that country would become a spearhead right into the very heart of Japan. If the Kremlin could gain control of Japan, with its great industrial capacity, it would mean that all of Asia would be lost to the Communists, including the southeast. That area would include Japan, Formosa, the Philippines, Australia, New Zealand, and the rest of that vital area of the world.

I think it is the judgment of the best military brains—and I do not claim to be one of them—that it is necessary to enter into this treaty with Korea in the interest of America. I think that underlying that foreign policy is the basic principle of self-preservation, the preservation of the Nation itself. When steps are taken such as will be taken in consenting to the treaty, I think it will be the judgment of those who claim to know, who claim to have facts of which we have only a part, that the treaty is vital to the security of this country.

Mr. WATKINS. Mr. President, will the Senator yield for another question?

Mr. WILEY. I yield.

Mr. WATKINS. Is not the making of this treaty another confession that the United Nations does not have adequate power to do what it was created to do, and that the United Nations has substantially failed to protect all the smaller countries, and that that failure has required the United States to enter into a series of treaties in the Pacific, as well as to enter into the North Atlantic Pact?

Mr. WILEY. I do not think that the United Nations had, from the nations which constituted that organization, the authority to undertake the job. The United Nations is but an adventure in seeking to create some kind of unity at a crossroads of the world, where the black, white, red, and yellow men can meet and exchange ideas. However, there is no real power in the United Nations as yet. Perhaps when nations begin thinking alike, and dreaming a little more about fundamental spiritual factors, the United Nations may become a truly international force.

I might add the treaty is made pursuant to article 51 of the United Nations Charter, relating to the right of states to defend themselves. In the case of NATO in Europe, an organization of nations was built up for that very purpose. As a matter of fact, the United Nations Charter contemplates just such an organization.

Mr. COOPER. Will the Senator from Wisconsin yield for a question?

Mr. WILEY. I yield to the Senator from Kentucky.

Mr. COOPER. While we have an interest in the defense of smaller states against aggression, is it not true that one of the reasons behind the making of the treaty is as stated in article 3, a concern for the peace and safety of this country?

Mr. WILEY. Korea is not a member of the United Nations.

Mr. COOPER. Is it not true that we consider it important to the security of our own country?

Mr. WILEY. The Senator is correct.

Mr. COOPER. Mr. President, I remember that a year or two ago there were those who stated that the failure of the Government to announce that Korea was of interest to the United States and important to the peace and security of the United States was an invitation to invasion by the Communists and, in fact, helped precipitate the Korean war. Today we are considering a treaty which takes the opposite course, and which gives effective notice to the Communist aggressors that Korea is important to our peace and security. Unfortunately, some of those who complained a short while ago that the United States had not given notice of its intentions now find fault with this treaty which makes it clear.

Mr. WILEY. I thank the Senator. The Senator is stating what I believe is one true reason for the negotiation of the treaty.

Mr. STENNIS. Mr. President, will the Senator from Wisconsin yield?

Mr. WILEY. I yield to the Senator from Mississippi.

Mr. STENNIS. As the Senator from Mississippi has indicated to the Senator from Wisconsin, I have a few more questions to ask. Some might be involved so far as the time taken to propound them is concerned, and if the Senator will be on the floor of the Senate at some later date in the debate, I should be glad to defer to him now for his lunch hour, and we can take these questions up later.

Mr. WILEY. If the Senator has something to ask, he had better ask it now.

Mr. STENNIS. Very well. Will the Senator yield?

Mr. WILEY. I am happy to yield.

Mr. STENNIS. I wish to preface my questions by saying that since early childhood I have had a very high respect for the Korean people. I know a little about some of the Christian missionaries who have gone among those people. I have had a most profound respect for the present Ambassador from Korea, and have found him to be a very intelligent and patriotic gentleman. Therefore my remarks will not reflect anything but praise and admiration for the Korean people.

As I understand, it is frequently said in a segment of the press that a promise was made to Syngman Rhee that the pending pact or treaty, or one similar, would be entered into, and that that promise was made to him before he would ever agree to the cease-fire. I was very much disturbed when Syngman Rhee released certain prisoners, and, as I understand, that delayed the cease-fire several weeks, during which time lives were lost.

As I have understood, through segments of the press and otherwise, before the cease-fire was finally obtained, a promise was made that the pending treaty would be consummated. Does the Senator know anything about that, and will he tell the Senate the facts on that point?

Mr. WILEY. The only information I have on the subject is that when Secretary Dulles went to Korea he entered into this agreement, but he said he would have to submit it to the Senate, and that it would then be up to the Senate. He did comply with that promise, and submitted the treaty to the Senate, and the Senate Committee on Foreign Relations held hearings.

As to the other matters referred to in the Senator's question, about what he has read in the press, I have consulted with Dr. Wilcox, of our committee, and we have no distinct recollection about those facts.

There appears in the hearings a letter from President Eisenhower to President Syngman Rhee, in response to a letter from President Rhee. President Eisenhower's letter is dated May 30, 1953, and is found on page 53 of the hearings. In that letter President Eisenhower said:

"You speak of a mutual-defense pact. I am prepared promptly, after the conclusion and acceptance of an armistice, to negotiate with you a mutual-defense treaty along the lines of the treaties heretofore made between the United States and the Republic of the Philippines, and the United States and Australia and New Zealand. You may recall that both of these treaties speak of "the development of a more comprehensive system of regional security in the Pacific area." A security pact between the United States and the Republic of Korea would be a further step in that direction. It would cover the territory now or hereafter brought peacefully under the administration of the ROK. Of course, you realize that under our constitutional system any such treaty would be made only with the advice and consent of the Senate. However, the action which the United States has heretofore taken, and the great investment of blood and treasure which has already been made for the independence of Korea, are certainly clear indications of American temper and intentions not to tolerate a repetition of unprovoked aggression."

That confirms everything we have said before.

Mr. STENNIS. What the Senator from Wisconsin has said confirms, then, the article in the New York Times, dated January 22, in which the flat statement is made that—

"The mutual defense treaty with Korea was signed by the two Governments on October 1, 1953, and transmitted to the Senate for approval 11 days ago.

"The treaty was one of the conditions demanded by President Syngman Rhee, of South Korea, for his agreement to the Korean armistice. That demand, said the committee report, reflected the legitimate concern on the part of South Korea for its security in the postarmistice period."

Mr. WILEY. I cannot agree that that can be read into the President's letter. I think there were negotiations; and I can imagine that Syngman Rhee, under the conditions confronting him, should have had assurances. The President said in his letter:

"However, the action which the United States has heretofore taken, and the great investment of blood and treasure which has already been made for the independence of Korea, are certainly clear indications of American temper and intentions not to tolerate a repetition of unprovoked aggression."

Now let us back up the President and ratify the treaty.

Mr. STENNIS. But these representations were made, at least partly, in order to obtain a "cease fire." My point is that if the "cease fire" was obtained in that way, in a measure the Senate was largely committed to ratify this treaty.

My question is, Should not there have been some consultation? Of course, there might have been. I shall ask the question whether there was any consultation before this treaty was agreed upon, in substance. Was there any prior consultation with the Senator from Wisconsin or with any other member of his committee, so far as he knows?

Mr. WILEY. Yes; and in that connection I read from page 2 of the committee report:

"3. COMMITTEE ACTION

"Assistant Secretary Robertson, on his return from the preliminary negotiations with President Rhee, appeared before the committee on July 16, 1953, and gave a full report on the course of the negotiations, on the problems encountered, and on proposed future negotiations. This was supplemented by several consultations between the Secretary of State and the members of the Far Eastern Subcommittee during the negotiations."

The Senator from New Jersey [Mr. SMITH] was the chairman of that subcommittee.

I read further from our report, on page 2:

"In the light of these consultations, and the fact that the treaty was made public almost 2 months before it was signed and 5 months before it was transmitted to the Senate, the committee felt that adequate opportunity for a full consideration of all the issues involved had been offered. Consequently, the committee proceeded to con-

sider the treaty soon after its reference to the Senate.

"On January 13, 1954, public hearings began with testimony by Secretary of State John Foster Dulles, who discussed in detail the foreign-policy aspects of the treaty. The hearings concluded the following day with testimony by Secretary of the Army Robert T. Stevens and the Chief of Staff of the Army, Gen. Matthew V. Ridgway, who addressed themselves to the military aspects of the treaty. The committee considered the treaty in executive session on January 19, 1954, and voted without objection to report the treaty to the Senate with an understanding, which is discussed below.

"The committee wishes to commend the executive branch for its attempts to keep the committee informed during the course of the negotiations. Such consultations, properly timed as they were, can do much to build a spirit of cooperation between the two branches of the Government."

Mr. STENNIS. I have no particular complaint about that. My point is this: In order to obtain the cease-fire, in order that American boys might be spared the hardships of further military action, we had to make a promise for a mutual security pact of some kind, substantially like this one. Is that a fair statement of the situation?

Mr. WILEY. I do not think it is fair, because the President stated in his letter that he would enter into the treaty; and in the letter he also said:

"Of course, you realize that under our constitutional system any such treaty would be made only with the advice and consent of the Senate."

Mr. STENNIS. Yes; I am sure that point was made clear.

My question is this: Was not the agreement originally made—I refer to the agreement to negotiate this treaty through constitutional processes—under duress or semiduress, in order to obtain a cease-fire, after we had been on the verge of a cease-fire a few weeks previously, but suddenly that possibility seemed to be blown up, so to speak, by the release of the prisoners?

Mr. WILEY. I have no information by which I can affirm or disaffirm that statement. But by consulting with the State Department, I imagine the Senator from Mississippi can obtain a very definite answer on that subject. I will say that no such statement was made before the committee.

Mr. STENNIS. Of course, in large part the Senator from Wisconsin is my consulter with the State Department, because I know he keeps up with these matters, and I know he will give us an honest report.

Mr. President, will the Senator from Wisconsin yield for another question?

Mr. WILEY. Certainly.

Mr. STENNIS. The committee report mentions a regional security pact in the Pacific area. It mentions it as a possibility and as something which the committee thinks is perhaps a desirable step. Does the committee have in mind, for the regional pact, a specific pact to which the United States would be a party?

Mr. WILEY. I remember distinctly asking the question whether there was under contemplation a NATO for the Pacific; and I remember distinctly, also, that the Secretary of State spoke on that subject. We include the following in our report:

"The committee, therefore, raised the question of a Pacific pact or Pacific NATO with the Secretary of State. Although he felt that such a development would have certain advantages, the Secretary pointed out that the Pacific countries have cultural and political differences in addition to physical separation, which distinguished that area from Europe.

"'I think it would be very fortunate if a Pacific security system could be developed and it certainly is a possibility which we have very much in mind, but it does not seem as though that could be achieved at any early predictable date.'

"The committee, while concurring in the Secretary's evaluation of the prospects for a Pacific pact, wishes nonetheless to express its belief that such a pact is a desirable ultimate objective of United States policy in the Pacific and hopes that the Department of State will continue to encourage such a development. The security of the Pacific area would be measurably enhanced if the nations of that region would join and work together for their regional and collective self-defense."

Of course, he went into detail, and, of course, what he said was correct. Those nations are somewhat in the same position as the one France and Germany have been in. Their approach to any degree of unity can be brought about, I believe, only by means of the very thing which we hope will bring about unity in Europe, namely, the tremendous pressure of the Communists, which would require those nations to unite in order to save their own skins.

Mr. STENNIS. Mr. President, if the Senator from Wisconsin will yield further, let me say that brings us to another question: Instead of calling on the United States of America alone to enter into a pact with Korea to guarantee Korea against attack, why not make a real effort to obtain adherence to such a pact by some of the other Pacific nations that are close by Korea and certainly are as much bound up with Korea's future as are countries many thousand miles away? Why not make an earnest effort to have such nations join in a pact of that sort—if not in a Pacific pact, then at least in a group in which we would have some helpful standbys.

Mr. WILEY. I have no question that that group has been canvassed. The Secretary of State has said that such a pact does not seem possible in the predictable future. However, I do not think that prevents a future administration or the present administration from trying to bring about an agreement on the part of states which could constitute a real barrier to Communist advance in Asia.

But, again, dealing with that problem is like dealing with the problem now existing between France and Germany, and the Kremlin.

Mr. STENNIS. Mr. President, I thank the Senator from Wisconsin for his answers. I shall not detain him further.

Mr. WILEY. Mr. President, I thank all the Senators who have asked questions. I am sure their questions have been directly to the point, and I am sure they have brought into the picture considerable light which I failed to bring in during the course of my discussion.

Mr. SMITH of New Jersey. Mr. President, I have just had a brief discussion with the Senator from Mississippi [Mr. STENNIS]. I told him there were a few matters which I wished to bring to his attention in reply to his questions. He would like an opportunity to go to lunch. I have a prepared speech on the Korean Treaty. I shall deliver that first and, if he will return to the Chamber after lunch, I shall be glad to discuss further with him the question which he has raised. In the meantime I shall deliver my prepared speech, which takes up some of the points. Later I shall be glad to discuss further the questions raised by the Senator from Mississippi. I shall try to make proper reply to them.

Mr. President, I rise to second and support the convincing argument made by the chairman of the Foreign Relations Committee, the able Senator from Wisconsin, in favor of the Korean Mutual Defense Treaty.

The future security of the Republic of Korea is a matter of definite concern, and immediately related to the security of the United States. The Secretary of State, when he appeared before our committee testified that our security interests extended to the Pacific Island chain of Japan, the Ryukyus, Okinawa, Formosa, the Philippines, Australia, and New Zealand, a chain anchored by two land bases: Korea and Indochina. He pointed out that we have a security tie with all of these areas.

I may say parenthetically that I have just been to that area, as chairman of the Far Eastern Subcommittee of the Committee on Foreign Relations. At a later date I shall make a report to the Senate on that trip.

The Republic of Korea has demonstrated by its valiant and stouthearted stand against the Communists that it is a firm and dependable link. The magnificent fight put up by the South Korean troops against the northern invaders will not be forgotten by the free world. South Korea's anticommunism is tested and unquestionable. This brave country is a valuable ally for the United States and for the free nations.

So far I have spoken of what the United States will gain from this alliance. Let me say now, that the Republic of Korea will gain a much needed and well-deserved sense of security from the treaty. Concerned and appalled as we have been by casualties among American forces in Korea, our losses do not compare with the suffering during the past 3 years of the people of South Korea. Their land has been ravished, their homes destroyed, their sons and husbands killed, their families scattered. South Korea has paid a heavy price for its resistance to Communist aggression. And although the fighting has ceased, under an uneasy armistice, the Republic of Korea has no assurance that it will not be asked to pay the same price again next month or next year.

This brings me to the main point that I wish to stress about this treaty, its deterrent effect upon potential aggression in Korea. I believe that few Senators will quarrel with me if I say that had the Communists known in advance in 1950 that the United States and the United Nations would take firm action to oppose their attacks, they would never have crossed the 38th parallel. A recurrence of this sort of aggression is exactly what this treaty is designed to prevent by giving the Communists a clear warning about United States reaction to such a venture.

I may say that this is one of a number of treaties which we have made with countries in that area to emphasize this warning. We have a treaty of mutual defense with Japan. We have such a treaty with the Philippines, with Australia, and with New Zealand, and now we have before us a treaty with Korea. It is part of a pattern which we are developing in order to give warning to the Kremlin that something will happen if there are any further aggressions in this area. The Communists will be in no doubt about our retaliatory action. The treaty says:

"Each party recognizes that an armed attack * * * either of the parties * * * would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes."

We have been discussing that provision for some time.

Article III was prepared with the greatest care. After considering a similar provision in the security alliances which we developed in West Europe under the NATO plan, we decided that, because under the NATO plan the treaty said an attack on one would be considered an attack on all, a difficulty was created, which occasioned a great debate when that instrument was before the Senate for consideration.

The question was whether, if there should be an attack, the President could act without constitutional processes, so we decided upon a different provision. I was in consultation with Secretary Dulles when the treaties with Australia and other countries were being negotiated. It was decided not to adopt the NATO pattern, namely, that an attack on one would be considered an attack on all, but the pattern of the Monroe Dictrine. So if we are now asked the question as to what would happen if one of those

treaties were violated by an attack, we can well ask anyone who raises the question, "What would we do if there were an attack in some area of South America protected by the Monroe Doctrine? What are the constitutional processes which apply to such a situation?"

The same principle applies in connection with the treaty now before us. We have simply said, by this treaty and similar treaties with other countries, that we are giving a warning that we look upon the Pacific area as an area of danger to us—not to anyone else—comparable to the danger we saw when the Monroe Doctrine was first enunciated. Let me make that point clear.

Besides our unilateral guaranty to act to meet the common danger, Secretary Dulles pointed out that the Republic of Korea has also the guaranty of 16 United Nations members having troops in Korea that a violation of the armistice agreement will be met with countermeasures not necessarily confined to Korea.

It has been brought out very properly today that, of course, the present situation, with danger of a possible violation of the truce, is an immediate problem, and that we have very little doubt as to what we would do under those conditions. The United Nations is also committed as to what it would do.

The Korean Treaty looks beyond that, years ahead, and assumes that the Korean situation is to be cleared up. In this treaty we have the declaration of the Monroe Doctrine, that we would view with alarm a threat to our peace and security if there were any attack in the far eastern area.

Secretary Dulles said:

"What we mean by this is, we would no longer feel limited by the boundaries of North Korea and the Yalu River, no longer would there be a privileged sanctuary, as General MacArthur called it, north of which attacks against our forces could be mounted. We would feel free to extend hostilities to areas beyond Korea, if those areas were in fact being used as a base for attack against our forces in Korea."

In other words, we are serving a warning that something definite will happen in case there is a breach of the present truce.

A precise definition of our future action, such as that given by the Secretary of State, should be the greatest possible deterrent to anyone plotting further aggression in that area.

Between these two guaranties Korea can rest secure in the knowledge that it will not face renewed aggression alone.

One guaranty is the United Nations guaranty, with respect to which I have just quoted the Secretary. The other is the mutual-defense arrangement which we are setting up in the treaty with Korea. Korea can rest secure in the knowledge that it will not face renewed aggression alone.

When I was in Korea 2 months ago I observed that the conclusion of an armistice there and the 16-nation declaration had given South Korea a measure of relief and stability. The pledge contained in the mutual-defense treaty will increase this measure and, in my opinion, give Korea a sufficient sense of security to enable it to go forward with the enormous task of reconstruction without the enervating fear of an attack from the north.

This has not been possible yet.

Korea needs a breathing spell desperately to put its homeland in order again.

It is my belief that the Communists will probably not renew their aggression in Korea in the near future. The signs show that they are digging in for a prolonged armistice—an uneasy truce—and not preparing for a renewal of the fighting. In spite of these signs, of course, we must remain on our guard in Korea. I may say that we are remaining on our guard in Korea.

I should like to devote a few minutes of my time now to stress the things that the treaty does not do.

The treaty does not compel the United States to come to the aid of President Rhee should he attempt to reunite Korea by force.

My distinguished colleague, the Senator from Wisconsin (Mr. WILEY), read the interpretation which was added to the treaty in the Committee on Foreign Relations, on the motion of the Senator from Georgia (Mr. GEORGE), in order to protect us by reassurance against any suggestion that we might be called upon to act in case South Korea attempted to move unilaterally to bring about unification of Korea by force.

Much as we can sympathize with President Rhee's desire to see his country united, we cannot allow ourselves to become a party to an unlawful act, such as unification by military might. As a nation, we stand on record as striving wholeheartedly for the peaceful unification of Korea, and we will continue to bend our every effort toward that goal, remote as it may seem to some people at the moment. A violent unification, however, is against the principles and purposes of the United Nations of which we are a member, and against the truce terms. In the event that President Rhee should try such an action, the treaty will not come into play. Article III, which I have already quoted, limits action to an armed attack on either of the parties "in territories now under their respective administrative control, or hereafter recognized by one of the parties as lawfully brought under the administrative control of the other." I have emphasized the word "lawfully" in order to focus the attention of the Senate to this limitation.

In other words, if Korea is united by lawful means—by agreement or treaty or by other means—then the whole of Korea becomes subject to the treaty, and we would be prepared to help defend the whole of Korea. However, we would take no part in uniting it by forceful means.

During the hearings held by our committee, I asked the Secretary of State specifically whether the wording of article III would deter President Rhee from unilateral action to reunite Korea. He answered me, stating that it makes clear to President Rhee that "if he does that, he would then be alone." So we are repeating again and again exactly the limitations of the treaty.

I might add at this point, that when I was in Korea I had a long talk with President Rhee. I feel that it has been made entirely clear that the United States must oppose any attempt on his part to go it alone. For myself, I believe that he will not violate the truce.

I may say parenthetically that I am one of those who are very sympathetic with President Rhee's position, and very sympathetic with his situation, and on the floor of the Senate I have stated that he has dedicated himself to see his country reunited.

One can understand how he felt, in a state of turmoil, when he thought we were going to settle on the 38th parallel or some other place, and leave Korea divided. We are sympathetic, Mr. President, but we are trying to persuade him not to act with force, and we are trying to persuade him that his best chance of uniting Korea is to work with his friends and with his allies, especially the United States, to bring about the unification of Korea by peaceful means.

The second thing this treaty does not do is to run counter to our obligations under the U.N. Charter. The treaty was negotiated under article 51 of the Charter, which preserves for each nation the right of individual and collective self-defense against an armed attack. The only obligation imposed by that article in connection with an armed attack upon members, is that the measures taken to repel such an attack shall be reported to the Security Council. If we do take measures, we must report them to the Security Council, but we definitely do not have to ask the Security Council whether we can take the measures.

We are, therefore, not dependent upon a green light from the United Nations before we can come to the Republic of Korea's assistance in case she is attacked again. This means that a Soviet veto in the Security Council cannot stall prompt action on our part. We are free to do what we think is right and necessary under the circumstances. In the event of another attack, I am sure that our Government would work with the U.N. and report to the Security Council on any action taken.

Finally, the treaty does not go beyond the general type of commitment which we have made in our other Pacific-area security treaties. To those treaties I have already referred.

In providing, as it does, that an armed attack on either party would be regarded by the other as dangerous to its own peace and safety and would be met, by each party, in accordance with its constitutional processes, the treaty remains squarely within the four corners of the Constitution, and is on all fours with the Monroe Doctrine, which has been in effect for a long time and which deals with any possible encroachment by European nations on South America.

So I suggest to my friends who are troubled that they ask themselves: What would be the constitutional process in case there was a threatened attack on South America by a European or other country? That is exactly the same question we have before us.

Mr. WATKINS. Mr. President, will the Senator yield? I should like to ask him to outline what those processes are.

The PRESIDING OFFICER (Mr. KUCHEL in the chair). Does the Senator from New Jersey yield to the Senator from Utah?

Mr. SMITH of New Jersey. I would prefer to wait until I have concluded my remarks. Then I shall be very happy to yield.

Secretary of State Dulles, who devised this formula when he negotiated the Japanese, Philippine, and Australia-New Zealand treaties, has characterized it as the Monroe Doctrine approach. It uses the exact words of President Monroe in his historical warning to European nations that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. The Monroe Doctrine has stood unchallenged on constitutional grounds throughout our history.

Before I close, I would like to refer briefly to the debate in the Senate last Friday during which a number of my distinguished colleagues on the other side of the aisle took issue with the administration's military strategy. Let me say to them that this question was also raised during the Foreign Relations Committee's consideration of the Korean Mutual Defense Treaty. The committee, in deciding to report the treaty, carefully explored with administration witnesses the defensive capacity of the United States in order to determine whether we have the military strength to shoulder this additional commitment. We, too, had read of the announced withdrawal of two American Army divisions from Korea, of military reductions, and of contract cancellations. I want to pass on to the Senate the assurances we received on that score. General Ridgway told us that the withdrawal of the two divisions would not weaken our position over there. "In fact," he said, "I think it would add to our flexibility."

I would also like to quote Secretary Dulles on this point:

"If we had to try to maintain ground forces, let us say, in Asia, to meet an attack by ground forces at any place where the enemy chooses to attack, then I believe that we are virtually subservient to the enemy.

"What we must do is to make clear that if there is such an attack, which involves our vital interests, our reaction will be, as I said last night, at places and by means of our own choosing. We will not necessarily allow the enemy to pick the rules of battle and the

place of battle and the conditions of battle which best suit his purposes.

"By making that clear, as has been done in relation to Korea, in relation to Indochina, in relation to our vital interests in the Pacific, it is possible for us to protect our vital interests without an overextension."

That is the end of the quotation from Mr. Dulles in explaining the withdrawal of troops and the principle of flexibility and retaliation.

Speaking for myself, I believe that the President's program ensures us sufficient military strength to meet our commitments as well as the new one in Korea that we are considering today. As for the so-called "new" strategy, it is tailored, in my opinion to meet the world situation confronting us, in which we need the utmost flexibility within our economic and military means, to react to any new threat of aggression.

In conclusion, I would like to express some thoughts on the Pacific area in general. Over the past years, I have become familiar with that region through periodic visits there—I made three visits there on three different occasions—and as chairman and formerly as ranking minority member, of the Far Eastern Consultative Subcommittee of the Foreign Relations Committee. Over those years, I have noted an improvement in the situation there from the dark days of 1949 when China fell to the Communists. I believe that the nations of that area are becoming more alert to the threat of communism and that our military, economic, and technical assistance has given them a helpful start toward being able to meet that threat effectively. But I also believe that more can be done to encourage the idea of collective security in the Far East.

Mr. THYE. Mr. President, will the Senator from New Jersey yield?

Mr. SMITH of New Jersey. I would prefer to wait until I have finished with my remarks. Then I shall be happy to yield.

I hope the free nations of the Pacific will soon forget their differences and make common cause in a regional security arrangement, which in my judgment should be similar to the so-called American Monroe Doctrine and which would recognize that an attack anywhere in the Far East would affect the safety and security of all of us.

In making this statement I am not unaware of the great cultural, racial, and political differences which exist between the various nations in the Pacific, and I should state that we found that there would be difficulties in bringing about a regional pact among those nations at this time. However, we are still working on it. I am hopeful that their mutual aspirations and interests will override those differences.

Until the time that such a regional agreement is possible, the web of mutual defense and security treaties that we have negotiated with the Philippines, Australia, and New Zealand, Japan, and now the Republic of Korea, offers the best insurance against future aggression in that area so important to us. I therefore strongly urge the Senate to give its overwhelming advice and consent to this treaty and put the Communists on notice.

I shall be glad now to yield for questions.

Mr. Watkins rose.

The PRESIDING OFFICER (Mr. KUCHEL in the chair). Does the Senator from New Jersey yield to the Senator from Utah?

Mr. SMITH of New Jersey. I yield.

Mr. WATKINS. While the Senator was delivering his address I asked him if he would outline the various steps in the constitutional process.

Mr. SMITH of New Jersey. We all agree that so far as a declaration of war is concerned, that is a congressional function, but we have two different situations existing. One is the present truce which is a precarious truce, with our men on the line in jeopardy in case of attack. We emphasized previously that in case of attack by the South Koreans, without any action by us, we would have nothing to do with it.

Mr. WATKINS. What would we do if South Korea provoked an attack?

Mr. SMITH of New Jersey. I discussed that with General Taylor at great length. He will have to be governed by the circumstances of the situation. It is very difficult to know just what to do. Before I discuss an attack under those circumstances, I want to consider an attack the other way. The question is, What are our constitutional processes?

Mr. WATKINS. Yes. What steps are we to take?

Mr. SMITH of New Jersey. With our troops in jeopardy I have no doubt that the President of the United States could move immediately. The Senator would agree with that, I am sure.

Mr. WATKINS. I should think so, because of the previous conflict which had been going on, and the temporary truce being only a breathing spell in it.

Mr. SMITH of New Jersey. If it precipitated a war, I would myself urge that the matter be immediately brought to the Congress, as I urged President Truman to do when the first attack was made. He should have done that. But the President may be on the spot. Confronted with a sudden danger to our peace and safety that he cannot now foresee. I would say that if the Monroe Doctrine principle came into effect, he would have to act immediately and rely on the Congress to back him up by a declaration of war.

Mr. WATKINS. Suppose there is peace in that area; suppose the armistice results in a peace treaty. This treaty will run on indefinitely. Suppose, then, an attack were made upon South Korea. What, then, would be the situation? Would the President have the power to order our troops into action there before coming to the Congress, or would he make the decision as to whether we should go to war?

Mr. SMITH of New Jersey. We have a great many troops in the area. The Senator is not speaking about the troops being in jeopardy, is he?

Mr. WATKINS. Where the troops have been withdrawn, as they would be if a peace treaty were made.

Mr. SMITH of New Jersey. What does the Senator conceive to be the duty of the President in case of a violation of the Monroe Doctrine in South America? What has the President done in the past? He has certainly issued stern warnings. He would have to be prepared to move in, and there would be a declaration of war if the situation should reach such a serious stage. President Cleveland issued a stern warning that we were going to stand by the Monroe Doctrine. Great Britain at that time was the one causing the trouble, if I correctly remember my history. The circumstances would be about the same in this case. The President should be prepared to issue a stern warning and have Congress back of him and ask for the support of Congress. I think President Truman should have done that on the occasion when South Korea was invaded by North Korea.

Mr. WATKINS. I agree with the Senator. I think it is an important right for the men who are going to do the fighting and the dying to have a voice in the matter.

Mr. SMITH of New Jersey. Through the Congress?

Mr. WATKINS. Yes; through their representatives.

Mr. SMITH of New Jersey. I agree.

Mr. WATKINS. No President would have the right, unless we were attacked, to order our forces into action.

Mr. SMITH of New Jersey. I agree with the Senator, and I cannot see why the situation cannot be handled in that way. Under our constitutional processes we would handle it in that way. When we debated the NATO pact the question very properly came up as to whether it covered an attack on Paris, for instance, and whether the President, acting alone, could move to defend Paris. We said, "The language is too broad; it is too uncertain. Let us use the words 'constitutional processes' so that everyone will know that there will be at least that approach to the question."

That is my position.

Mr. WATKINS. The Senator asked me what I would say the process should be in the event some nation threatened to attack a South American nation. I would say that the issuance of a warning by the President would be one of the first steps, but before he ordered out the Armed Forces I would say that the President, by all means, should come to the Congress to get the power to take that action.

Mr. SMITH of New Jersey. I could not agree more thoroughly with the Senator. I agree absolutely with all the Senator has said. I cannot conceive of a situation where it would not be possible to do that.

Mr. WATKINS. In the case of the NATO agreement it was stated that there was an attempt to increase the war-making powers of the President. What I objected to was that by agreement we were attempting to increase the war-making powers of the President to order our forces into action. In the debate we finally got the legislative history of what occurred when the North Atlantic Pact was drafted. As I remember, the Senator from Georgia [Mr. GEORGE], who was present a few moments ago, said that article 11 was drafted in the committee itself, and that he was responsible for article 11 which provided, in effect, that the treaty would be ratified and its provisions carried out by the parties according to constitutional processes. That is, in substance, what was provided. That meant, it was said, that all steps in implementing the treaty should be by the Congress, and particularly the decision as to a declaration of war should be made by the Congress, as should the decision with reference to sending troops outside United States territory in time of peace.

Mr. SMITH of New Jersey. I agree with the Senator. I have been advised by the chief of our Foreign Relations Committee staff that in the report on the NATO Treaty we made it clear that it was not intended in any way to enlarge the President's powers in the matter of declaring war. That was in the report which was made at the time.

Mr. WATKINS. Many persons have taken the position, and apparently the Truman administration took the position, that we sought in the NATO Treaty, to give additional power to the President, so that he could order out the troops without the approval of the Congress. In fact, there never has been approval by the Congress to sending troops to Europe under the NATO Treaty. The Senate alone passed an advisory resolution that the President should consult the Congress first.

Mr. SMITH of New Jersey. I wish to read to the distinguished Senator from Utah a quotation from the report of the Committee on Foreign Relations, when the NATO Treaty was presented to the Senate. I read from a volume entitled "A Decade of American Foreign Policy Basic Documents, 1941–49, 81st Congress, 1st Session, Published by the Committee on Foreign Relations":

"The committee does not believe it appropriate in this report to undertake to define the authority of the President to use the Armed Forces. Nothing in the treaty, however, including the provision that an attack against one shall be considered an attack against all, increases or decreases the constitutional powers of either the President or the Congress or changes the relationship between them."

That was in the report when the NATO Treaty was submitted to the Senate for action.

Mr. WATKINS. When I offered my reservation which required the adoption of a resolution by Congress to put us into a war in the event that any of the nations included in the treaty were attacked, or to send our

forces abroad, the reservation was rejected. It was said by the chairman of the Committee on Foreign Relations at that time that to accept the reservation would be to cut the heart out of the treaty. But all it attempted to do was to say, in specific terms, that before such actions were taken, Congress should have the right to make the decision. Of course, I became suspicious of the whole proposal, and my suspicions were justified when the President did attempt to send troops abroad under the treaty without any authorization from Congress.

Mr. SMITH of New Jersey. That gave rise to the troops-to-Europe issue and to the long debate on the subject. That was the reason for the specific approach to this treaty, which we hoped would provide a sense of collective security in other dangerous areas. We did not use the NATO formula, but we used the Monroe Doctrine formula, which throughout the years we felt had proved to be constitutional and safe.

Mr. WATKINS. I might observe, in connection with this subject, that that presents a far different picture than we had in connection with the NATO Treaty.

Mr. SMITH of New Jersey. I hope the distinguished Senator from Utah feels that we have leaned over backward to try to provide the protections which he was anxious to have, and which all of us are anxious to have, namely, constitutional processes in our difficult, serious international relations.

Mr. WATKINS. I am happy to hear the Senator make that statement. I am glad we finally stopped the trend of attempting to increase the war-making power of the Executive by way of treaty. I may say that that was one of the things that gave rise to the proposed Bricker amendment.

Mr. SMITH of New Jersey. All of us are aware of that. We may have more debate on that subject before we finish with the general discussion on this subject.

Mr. WATKINS. I thank the Senator from New Jersey for his courtesy.

Mr. SMITH of New Jersey. Mr. President, I observe that the Senator from Mississippi [Mr. STENNIS] is on the floor. I promised him that at the end of my address, I would be glad to answer any questions he might wish to ask. I yield to the Senator from Mississippi.

Mr. STENNIS. I appreciate the Senator from New Jersey yielding. I did not have the advantage of being here during all the time he was making his remarks. At the expense of repetition, may I ask him what is his answer to the question I propounded to the Senator from Wisconsin [Mr. WILEY] with reference to the interpretation of the phrase, "in accordance with its constitutional processes," as contained in article III.

Mr. SMITH of New Jersey. I may say to the distinguished Senator from Mississippi that I have discussed that question at some length with the Senator from Utah. I should be glad to refer the distinguished Senator to the RECORD, or I shall be glad to restate my position.

Mr. STENNIS. Does the Senator from New Jersey agree with the Senator from Wisconsin that it would require, as the Senator from Wisconsin repeatedly said, an affirmative act of Congress for the United States to use force?

Mr. SMITH of New Jersey. I called attention to the fact that there were two situations. One was the uneasy truce which now exists. If there were a violation of the truce, I believe the President would be justified in acting to protect our troops and, as a part of our obligation in the United Nations, to protect the troops of the United Nations. I assume the distinguished Senator will agree with that statement.

Mr. STENNIS. I do agree with that statement.

Mr. SMITH of New Jersey. Assuming that we pass the Korean truce stage, and that there is a new attack in the future, what I then called attention to was the fact that under this treaty we are virtually, by article III, putting our position in the Far East in the same situation as in the Western Hemisphere under the Monroe Doctrine. We say in article III:

"ARTICLE III

"Each party recognizes that an armed attack in the Pacific area on either of the parties in territories now under their respective administrative control, or hereafter recognized by one of the parties as lawfully brought under the administrative control of the other, would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes."

As we include the same clause in all our treaties, we are practically saying we are approaching the far-eastern situation in the same spirit as did President Monroe, when he warned the other countries of the world that aggression against the Western Hemisphere would be a matter of concern to the United States. As we know, down through our own history, the Monroe Doctrine has helped to prevent an outbreak of wars in this hemisphere.

We are seeking here the same approach as the Monroe Doctrine approach. Whatever constitutional processes would be required in the case of a violation of the Monroe Doctrine on this continent, I would say the same processes would be followed under this treaty, namely, the requirement of a declaration of war by Congress, except in some emergency in which the President had to act quickly in order to protect the safety of some our citizens.

Mr. STENNIS. I appreciate the answer of the Senator from New Jersey on that point. Then, unless it were necessary to protect some of our own citizens, including the protection of our own soldiers or servicemen who would be in the theater of danger, the Senator is not committing himself in this treaty to any obligation except through the process of a declaration of war by Congress?

Mr. SMITH of New Jersey. The Senator is correct.

Mr. STENNIS. The Senator is not going any further than that?

Mr. SMITH of New Jersey. No.

Mr. STENNIS. The Senator does not think the United States is committed to go any further than that, does he?

Mr. SMITH of New Jersey. Not as I see it.

Mr. STENNIS. Does the Senator from New Jersey agree with the Senator from Minnesota [Mr. HUMPHREY] in his point?

Mr. SMITH of New Jersey. I was not sure I thoroughly understood what was the real difference.

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

Mr. SMITH of New Jersey. I yield.

Mr. THYE. I wanted to be certain that the reference by the Senator from Mississippi to the Senator from Minnesota was not a reference to me.

Mr. SMITH of New Jersey. I understood the Senator from Mississippi to be referring to the junior Senator from Minnesota [Mr. HUMPHREY].

Mr. STENNIS. The junior Senator from Minnesota is a member of the Committee on Foreign Relations.

Mr. SMITH of New Jersey. I was not entirely certain what the difference was between the junior Senator from Minnesota and our distinguished chairman of the Foreign Relations Committee, but my position in the matter is very clear.

I thought probably the Senator from Minnesota had reference to something that might happen unexpectedly, as to which we could not be too critical of the President if he used his discretion. That may be true. But fundamental constitutional processes mean that we follow the Constitution; and under the Constitution, Congress must declare war, if war is to be declared.

Mr. STENNIS. Did the Senator from New Jersey in his address cover the idea of a regional security agreement in the Pacific area, an agreement that might be called a Pacific NATO? Did the Senator speak on that point in his main address?

Mr. SMITH of New Jersey. I discussed the approach of NATO, and the Monroe Doctrine approach, quite extensively. I pointed out that in the negotiation of this treaty I had the privilege of cooperating with Mr. Dulles and with our Far-Eastern Subcommittee in the discussion of these approaches. We considered that we could not adopt the NATO formula, because to do so would cause difficulty on the floor of the Senate, with respect to understanding what was meant by the statement that an attack on one meant an attack on all. In other words, under the NATO formula, would an attack on Paris mean an attack on New York, and could the President act in such a situation? We leaned over backward to use the language of the Monroe Doctrine in formulating the far-eastern treaties, with the result that it is necessary for us to observe our constitutional processes.

Mr. STENNIS. I wish to ask 1 or 2 further questions. Did the Senator consider asking some of the other Asiatic nations to come forward and pledge themselves to the security of Korea? Was that considered by the Senator?

Mr. SMITH of New Jersey. I shall be glad to answer that question, because I have taken part in the discussions of that question, too. I have been to the Far East with Secretary Dulles and his associates. I have discussed the question at length with him and with Walter Robertson, Assistant Secretary of State for Far Eastern Affairs. I think there is not one of us who would not favor a collective security pact among all the Asiatic nations, but we have discovered there are differences between those countries. There are difficulties today that cannot be surmounted all at once. Some steps will have to be taken toward security before we can get the whole group into a mutual security pact. There is still very serious friction between the Philippines and Japan and serious friction between Japan and Korea. It will be found that there are some strained feelings between some of the countries which I have visited, as, for instance, between Indochina and Burma. We cannot accomplish our purpose all at once, but we are working sincerely to the end of bringing about a security setup among those nations themselves, which will bear upon that area in the sense that the Monroe Doctrine bears upon the areas of this hemisphere.

Mr. STENNIS. Does the Senator from New Jersey contemplate that the United States would become a member of a so-called Pacific NATO?

Mr. SMITH of New Jersey. I have urged that the initiative should come from those countries themselves. They should set up such a mutual security organization among themselves. If the United States can be of help to them, well and good. But I do not believe we should take the initiative by trying to tell them what to do for their own defense. We can advise them, but we should not try to lead them into a pact by insisting that they join in it.

Mr. STENNIS. Does the Senator suggest or think that the United States of America should become a party to it?

Mr. SMITH of New Jersey. I think that the treaties which we have entered into were definitely wise, because the treaties reflect our sense of fear and apprehension about the Far Eastern area. I do not think we can avoid our share of the responsibility or avoid going at least as far as the statement in article III, which states that each party recognizes that an armed attack in the Pacific area would be dangerous to its own peace and safety.

In other words, if there were to be an armed attack in the Pacific area, this country would be alerted and alarmed, and would have to do something about it, and do it quickly. If there were an attack on Indochina by the Chinese Communists, as Secretary Dulles has given the warning, we will be right there, and the consequences which follow will have to be borne. We have warned aggressors that we are going to be alert to any aggression anywhere in that area, which means so much to our own peace and security.

Mr. STENNIS. Lest the Senator be misunderstood, is it correct that the Secretary favors a Pacific NATO in which we would be a party?

Mr. SMITH of New Jersey. I am opposed to a Pacific NATO. I am opposed to anything further than saying that an attack on a nation in that Pacific area would be dangerous to our own peace and safety. I am in favor of saying that we would be glad to consult with a nation which is so attacked, and to take such action as is provided under our constitutional processes and to do what we can to meet the aggression.

This is the Monroe Doctrine approach. At Rio we enlarged the conception of a unilateral Monroe Doctrine into a multilateral Monroe Doctrine. In the Far East we should be thinking of a multilateral Monroe Doctrine.

Mr. STENNIS. The Senator would extend to all other nations of Asia the pact we are now entering into with Korea, would he?

Mr. SMITH of New Jersey. I would not even say that. With regard to some, I would, and with regard to others, I would not. We would have to explore the situation which obtained as to each one of the nations. We began with our natural allies, Australia and New Zealand. The Philippines were, in a sense, a ward of ours. The Japanese are, in a similar sense, a ward of ours. Korea, which has become an essential ward of ours, is the last one. As to whether we enter into such a pact with other nations would have to be determined on the merits of each individual case.

Mr. STENNIS. There are at least a few nations of Asia to which the Senator would extend the same pact which we now propose to extend to Korea?

Mr. SMITH of New Jersey. No; I would not without investigating each one on its own merits. I would not want to be committed to that policy, because I do not know what the effects would be. I do say that we should be convinced that an attack on any country in Asia would be a danger to our own peace and security. We have given a warning ahead of time, and we would be alerted to it. Anyone starting hostilities would have to take the consequences.

Mr. STENNIS. If I may ask the Senator one more question, referring to the discussion with Syngman Rhee, it was stated in the papers that some promises were made with reference to a pact, subject to ratification by Congress, of course. Does the Senator know whether or not the proposal was made that the United Nations or some other nations should give this guaranty, either without the United States or including the United States, and that it was stated that Syngman Rhee refused to agree, and stated that it would be with the United States or no one?

Mr. SMITH of New Jersey. I cannot answer that at all, but I can refer the distinguished Senator to the Senate document in which appears the message of President Eisenhower on the Korean Treaty. On page 5 of the message of the President of the United States, there is a joint statement by Secretary of State Dulles and President Syngman Rhee. It is erroneously dated October 8, 1953, in the print. Actually, it was released August 7, 1953. I shall read only the beginning of it. If the Senator wishes, I suggest that he read all of it.

I also suggest that the Senator read the statement on page 7 of the message from the President of the United States, which was issued by the Secretary of State after the original initialing of the treaty by Secretary Dulles and President Rhee, on October 1, 1953.

I am now reading in part from what is called the joint statement by Secretary of State Dulles and President Syngman Rhee. The correct date on which it was released is August 7, 1953:

"Following is the text of a joint statement by President Syngman Rhee and Secretary of State John Foster Dulles following the conclusion of their talks at Seoul, Korea."

The distinguished Senator from Mississippi will remember that just as the Congress was adjourning last summer there was a plan to have some of the Members of the Senate go to Korea. The Senator from California (Mr. Knowland) and I were to go as Members on the Republican side, and two of our colleagues were to go from the Democratic side. We were to go to Korea to discuss the matter with President Rhee. We could not go because of the pending business in the Senate, and because of the lamentable death of our colleague, Senator Taft. However, Secretary Dulles, Ambassador Henry Cabot Lodge, Assistant Secretary Walter Roberts, and a number of others did go. They discussed the matter with President Syngman Rhee, following which the statement I am about to read was issued. I quote the beginning:

"Our friendly and understanding consultations demonstrate clearly the determination of the United States and the Republic of Korea to stand together in cordial cooperation to achieve our common objectives, including the reunification of Korea."

Of course, what was troubling Dr. Rhee was the question of the reunification of Korea. President Rhee felt that if Korea were divided at the 38th parallel, or any other parallel, it would be permanently divided. He was greatly disturbed that we were not going to carry on until a unification was brought about. In view of those facts our representatives went to Korea to discuss that matter.

The joint statement continues:

"We have today initialed a draft of a mutual defense treaty. That treaty is designed to unite our nations in common action to meet danger and it will cement the ties which have brought us together to combat in Korea the menace of Communist aggression.

"Our two Governments will actively proceed with the constitutional processes necessary to bring this treaty into full force and effect. These constitutional processes, in the case of the United States, require that the United States Senate consent to the ratification. The United States Senate, having adjourned this week, will not again be in regular session until next January. However, United States Senate leaders have been kept fully informed of the exchange of views which have led to the action we have taken today and it is our sincere hope that this will lead to prompt and favorable United States Senate action."

Mr. President, I shall not read further, but if the distinguished Senator will read the remainder of the statement, he will see what has been accomplished.

Mr. STENNIS. The Senator from Mississippi was confused as to the date of the report. Which is the correct date?

Mr. SMITH of New Jersey. The correct date is August 7, 1953. The date in the document is a misprint.

Mr. STENNIS. I thank the Senator from New Jersey.

Mr. SMITH of New Jersey. I have had called to my attention by Dr. Wilcox the discussion contained in the printed hearings. In appendix II there is contained an exchange of letters between President Rhee and President Eisenhower. The first is a letter from President Rhee to President Eisenhower, dated May 30, 1953, the next is a letter from President Eisenhower to President Rhee, dated June 6, 1953. The next is a letter from President Rhee to President Eisenhower, dated June 19, 1953.

I have not read the letters recently, but, as I recall, they did not involve any commitment or coercion; President Rhee wanted assurance that he would not be left alone with a divided Korea.

Mr. President, I yield the floor, and I thank the Senator from North Dakota for yielding until I could finish the colloquy.

BARRING AMERICAN FORCES IN CAMBODIA

Mr. CHURCH. Mr. President, I rise to commend the distinguished Senator from Louisiana (Mr. ELLENDER), floor manager of this defense appropriations bill, and the members of the Senate Appropriations Committee, for the amendment the committee adopted to section 843 of the measure.

This is a very important action, consistent with the declared objective of the present administration to disengage American combat troops from Southeast Asia. It is an action, moreover, which implicitly recognizes that spending money for military purposes in a foreign land readily leads to the involvement of American personnel and then to the commitment of American troops.

To avoid just such a sequence of events in Laos and Thailand, the Senate adopted last December an amendment in the nature of a substitute, which I offered to an original amendment proposed by the distinguished Senator from Kentucky (Mr. COOPER). This amendment, adopted by a vote of 73 to 17 on December 15, 1969, prohibited the use of any funds in last year's defense appropriation bill to finance the introduction of American ground combat troops into either Laos or Thailand.

The following morning, at a Cabinet meeting, President Nixon indicated his willingness to accept the amendment, acknowledging it to be in accordance with his announced intentions. White House spokesmen indicated, at the time, that the restriction was consistent with the President's own objective of keeping the United States out of a wider war on an expanding front in Indochina.

But the amendment, as adopted, represented something more than an affirmation of Presidential policy. It was also, in a very real sense, a reassertion of congressional control over the spending of public money in countries neighboring on the war front in South Vietnam. It was more than the expression of the sense of Congress that the United States should not become involved in a spreading war in Southeast Asia; it was an exercise of congressional power denying funds for such a purpose, insofar as the use of American ground combat troops were concerned.

On October 14, 1970, Senator COOPER and I addressed a letter to the distinguished chairman of the Senate Appropriations Committee (Mr. RUSSELL) asking that the committee give consideration to extending the prohibition in the law to include Cambodia, along with Laos and Thailand.

I ask unanimous consent that the text of the letter be printed at this point in the RECORD.

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

OCTOBER 14, 1970.

Hon. RICHARD B. RUSSELL,
Chairman, Committee on Appropriations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: As you well know, we submitted an amendment to the Defense Appropriations bill last year, which was modified on the Senate floor on December 15th, barring the use of U.S. funds to introduce American ground combat troops into Laos or Thailand. We are happy to note that this same language is included in this year's bill, H.R. 19590.

Because of the recent debate over American operations in Cambodia, we are requesting that Section 843 be amended in Committee by adding "or Cambodia" to the present wording. Hence, the Section would read:

Sec. 843. In line with the expressed intention of the President of the United States, none of the funds appropriated by this Act shall be used to finance the introduction of American ground combat troops into Laos, Thailand or Cambodia.

Thank you for your consideration of this matter, and we look forward to hearing from you in the near future.

Sincerely,

JOHN SHERMAN COOPER,
FRANK CHURCH.

Mr. CHURCH. Mr. President, it is most gratifying that the committee has responded affirmatively to this request. In doing so, the committee has taken cognizance of the majority decision of the Senate on a subsequent Cooper-Church amendment, approved by this body on June 30 of this year by a vote of 58 to 37. Had that amendment become law, more extensive restrictions would have applied to military spending in Cambodia than a simple prohibition against introducing American ground combat troops.

So the action the committee has taken with respect to the pending bill is altogether in line with the previous judgment of the Senate.

In amending section 843, the committee has used the language of last year, which the President approved, adding only the words, "or Cambodia." Once more, this goes hand in hand with the President's declared objective that, in the future, Asian governments must rely on their own armed forces—rather than ours—for their self-defense.

The section, as amended, now reads:

Section 843. In line with the expressed intention of the President of the United States, none of the funds appropriated by this Act shall be used to finance the introduction of American ground combat troops into Laos, Thailand, or Cambodia.

I trust that the Senate will uphold the committee's decision; and I hope that, once passed by the Senate, the amendment will be retained in conference, and signed into law by President Nixon.

As part of the law, the amendment would help enforce the President's own declared resolve to prevent the United States from being drawn into a larger war, a goal that has the overwhelming support of all the American people.

Moreover, as part of the law, the amendment would constitute a further expression of the right of Congress to determine where and how public money is spent. Should the time come in the year ahead when the President decides we should send American combat troops into Laos, Thailand, or Cambodia, he would be obliged to come to Congress first for its consent. This is what the Constitution intended.

For all these reasons, Mr. President, I commend the Senate Committee on Appropriations for the statesmanlike action it has taken.

I ask unanimous consent that pages 10 and 11 of the Committee on Appropriations report—No. 91-1392—to the Department of Defense appropriations bill, 1971, be printed in the RECORD.

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

PROHIBITION AGAINST THE USE OF FUNDS FOR THE INTRODUCTION OF AMERICAN GROUND FORCES INTO LAOS, THAILAND AND CAMBODIA

Section 843 of the bill as it passed the House provides that none of the funds appropriated by this Act shall be used to finance the introduction of American ground combat troops into Laos or Thailand. The committee recommends that this provision be amended to include Cambodia, so as to read as follows:

"SEC. 843. In line with the expressed intention of the President of the United States, none of the funds appropriated by this Act shall be used to finance the introduction of American ground combat troops into Laos, Thailand, or *Cambodia.*"

This matter was debated at length by the Senate earlier in this Session in connection with an amendment to the Foreign Military Sales Bill (H.R. 15628), and the Senate adopted, on a roll call vote of 58 yeas to 37 noes, an amendment which reads as follows:

'Sec. 7. The Foreign Ministry Sales Act is further amended by adding at the end thereof the following new section:

" 'Sec. 47. Limitations on United States Involvement in Cambodia.—In concert with the declared objectives of the President of the United States to avoid the involvement of the United States in Cambodia after July 1, 1970, and to expedite the withdrawal of American forces from Cambodia, it is hereby provided that unless specifically authorized by law hereafter enacted, no funds authorized or appropriated pursuant to this Act or any other law may be expended after July 1, 1970, for the purposes of—

" '(1) retaining United States forces in Cambodia;

" '(2) paying the compensation or allowances of, or otherwise supporting, directly or indirectly, any United States personnel in Cambodia who furnished military instruction to Cambodian forces or engage in any combat activity in support of Cambodian forces;

" '(3) entering into or carrying out any contract or agreement to provide military instruction in Cambodia, or to provide persons to engage in any combat activity in support of Cambodian forces; or

" '(4) conducting any combat activity in the air above Cambodia in direct support of Cambodian forces.'

Nothing contained in this section shall be deemed to impugn the constitutional power of the President as Commander-in-Chief, including the exercise of that constitutional power which may be necessary to protect the lives of United States Armed Forces wherever deployed. Nothing contained in this section shall be deemed to impugn the constitutional powers of the Congress including the power to declare war and to make rules for the Government and regulation of the Armed Forces of the United States."

The committee's recommendation for the inclusion of Cambodia in this provision is based on this earlier action of the Senate.

Mr. JAVITS. Mr. President, I, too, would like to commend the committee for its exercise of statesmanship in regard to this matter. I also commend the Senator from Kentucky (Mr. COOPER) and the Senator from Idaho (Mr. CHURCH) for their fine work which laid the basis for this action.

Mr. President, I rise only to call the attention of the Senate to the fact that we are still, as it were, chasing after a runaway trolley with respect to the warmaking powers of the President. The best we can do is to anticipate it in an appropriation bill, where the money is immediately to be expended. The worst we can do is to chase the trolley, after the event has happened, the troops are already there, and the United States is committed, and then try to stop it with sense resolutions or a denial of money like the effort made with regard to the McGovern-Hatfield resolution.

The basic problem is that the constitutional responsibility for making war has gotten out of hand and is now essentially in the hands of a succession of Presidents who have been bold enough to seize the nettle, because they are all undeclared wars, which will probably be true of the future.

I hope very much, therefore, that the Senate will give most serious attention next year, when the Committee on Foreign Relations holds its hearings on my bill and, I hope, on other bills relating to the question of the warmaking powers of the President and the war declaring powers of Congress, and that we may, by sophistication in our legislation, come abreast of this new problem.

That is the real solution.

I hope very much that members of the Appropriations Committee, who have shown such a statesmanlike attitude, will now take an interest in this legislation as being very much along the lines of trying constructively and in a big way to deal with this problem.

Mr. President, I wish to join my colleagues in paying tribute to the chairman and members of the Appropriations Committee for the sense of fairmindedness and respect for the will of the Senate which is reflected in the defense appropriations bill they have brought to the floor. In particular, the action of the Senate Appropriations Committee, as embodied in section 843 and section 838, taken in conjunction with the historic debates earlier in this session, is a great significance. The great underlying issue of all these measures, of course, is the question of the division of the Nation's war powers between the Congress and the President.

The bill before us does much to restore the position of the Senate which, despite the clear provisions of the Constitution, has been eroded with respect to its proper role in the exercise of the Nation's war powers.

Mr. President, while the Senate has much to be gratified about in this bill, I think it also underscores the basic problem. There is, in my view, a grave danger that—by concentrating only upon its general power over appropriations—the Senate may unwittingly be contributing to the further erosion of its other, more specific war powers specified in article I, section 9 of the Constitution. If the Senate is forced to rely solely on

its power over appropriations to effect its check-and-balance role with respect of warmaking, then the Senate will be contending itself with an after-the-fact role. Our recent experiences have shown how difficult it is to play our proper role when we are reduced only to ex post facto appropriations cuts and prohibitions.

In my judgment, the Senate will not live up to its full constitutional responsibilities until it finds an effective way to reassert its other war powers, as envisaged and specified in the Constitution. I hope very much that the Senate will give proper attention to this aspect of the problem early in the next session. The Foreign Relations Committee plans to hold hearings on this broad issue. I hope that the distinguished members of the Appropriations Committee and of the Armed Services Committee will take an active and sympathetic interest in those hearings.

Mr. DOLE. Mr. President, I wish to ask a question of the distinguished chairman of the Appropriations Committee, the Senator from Louisiana (Mr. ELLENDER), with reference to section 843, as to his interpretation of the definition of the word "introduction."

Section 843 reads:

In line with the expressed intention of the President of the United States, none of the funds appropriated by this Act shall be used to finance the introduction of American ground combat troops into Laos, Thailand, or Cambodia.

The Senator from Kansas is puzzled with reference to the definition in section 843 of the word "introduction."

Mr. ELLENDER. In recommending that section 843 be amended to include Cambodia, along with Laos and Thailand, it was the intent of the committee to apply to Cambodia those same restrictions and criteria that were applied to Laos and Thailand pursuant to this provision as it appeared in the Department of Defense Appropriation Act, 1970, and proposed in the President's budget for fiscal year 1971.

Mr. DOLE. Mr. President, I ask a question as one who supported the Church-Cooper resolution—I do not wish to become involved in extended debate concerning it, but would this language prohibit any President from taking appropriate measures to protect American forces even if that meant going into Cambodia?

Is that a correct interpretation, I again ask the Senator from Louisiana?

Mr. ELLENDER. As I said, what the committee did was to use the exact language the President proposed in his budget for Laos and Thailand which the House had recommended, and then we added Cambodia. Of course, the Congress cannot by statute limit in any way the powers given to President by the Constitution.

Mr. DOLE. That is the point the Senator from Kansas would make for the record, that the President is the Commander in Chief. By statute we can limit the expenditure of funds as a proper role of Congress, but we cannot derogate the rights and powers of the President, which he possesses by virtue of the Constitution, by enactment of any statute.

To complete the record as to what the President's intentions may be, he stated them forthrightly on June 30, in his report on Cambodia. He gave a number of guidelines for U.S. policy in Cambodia, and among these were the following which relate to U.S. personnel:

There will be no U.S. ground personnel in Cambodia except for the regular staff of our Embassy in Phnom Penh.

There will be no U.S. advisers with Cambodian units.

We will conduct—with the approval of the Cambodian Government—air interdiction missions against the enemy efforts to move supplies and personnel through Cambodia toward South Vietnam and to reestablish base areas relevant to the war in Vietnam. We do this to protect our forces in South Vietnam.

The President further commented publicly on this aspect of U.S. policy the following evening. He was asked whether he could give categorical assurances now that we will not send ground troops back into Cambodia no matter what. He answered:

I indicated when this operation was begun two months ago . . . that once we had completed our task successfully of cleaning out the sanctuaries that then it would not be necessary and I would not consider it advisable to send American ground forces back into Cambodia.

I can say now that we have no plans to send American ground forces into Cambodia. We have no plans to send any advisers into Cambodia. We have plans only to maintain the rather limited diplomatic establishment that we have in Phnom Penh and I see nothing that will change that at this time.

The interviewer then indicated that the Senate seemed to want the President to foreswear this in a final way and the President responded:

I think that anybody hearing the answer that I have just given would certainly get the impression and would incidentally be justified in having the impression that the President of the United States has no intention to send ground forces back into Cambodia, and I do not believe that there will be any necessity to do so.

When you say, can I be pinned down to say that under no circumstances would the United States ever do anything, I would not say that, but I will say that our plans do not countenance it, we do not plan on it, and under the circumstances, I believe that the success of the operation which we have undertaken, as well as what the South Vietnamese will be able to do, will make it unnecessary.

In reading these statements made by the President on July 1 of this year, one can easily see that the President indicated his present intention not to introduce American ground combat troops into Cambodia. This amendment, however, goes a step further, a step which the President refused to go, and purports to impose a judgment, regardless of the circumstances. The President has indicated that he will meet his responsibility as Commander in Chief of our Armed Forces and take the action he considers necessary to protect American forces.

It should be clear in the RECORD and I make the point that because of the importance of the President's responsibility, whoever he may be, that it is a continuing responsibility, obligation and duty—to protect American forces.

I would assume, based on the response from the Senator from Louisiana, that there is no effort to impinge upon the President's constitutional rights, powers, and duties.

Mr. ELLENDER. None whatever.

Mr. DOLE. Mr. President, that satisfies the Senator from Kansas. The Senator from Louisiana recalls that we had a very extensive debate on the Cooper-Church amendment and that section 843 is far different.

The Cooper-Church amendment was broader in some respects. It referred to the retention of ground forces in Cambodia. It covered the carrying out of contracts with any government that might supply forces in Cambodia and the conducting of air activity over Cambodia.

At the same time, the language of the Cooper-Church resolution made clear that it was not an effort by Congress in any way to impugn the constitutional rights and duties and obligations of the President. Therefore, I appreciate the response of the Senator from Louisiana.

I trust the record is clear that nothing contained in the defense appropriations bill or in the language of section 843 would tie the hands of any President if he found it necessary to act in the exercise of his powers under the Constitution to protect American forces.

DEFENSE BUDGET NEARS PEACETIME LEVEL WHILE WAR CONTINUES

Mr. DOLE. Mr. President, the fiscal year 1971 defense budget is close to the prewar, peacetime levels—much closer than many people appear to realize. Military manpower, for example, is forecast at 2,908,000 for June 30, 1971. That is an 8-percent increase above the level of 2,685,000 at June 30, 1964. And it is less than 4 percent above the 2,808,000 we had on June 30, 1962—another peacetime year.

In constant dollars—factoring outpay and price increases—defense spending under this bill will be about $4 billion higher in wartime 1971 than it was in peacetime 1964. The added costs of the war are more than $10 billion, so there have had to be short cuts elsewhere.

Let us look at what has happened. Consider procurement. In peacetime fiscal year 1964, we provided budget authority of $15,645 million. This bill provides $15,970 million—an increase of $325 million, 2 percent above the prewar level. But there have been sharp price increases since fiscal year 1964. That $15,645 million we provided in fiscal year 1964 would be equivalent to $19.3 billion at today's prices. So, in dollars of constant buying power, this bill is 18 percent below the peacetime level—and this bill has to cover the cost of the war.

Consider R.D.T. & E. In peacetime fiscal year 1964, we provided budget authority of $6,984 million. This bill actually provides less—$6,960 million. And that 1964 amount would be equivalent to $8.7 billion today. Once again, we find that the budget has been cut in real terms, this time by 20 percent, below the peacetime level. And, once again, this bill has to cover the cost of the war.

The consequences of trying to fight a war within a peacetime budget level are plain. It has been necessary to make cuts

elsewhere—and very deep cuts. From 1968 to 1970, the number of ships in the active fleet has been reduced by 189. And consider this: In the last decade, while the average age of our fleet has actually increased, the Soviets have built a formidable navy. Forty-seven percent of our ships are 20 years old or more, but less than 1 percent of the Soviet Navy's ships are that old. Their submarine force, on which they have concentrated, is six times as large as Hitler's was at the beginning of World War II.

As to aircraft, the Air Force is buying less aircraft in 1971 than in any year since 1935, and over half of the 1971 buy is designated for other nations of the free world. The Navy is buying less aircraft in 1971 than in any year since 1946.

Deployments have been cut. The number of military personnel in Europe is one-third less than prewar, and cutbacks will be necessary in Korea and elsewhere.

Setting aside special war costs in the 1971 budget for defense, we find that the baseline force provided is much lower than for any year since before the Korean war.

IMPROVED INTERNAL SECURITY IN SOUTH VIETNAM

The pace and intensity of the war in Vietnam has changed considerably since the advent of President Nixon's policy of Vietnamization. Not only has the U.S. troops strength in Vietnam declined substantially, but the entire complexion of the war has shifted from the frequent clash of main force units, to an intensified pacification campaign to bring security to the countryside. Increasingly, the forces of the Republic of Vietnam are assuming responsibility for military operations against the enemy main force units, driving them out of South Vietnam and their long protected sanctuaries across the border in Cambodia. As a result, overall security in South Vietnam is improved, enemy main forces have been denied the initiative, and territorial forces are providing increased security to the villages and hamlets. The President's policies have been successful thus far in winding down the war, reducing the level of violence and the number of casualties, turning more of the security responsibility over to the South Vietnamese, and providing increased security, prosperity, and self-government for the South Vietnamese people.

Two aspects of the Vietnamization program which reflect improved internal security in South Vietnam are the improvement and modernization of the Republic of Vietnam Armed Forces—RVNAF—and increased territorial security. Indicators of progress and success achieved in each of these aspects of Vietnamization have been encouraging during the past year and, as President Nixon stated on April 20, 1970, progress in Vietnamization was the sole criterion on which he was able to base his decision to withdraw 150,000 more U.S. troops during the next year.

IMPROVEMENT AND MODERNIZATION OF RVNAF

The RVNAF I. & M. program covers every aspect of development of the regular forces—ARVIN, VNN, VNMC, VNAF—and territorial forces—RF, PF—for the purpose of enabling the RVNAF to take over the maximum share of the war.

The strength of the RVNAF now stands at over 1,000,000 men, which represents over a 90-percent increase during the past 5 years and approximately 15 percent during the past year.

Equipment deliveries to the RVNAF include over 880,000 small arms and crew-served weapons, 1,100 artillery pieces, 38,000 radios, 51,000 wheeled vehicles, 2,000 tracked vehicles, 200 helicopters and other aircraft, and 550 naval craft. The delivery of equipment is proceeding generally on schedule or ahead of schedule.

Additional equipment is being turned over to the RVNAF by U.S. units redeploying from Vietnam. About 20 different types of ARVN units have been equipped in this manner. The large turnover of riverine combatant craft to the VNN has made it the ninth largest navy in the world. Unit turnovers to the VNAF have equipped one special air mission, one fighter/attack—A–37—one forward air control—(O–1)—one airlift—CH–47—and two assault attack—UH–1—squadrons.

Military training within the RVNAF is a continuing effort for each man and each unit. Training centers and service schools incountry have an annual student training load of over 600,000, up 27 percent from 1969 and up over 50 percent from 1968. Offshore training—that is, in the United States—for RVNAF personnel has increased from about 1,500 in fiscal year 1967, to 2,400 in fiscal year 1969, to 7,600 in fiscal year 1970. Newly activated units undergo a unit training cycle; refresher training is given to units withdrawn from operations for refitting; and unit operational training is conducted by units in place.

The gradual yet highly visible improvements in the RVNAF are reflected in the Cambodian operations which provide further evidence of the military's confidence and ability to perform as a credible fighting force.

The United States has turned over to RVNAF more than 50 facilities to include the 9th Infantry Division base at Dong Tam, the U.S. Navy base at My Tho, the 3d Marine Division base at Dong Ha, Nha Trang Air Base, and the 4th Infantry Division base at Camp Enari. Additional facilities are programed for turnover in the near future.

By October 15, 1970, the actual U.S. troop strength in Vietnam had been reduced below the 384,000 directed by the President. The authorized U.S. troop strength had been reduced 29 percent and U.S. infantry-type battalions had been reduced 34 percent.

The number of U.S. combat deaths during the first 6 months of 1970 was 55 percent less than the same period in 1969. Similarly, the number wounded in action was 55 percent less. The weekly rate of U.S. combat deaths since July 1, 1970 is about 40 percent below the weekly rate for the first 6 months of 1970.

As a result of increased overall security, starting at the border areas, the number of ground contacts has decreased considerably, with the weekly average of days of contact reduced over 50 percent from 1969 levels.

INCREASED TERRITORIAL SECURITY

Today the territorial security forces number over 500,000. Giving protection to the Vietnamese people is the primary mission of these forces whose improved weapons, training, and leadership have produced a fighting force of significant capability.

Over 350,000 armed citizens are among the more than 3,500,000 members of the Peoples' Self-Defense Force, which is designed to provide additional security for the nation's more than 17 million citizens.

The National Police, which now number over 88,000, are better trained and better equipped to perform a public safety function, particularly protecting the people who live in the countryside.

Significant progress is evident through the GVN control of rural areas, with over 93 percent of the population now residing in relatively secure areas.

A special pacification and development campaign is now in full swing, the purpose of which is to accelerate, improve and consolidate GVN program gains countrywide.

Mr. SYMINGTON. Mr. President, I have listened with interest to the colloquy and the statements of the Senator from Kansas and the Senator from Louisiana. This increases my desire to have the Members of the Senate acquainted with the report of the staff members of the Foreign Relations Committee. That report is classified. I would urge that it be declassified so that the Senate will know what is going on in Cambodia.

I can fully sympathize with the feelings of the Senator from Kansas with respect to the rights and privileges and duties of the President of the United States when it comes to getting involved in a war. However, I have great interest in the rights and responsibilities of the Congress of the United States when it comes to fighting in other countries. Therefore, I hope that the facts incident to Cambodia, developed by the gentleman who went out on the ground, are made known to the Senate at the earliest opportunity.

Mr. ELLENDER. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. STEVENS. Mr. President, I am intrigued with the comment the Senator from Missouri made twice here today.

As one who is not privy to that report, I inquire whether it is possible that we might have a meeting similar to the one we had on the ABM if it is not possible to declassify the report. I wonder if we could not meet in a secret session so that the Senator from Missouri could brief us on what is contained in the report.

Mr. SYMINGTON. If the Senator from Alaska would like to look at the report, I am confident that the report would be made available to the Senator to be read

in the Foreign Relations Committee offices. I do not think a secret session should be required for I believe that it would be better for the report itself to be declassified.

Those who are going to vote on the money to cover what is planned in Cambodia should know what is going on in Cambodia.

I would like to see all the Members of the Senate have the information that in major part could be declassified in this report.

The PRESIDING OFFICER. The bill having been read a third time, the question is shall the bill pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Connecticut (Mr. DODD), the Senator from Maryland (Mr. TYDINGS), the Senator from Minnesota (Mr. MCCARTHY), and the Senator from Georgia (Mr. RUSSELL): are necessarily absent.

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

Mr. GRIFFIN. I announce that the Senator from Kentucky (Mr. COOK), the Senator from Colorado (Mr. DOMINICK), the Senator from New York (Mr. GOODELL), the Senator from Iowa (Mr. MILLER) and the Senator from Texas (Mr. TOWER) are necessarily absent.

The Senator from Oregon (Mr. HATFIELD) is absent on official business.

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

If present and voting, the Senator from Iowa (Mr. MILLER), and the Senator from South Dakota (Mr. MUNDT) would each vote "yea."

On this vote, the Senator from Colorado (Mr. DOMINICK) is paired with the Senator from New York (Mr. GOODELL). If present and voting, the Senator from Colorado would vote "yea" and the Senator from New York would vote "nay."

On this vote, the Senator from Texas (Mr. TOWER) is paired with the Senator from Oregon (Mr. HATFIELD). If present and voting, the Senator from Texas would vote "yea" and the Senator from Oregon would vote "nay."

The result was announced—yeas 89, nays 0, as follows:

[No. 417 Leg.]

YEAS—89

Aiken	Fannin	McClellan
Allen	Fong	McGee
Allott	Fulbright	McGovern
Anderson	Goldwater	McIntyre
Baker	Gore	Metcalf
Bayh	Gravel	Mondale
Bellmon	Griffin	Montoya
Bennett	Gurney	Moss
Bible	Hansen	Murphy
Boggs	Harris	Muskie
Brooke	Hart	Nelson
Burdick	Hartke	Packwood
Byrd, Va.	Holland	Pastore
Byrd, W. Va.	Hollings	Pearson
Cannon	Hruska	Pell
Case	Hughes	Percy
Church	Inouye	Prouty
Cooper	Jackson	Proxmire
Cotton	Javits	Randolph
Cranston	Jordan, N.C.	Ribicoff
Curtis	Jordan, Idaho	Saxbe
Dole	Kennedy	Schweiker
Eagleton	Long	Scott
Eastland	Magnuson	Smith
Ellender	Mansfield	Sparkman
Ervin	Mathias	Spong
Stennis	Talmadge	Yarborough
Stevens	Thurmond	Young, N. Dak.
Stevenson	Williams, N.J.	Young, Ohio
Symington	Williams, Del.	

NAYS—0

NOT VOTING—11

Cook	Hatfield	Russell
Dodd	McCarthy	Tower
Dominick	Miller	Tydings
Goodell	Mundt	

So the bill (H.R. 19590) was passed.

Mr. ELLENDER. Mr. President, I move that the Senate insist on its amendments and request a conference with the House on the disagreeing votes thereon, and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ELLENDER, Mr. RUSSELL, Mr. MCCLELLAN, Mr. STENNIS, Mr. SYMINGTON, Mr. YOUNG of North Dakota, Mrs. SMITH, and Mr. ALLOTT conferees on the part of the Senate.

Mr. MANSFIELD. Mr. President, I commend the distinguished Senator from Louisiana (Mr. ELLENDER) for the leadership he has shown in sheparding this bill through the committee and the Senate today. It is the first Defense bill in recent years that has received such widespread acceptance by the Senate. It reflects the growing mood in the Senate to reduce the enormous expenditures and allocation of resources in this area by reducing what the Defense Department stated was a bare-bones, rock bottom budget, by $2.3 billion. No Member of the Senate is better prepared and more thorough in his scrutiny than the senior Senator from Louisiana (Mr. ELLENDER). This bill demonstrates the highest degree of diligence, and the greatest sensitivity to the desires of the Senate collectively and it reflects a great service to the Nation as a whole. In addition, this bill contains some very important policy statements, ranging from prohibition of expenditures for waging war in Cambodia to a most justified restriction on the expenditures of Defense money for research unrelated to Defense activities.

With equal force, I wish to commend the senior Senator from North Dakota (Mr. YOUNG) the ranking Republican Member. He demonstrates the same devotion and diligence manifested by Senator ELLENDER. The high standing both have in the Senate is reflected in the swiftness with which the Senate has accepted the recommendations brought forth by the full Committee on Appropriations under their leadership. To them, the full Committee on Appropriations, Senator FULBRIGHT who forcefully and succinctly presented his view on a very important aspect of proposed expenditures of these moneys, the leadership wishes to express its sincere thanks.

NATIONAL GROWTH POLICY

Mr. SPARKMAN. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 19436.

The Chair laid before the Senate H.R. 19436, to provide for the establishment of a national urban growth policy, to encourage and support the proper growth and development of our States, metropolitan areas, cities, counties, and towns with emphasis upon new community and inner-city development, to extend and amend laws relating to housing and urban development, and for other purposes, which was read twice by title.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Senate proceed to immediate consideration of the bill.

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

Mr. SPARKMAN. Mr. President, I move that all after the enacting clause be stricken and that the text of the Senate-passed bill, S. 3468, be substituted therefor.

Mr. BENNETT. Mr. President, I send to the desk an amendment to the substitute amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. BENNETT. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On page 105, after line 16, add the following:

ELIGIBILITY OF AMERICAN SAMOA BANKS FOR FEDERAL DEPOSIT INSURANCE

SEC. 1010. (a) Subsection (a) of section 3 of the Federal Deposit Insurance Act, as amended (12 U.S.C. 1813(a)), is further amended by inserting the words "American Samoa," after the word "Guam," each place it appears therein.

(b) Subsection (d) of section 3 of the Federal Deposit Insurance Act, as amended (12 U.S.C. 1813(d)), is further amended by inserting the words "American Samoa," after the word "Guam,".

(c) Subsection (e) of section 3 of the Federal Deposit Insurance Act, as amended (12 U.S.C. 1813(e)), is further amended by inserting the words "American Samoa," after the word "Guam,".

(d) Paragraph (5) of subsection (l) of section 3 of the Federal Deposit Insurance Act, as amended (12 U.S.C. 1813(l)(5)), is further amended by inserting the words "American Samoa," after the word "Guam,".

(e) Subsection (m) of section 3 of the Federal Deposit Insurance Act, as amended (12 U.S.C. 1813(m)), is further amended by inserting the words "of American Samoa," after the word "Guam,".

(f) Subsection (o) of section 3 of the Federal Deposit Insurance Act, as amended (12 U.S.C. 1813(o)), is further amended by inserting the words "American Samoa," after the word "Guam,".

(g) Paragraph (4) of subsection (a) of section 7 of the Federal Deposit Insurance Act, as amended (12 U.S.C. 1817(a)(4)), is further amended by inserting the words ", American Samoa," after the word "Guam".

(h) Subparagraph (B) of paragraph (5) of subsection (b) of section 7 of the Federal Deposit Insurance Act, as amended (12 U.S.C. 1817(b)(5)(B)), is further amended by inserting the words "American Samoa," after the word "Guam,".

Mr. BENNETT. Mr. President, I have discussed this amendment with the chairman of our committee and he has no objection to the amendment.

My amendment would simply allow banks in American Samoa to be eligible

for Federal Deposit Insurance under the Federal Deposit Insurance Act, if those banks can, in fact, meet the eligibility criteria for Federal Deposit Insurance.

This proposal was considered and passed by the Senate on July 1 of this year, and it has been pending before the House Banking and Currency Committee since that time. I am informed by members of the House committee that it is impossible for that committee to consider this matter and bring it to the floor of the House in this session of Congress. I am further informed that that committee has no objection to this legislation and even suggested we handle the matter in this manner.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the substitute amendment, as amended.

The amendment, as amended, was agreed to.

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

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

The bill (H.R. 19436) was read the third time and passed.

PROGRAM—PROPOSED IMPROVEMENTS IN SENATE PROCEDURE

Mr. MANSFIELD. Mr. President, it is the intention of the leadership to lay before the Senate tomorrow a clean bill, an original bill, from the Committee on Public Works, the rivers and harbors bill. That will be followed, I will say to my distinguished colleague, the minority leader, by going back once again to Calendar No. 1259, H.R. 18306, the financial institution bill. That is the situation as far as I see it at the moment.

As long as the distinguished minority leader is on the floor, I think I might say that I have been instructed by the Democratic policy committee to look into the proposals suggested by Senators CRANSTON, SAXBE, HUGHES, and SCHWEIKER; and I am in the process of doing that.

I shall very shortly deliver a memorandum to the distinguished majority leader, and then report back to the policy committee, as instructed, and I would assume the distinguished minority leader would once again take it up with the Republican conference.

Mr. SCOTT. Yes, Mr. President, I might reply to that by saying it has been discussed in rather general terms twice in the Republican conference. There is a broad approval in principle of the necessity and the desirability for reform of some of the in-house procedures to expedite the business of the Senate.

We would very gladly receive suggestions from the majority, and, at our next luncheon, probably next Tuesday, advise our conference and policy committee of the reaction of the majority, and see if we can manage to put into effect those improvements, or expediting, or exhortatory provisions which would help us to accomplish the people's business with greater facility.

I think the four Senators involved ought to be warmly complimented for the time they have put in, for the excellence of their suggestions, and for the fact that they have shown the concern which has made possible the opportunity for both sides of the aisle to give some serious consideration to the kind of thing we may be enabled to do without the necessity, surely for the most part, of our revising the rules of the Senate.

Mr. MANSFIELD. I would agree wholeheartedly with the distinguished minority leader and extend to those four Senators, whom I have already named, our heartfelt thanks and commendation for the initiative which they have shown. There are a few questions which I have raised, which I am sure the distinguished minority leader will look into. There undoubtedly will be a few questions which he will raise. But then we will report back to our respective committees, on the basis of instructions, and then we will see what can be done. I think the result will be very good.

Mr. SAXBE. Mr. President, will the Senator yield

Mr. MANSFIELD. Yes, indeed.

Mr. SAXBE. I would like to say, in my behalf and, I am sure, that of the other Senators who have worked on this matter, that we have greatly appreciated the spirit in which the leadership on both sides have helped us and encouraged us to work on these matters.

I might say that, on my part, I have spoken to every member of the minority and asked for their suggestions.

One thing that we found was that each Senator wanted to contribute to the decorum and workmanlike approach to the problems and the business of the Senate. We found that they were anxious and willing to forgo some of the privileges and licenses that have been granted over the years. Particularly, we are thinking of floor attendance and participation. All individuals in the policy committees evidenced a willingness to cooperate with the leadership in trying to expedite our business. No one indicated a willingness to conclude our session in December again with great, momentous decisions to be made, with time running out. All indicated a willingness to work harder.

I might suggest that I admired and welcomed the Senator's attitude in saying, "Well, all right, if you are willing to do this, we are going to ask you for it and we are going to ask you to forgo some of these things and we are going to call on you to live up to the consensus you have given your leaders."

It would not have been possible to reach the point where the matter now is had it not been for the Senator's encouragement and openmindedness.

Mr. SCOTT. Mr. President, I want to thank the distinguished Senator from Ohio and to say that underlying the suggestions is the recognized necessity for Senators to plan their day, to plan their weeks, and to plan their year.

I would like to be of any assistance I could in enabling all Senators to respond to the numerous requests from home as far in advance as they might, which presently is by no means possible under the system which we have followed over the years. Because of the increasing business of the Senate, it is necessary for us to stay here. But if we can aid the planning process and expedite the Senate's business at the same time, I would immediately want to do it.

Mr. MANSFIELD. Yes. May I say that the purpose of this statement today is to indicate to the initiators, Senators SAXBE, SCHWEIKER, CRANSTON, and HUGHES, that this matter was not being taken lightly, but was being given the most serious consideration, and was being expedited as much as possible.

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

Mr. MANSFIELD. Yes.

Mr. CRANSTON. I also would like to join my dear friend and colleague the Senator from Ohio (Mr. SAXBE) in thanking the leadership on both sides of the aisle for their wonderful cooperation from the outset in this endeavor.

We believe what we have proposed will make the Senate more responsive and more responsible, and will make life more orderly for Senators; and also, I think, our constituents will benefit greatly in their access to us on the great issues that come before us in the Senate.

While Senator SAXBE was talking to every Member on his side of the aisle, I was talking to every Member on my side of the aisle. We picked up many ideas from Senators on both sides. We have refined many of the ideas we started with. I hope we can now move as rapidly as possible to agreement, or as much agreement as we can attain, hopefully, before we go home for Christmas, so that we will not get mixed up in new arguments that will occur before we get back in January.

So that all Senators will know what the thinking was at the point where the matter was turned over to the leadership, I suggest that we place in the RECORD the memorandum to this point, just so every one will know what we are concerned with at this point.

The PRESIDING OFFICER (Mr. SPONG). Does the Senator ask unanimous consent that that be done?

Mr. MANSFIELD. I ask unanimous consent that the memorandum be printed in the RECORD.

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

MEMORANDUM

PART I—ITEMS UPON WHICH THERE HAS BEEN CONSIDERABLE AGREEMENT

I. Senate daily schedule

Unanimous Consent

1. Extend Morning Hour by one hour and agree that speeches will be limited to 3 minutes during transaction of routine morning business and that such business shall not exceed 45 minutes on Tuesdays and Thursdays and 30 minutes on all other days, except as the Senate shall decide by unanimous consent when several Senators have arranged a colloquy on a current event of national significance; extend Pastore rule to consideration of legislative matters during Morning Hour. Extend Pastore rule to cover first 3 hours on all new business laid down.

2. During Morning Hour, after transaction of routine morning business; call of calendar on Tuesdays and Thursdays; then on all days consider bills until end of Morning Hour,

upon which limitation of debate has been agreed to.

3. During period for consideration of unfinished business, consider bills on which no time limitation agreed to.

4. Special Orders after conclusion of consideration of unfinished business.

5. At appropriate time during above schedule, announce intention to request unanimous consent agreement on following day to limit debate.

II. Senate monthly schedule

1. Recess at close of business on the final Wednesday of each month, reconvene on the following Monday. Concurrent resolution.

2. Recess for at least two weeks before Labor Day in election years. (Note: Reorganization Bill adopted Oct. 6 provides month-long recesses in non-election years.) Concurrent resolution.

III. Control of time immediately prior to roll-call vote and notice to Senators prior to closing debate and rollcalls

1. When a time limit of at least 20 minutes on amendments, and 30 minutes on bills, has been agreed to, require equal division between proponents and opponents of the final 15 minutes on amendments, and on bills, for summation arguments. Include agreement in motions limiting debate by unanimous consent.

2. Add a new bell-ringing signal 5 minutes prior to commencing final 15 minutes on amendments and on bills. By agreement between majority and minority leaders.

IV. Rollcalls

1. Set maximum time to be allowed for roll calls. (20 minute limit is now understood between majority and minority leaders.) General agreement.

2. If maximum time for roll calls is agreed to, arrange for signal light to blink on and off during final 5 minutes of roll calls. By agreement between majority and minority leaders.

V. Authorizations

1. Implement Sen. Magnuson's proposal that consideration of authorization bills will not be in order after a specific date, except with approval of both majority and minority leaders. (Sen. Magnuson suggests July 31; Sen. Ellender suggests May 31.) Unanimous consent agreement.

VI. Appropriations

Commence action on appropriations without waiting for House action, including mark-up subject to revision when House measures are received, to enable the earliest possible conferences after both bodies have acted. Permissible under present rules through establishment of Appropriations Committee policy.

PART II—ITEMS UPON WHICH NO GENERAL CONCENSUS HAS YET BEEN SOUGHT—SINCE THEY ARE NOT ENTIRELY VOLUNTARY

Voluntary agreements re monitoring, presence of Senators on floor and in Washington, reading prepared speeches, and reduction of number of roll calls

Seek agreement by as many Senators as possible to:

1. To the degree desired by the Leadership, assume monitoring responsibilities and assignments for fulfillment of revisions in Senate procedure and otherwise expediting Senate work (such as objecting to exceptions to 3-minute rule in Morning Hour, violations of Pastore Rule, etc.). Voluntary.

2. Agree to stay on Senate Floor on a regular basis during consideration of bills upon which limitation of debate has been agreed to. Voluntary.

3. Agree to stay in Washington on a regular basis when Senate is in session, restricting absences as much as possible to the Wednesday-night-to-Monday-morning recess at the end of each month. Voluntary.

4. Agree to minimize the reading of prepared speeches on Senate Floor during consideration of bills upon which limitation of time has been agreed to. Voluntary.

5. Agree to restraint in requesting roll calls, and to restraint in providing sufficient second when yeas and nays requested on insignificant matters. Voluntary.

PART III—ITEMS OFFERED FOR CONSIDERATION ONLY, UPON WHICH OPINIONS VARY

Other suggestions

1. Authorizations and Appropriations

a. Observe present 3-day rule on appropriations. Observe present rules.

b. Consider moving toward multi-year authorizations and appropriations where appropriate and feasible. Requires legislation.

c. Explore feasibility of legislation switching from fiscal to calendar year, or to separate budget and legislative sessions. Requires legislation.

2. Quorum Calls

When absence of quorum is suggested when quorum is apparently present, permit presiding officer to stand, count, and declare quorum present, subject to challenge of his ruling. Unanimous consent to waive rule V (2).

3. Morning Hour and Special Orders

a. Recognize Senators in inverse order to amount of time they request. General agreement.

b. If Senator absent when his time arrives, recognize next Senator present and ready to speak; late Senator goes to end of list. General agreement.

AUTHORITY FOR COMMITTEES TO FILE REPORTS UNTIL MIDNIGHT TONIGHT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that until midnight tonight, all committees be authorized to file their reports, including any minority, additional, supplemental, and individual views.

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

SALE TO AN ALIEN OF THE PASSENGER VESSEL "ATLANTIC"—ORDER TO HOLD BILL AT THE DESK

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the bill (H.R. 16498) to permit the sale to an alien of the passenger vessel *Atlantic* be held temporarily at the desk.

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

CARE OF ANIMALS USED IN RESEARCH

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 19846, which has come over from the House.

Without objection, the Presiding Officer (Mr. SPONG) laid before the Senate the message from the House of Representatives on the bill (H.R. 19846), an act to amend the act of August 24, 1966, relating to the care of certain animals used for purposes of research, experimentation, exhibition, or held for sale as pets, which was read twice by its title.

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

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

Mr. COTTON. Mr. President, as the senior Republican member of the Senate Committee on Commerce since 1963, I have watched with great satisfaction the development of our congressional commitment to the protection and humane treatment of animals.

Public Law 89–544, the act amended by the bill which we are considering today, was considered by the Senate Committee on Commerce and enacted into law in 1968. As one of the Senate conferees on the 1966 bill, and one who has had a continuing interest in this area, I have been pleased by the improvements which have resulted from its enactment. However, I have also been disturbed by the need for further improvement.

It is for this reason that I cosponsored at the request of scores of my constituents and in the interests of considering a more effective means of protection, the bill, S. 2446, introduced by Senator JAVITS. This bill would have amended the Public Health Service Act and placed in the Department of Health, Education, and Welfare the responsibility for developing further standards and providing greater assurance for the humane care, handling and treatment of laboratory animals. After much consideration and a careful examination of the bill just passed by the House, H.R. 19846—previously introduced in the Senate by the Senator from Kansas (Mr. DOLE), as S. 4539—I believe the proposal to retain the responsibility for regulation in the Department of Agriculture with a greater grant of authority from Congress is most commendable and deserving of enactment.

Very briefly, the bill will accomplish the following:

First, it will redefine the term "animal" to include all warmblooded animals designated by the Secretary, greatly expanding its coverage;

Second, it will regulate more of the people who handle animals, including exhibitors and wholesale pet dealers;

Third, it sets forth the basic creature comforts which must be afforded to these animals, including the necessity for the avoidance of pain through appropriate drugs and veterinary care. However, it also recognizes the prerogatives of the medical community and the contributions which these animals are making to the health and welfare of mankind, and in no way authorizes the Secretary to control or interfere with scientific research or experimentation; and,

Fourth, it will strengthen the enforcement powers of the Secretary, thereby contributing to the effectiveness of its administration.

I have been informed that this bill has the support of the groups which have expressed their interest in new legislation, including those who conduct the research, and that it is greatly desired. I would hope that with the endorsement of the Committee on Commerce, and after the most commendable work which has been done by the House Committee on Agriculture, the Senate will see fit to pass it without delay.

Mr. DOLE. Mr. President, H.R. 19846, which has been approved by the House of Representatives, is identical to a bill which I introduced on November 24 in an effort to expedite enactment of this important legislation.

I am impressed by the skill evidenced by the designers of this piece of legislation in resolving differences we have seen in the past between humane animal care groups and the medical research community. I know this has taken many months of hearings and consideration by the House Agriculture Committee to reach this point of agreement and I congratulate all those responsible for their efforts in this regard.

Having served as a House conferee for the dognaping bill of 1966, I fully appreciate the accomplishment of the sponsors of this bill.

While this bill provides for the protection of animals used in research and experimentation, it is not just a laboratory animal bill. It extends humane treatment of animals to wholesale pet dealers, zoos, road shows, circuses, carnivals, and auction markets. When the appropriate regulations are assured by the Secretary of Agriculture, the conditions under which these animals are held and exhibited will be immensely improved. The bill quite properly excludes from its provisions county and State fair livestock shows and such exhibitions as are sponsored by the 4–H clubs which are intended to advance the science of agriculture.

It is recognized that this bill and the regulations to be issued thereunder will require the upgrading of facilities within research laboratories. Our medical schools will find that sizable expenditures may be required for this purpose. The Secretary has broad authority as to the timing of specific regulations and I am sure that he will allow our medical schools ample time to get ready for compliance. I would hope that full consideration for the needs for added funds for this purpose would be given by the appropriate governmental bodies.

Having reached this point, I do not believe that we should delay any further in approving the bill which we now have before us.

Mr. President, an interesting and informative article appeared in Washington's Sunday Star entitled "More Legal Protection on the Way for Animals Behind Bars." I ask unanimous consent that this article be placed in the RECORD at this point.

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

MORE LEGAL PROTECTION ON THE WAY FOR ANIMALS BEHIND BARS

(By Ann Cottrell Free)

The idea behind the proposed Animal Welfare Act of 1970 has been a long time coming into its own—it has been an uphill fight, often resisted by powerful forces—but it looks now as if it may come to a final vote in the closing hours of the 91st Congress.

Its passage will be a tribute to a deepened Congressional ecological conscience. More and more members of Congress are realizing that all living creatures must be treated with decency and respect—regardless of whether they are endangered species roaming in the wild or animals doomed to spend dreary lives behind bars in laboratories or zoos.

There can be little doubt that the passage of the Endangered Species Act one year ago this month and the emphasis in the past year on man's relationship with the earth and all its creatures have had a profound effect on congressional thinking.

The new legislation—which has so many sponsors that this sentence would be consumed by listing them all—has it roots in proposals first made exactly 10 years ago, in 1960. Soon after the 1958 passage of the Federal Humane Slaughter law, humanitarians started laying congressional groundwork to bring some measure of federal supervision over the care and treatment of laboratory animals.

HUMANIACS

The well-funded research explosion was using an unprecedented number of dogs, cats, rodents, primates and a variety of other creatures. Estimates have gone as high as 300 million annually. They were often obtained from questionable sources and treated with less care than the most expendable test tube.

Those persons, who worked for setting standards of care were immediately called anti-vivisectionists or branded as "humaniacs" by some members of the scientific community. In truth, they were violently opposed by the antivivisectionists, who were working for total abolition of animal use.

Thought a number of bills were introduced during those years, they went nowhere. In desperation, humane organizations tried new approaches and often fell to quarreling among themselves as to bill content and strategy. (Most of the bills gave supervisory authority to Health, Education and Welfare.)

But 1965 brought the beginning of a breakthrough. Researchers' demands for dogs and cats had grown so great that unprincipled dealers turned to stealing pets. Their boldness and carelessness trapped them.

As more and more "pet-napping" cases turned up, there came to Congress also descriptions of stomach-turning conditions within dealers' compounds. Eyewitnesses told of seeing dead and dying dogs mixed in with live ones in conditions of indescribable filth. Such testimony about this $30 million business prompted passage of the Laboratory Animal Act of 1966. This legislation had more than 50 sponsors.

Administration of the act was given to the animal health division of the Department of Agriculture's Research Service. Dealers and purchasers were licensed and required to conform to Agriculture's standards of human treatment of dogs, cats, hamsters, primates, rabbits and guinea pigs.

More than 110 dealers went out of business during the first three years of the program. Licenses of some of the larger dealers have been revoked. Agents have been cursed, threatened and shot at. But even so, the act did not go far enough. There were huge loopholes. And it has been handicapped by lack of funds to employ more inspectors—most of whom are veterinarians and have many other Agriculture Department duties within the states where they are stationed.

Though the act has no authority over care of animals actually being used in research, some institutions have declared the animals "in research" and the moment of arrival. This clearly frustrates the intent of the act to improve conditions of the animals while awaiting research.

More federal authority was needed. In 1968 help came from an unexpected source. A 43-year-old GOP freshman representative from Norfolk, Va., introduced legislation that filled the bill. Rep. G. William Whitehurst would extend the mantle of enlightened care to animals actually undergoing research. But what's more, he asked that the same standards apply to animals in circuses, zoos and the pet trade.

Humanitarians soon learned that it was not only Bill Whitehurst they had to thank, but his wife, Jennette. "I told the people at the Norfolk SPCA, where I have helped with humane education, that I'd try to lend a hand when we got to Washington," she said the other day.

Whitehurst's bill actually was a beefing up of the "pet-napping" Act and was referred to the House Agriculture Committee, whose chairman has repeatedly shown himself a friend of animals, Texan W. R. Poage has been the key man on the House side on both the humane slaughter and "pet-napping" bills.

Testimony, presented this June before Rep. Graham Purcell's subcommittee, lifted once again the curtain of secrecy on unspeakable conditions among the creatures that perform, amuse and give their lives to man.

"We, who worked there, were always pleased when some animal died to be out of a miserable life," said June W. Badger of Middleburg, Va. She told the committee of conditions in some of the circuses and zoos for which she had worked in the last 19 years. Cramped, unventilated cages, starvation, sadistic punishments. A litany of misery.

The arrival from South and Central America and shipment to pet wholesalers of crates of birds and monkeys were described by Mrs. Christine Stevens.

She is the wife of Roger Stevens, president of the Kennedy Center for the Performing Arts and the government's former cultural chief. Mrs. Stevens is president of the Animal Welfare Institute and secretary of the Society for Animal Protective Legislation.

IMPORTED ANIMALS

She described wretched conditions of animals that Custom inspectors have overlooked. (They are charged with checking on condition of imported animals.) She told of continued conditions of cramped laboratory housing and of the inhumane environment in many municipal and roadside zoos. Quoting Dr. Desmond Morris, author of the "Naked Ape," she said, "If zoos are to survive the 20th century, they will have to reform." She introduced into the record a letter in behalf of the Whitehurst bill from Virginia McKenna and Bill Travers, stars of the film "Born Free" and patrons of the Captive Animals Protection Society.

The arrival of dogs and cats at animal auction sales was described by Frank McMahon, field director of the Humane Society of the United States. "I've seen them chained within the trunks of cars. I've seen them jammed in crates and cages. I've seen them sold by the pound." Humane agents of local societies are given rough treatment, he said and under the existing federal law these auctions are exempt from regulation.

The legislation now speeding toward the congressional deadline embodies many of the suggestions made by the men and women who know the problem first hand. Auctions are included. Animal categories have been broadened. Fines for resisting agents have been stiffened. But most important, the Agriculture Committee called for the use of appropriate pain-killers for research animals whenever possible.

(When Agriculture sets the standards for humane handling many humanitarians trust that life-time caging of such research animals as dogs will be eliminated.)

Some of the additions to the Whitehurst bill were called for in bills introduced by Rep. Thomas S. Foley, D-Wash., and in the Senate by Warren Magnuson, D-Wash., Alan Cranston, D-Calif., and William G. Spong, D-Va. When the bill was favorably discharged from the House Agriculture Committee, it bore the name of each member. An exact copy was introduced in the Senate by Robert J. Dole, R-Kan. Hearings by Senator Philp A. Hart's Commerce sub-committee are expected any day.

Even with the evaporation of much of the scientific community's opposition to lab animal legislation and even with the good chance that this measure will miraculously pass this session, there are other hurdles. One is money.

The burden on the Department of Agriculture will be heavier, making necessary the employment of more inspectors. These men, also, have the added duty in coming years of policing the horse shows to see that no "walk-

ing horse" brought across state lines has been "sored" to make it step high, wide and handsome. The famous Tydings "walking horse" bill is now awaiting Presidential signature. Sen. Joseph Tydings, D-Md., sponsored it in this session of Congress.

As this session adjourns, left at the post are at least 10 other animal protection measures; air transportation regulations, cessation of shooting wolves and other animals from airplanes over federal lands, elimination of use of agonizing poisons in the government's predator control programs, better conditions at the ports of entry such as Miami. The list is long—but the abuse and suffering have gone on a long time, too.

But at last, what has been described as the "silent lobby" has found its voice. Or could it be that man, for a change, is listening to voices other than his own?

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 19846) was ordered to a third reading, was read the third time, and passed.

RELIEF OF ARTHUR JEROME OLINGER

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 703.

The PRESIDING OFFICER (Mr. SPONG) laid before the Senate the amendment of the House of Representatives to the bill (S. 703) for the relief of Arthur Jerome Olinger, a minor, by his next friend, his father, George Henry Olinger, and George Henry Olinger, individually which was to strike out all after the enacting clause, and insert:

That notwithstanding the limitations of subsection (b) (1) of section 2733 of title 10 of the United States Code, or any other statute of limitations, the claim of Arthur Jerome Olinger, a minor, for injuries and consequent disability resulting from a fall on or about September 29, 1962, from an upper floor of Government quarters known as Feevren Strasse II, Warner Barracks, Bamberg, Germany, filed within one year of the effective date of this Act shall be held to a timely claim and shall be received, considered, settled, and, if meritorious, paid in accordance with the otherwise applicable provisions of section 2733 of title 10 of the United States Code. Nothing in this Act shall be construed as an inference of liability on the part of the United States.

Mr. MANSFIELD. Mr. President, I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

MAINTENANCE AND OPERATION OF THE KENDALL SCHOOL AS A DEMONSTRATION ELEMENTARY SCHOOL FOR THE DEAF

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 4083.

The PRESIDING OFFICER (Mr. SPONG) laid before the Senate the amendment of the House of Representatives to the bill (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, which was on page 3, strike out lines 4 through 12, inclusive, and insert:

SEC. 5. (a) The second proviso of the first paragraph under the heading "COLUMBIA INSTITUTION FOR THE DEAF AND DUMB" of the first section of the Act of March 2, 1889 (D.C. Code, sec. 31–1010), is repealed.

(b) The proviso and the last sentence in the paragraph having a side heading "COLUMBIA INSTITUTION FOR THE DEAF AND DUMB" in the first section of the Act of March 1, 1901 (D.C. Code, sec. 31–1008), is repealed.

(c) The last sentence under the heading "COLUMBIA INSTITUTION FOR THE DEAF AND DUMB" in the first section of the Act of March 3, 1905 (D.C. Code, sec. 31–1011), is repealed.

(d) The last sentence of the first paragraph under the heading "COLUMBIA INSTITUTION FOR THE DEAF AND DUMB" in the first section of the Act of June 27, 1906 (D.C. Code, sec. 31–1011), is repealed.

(e) The Act of November 7, 1966 (D.C. Code, sec. 31–1010a), and each subsequent Act making appropriations for Gallaudet College, are amended by striking out the proviso under the heading "Gallaudet College, Salaries and Expenses" in each such Act.

Mr. MANSFIELD. Mr. President, I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

MILOYE M. SOKITCH

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1383, H.R. 3571.

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

The assistant legislative clerk read as follows:

A bill (H.R. 3571) for the relief of Miloye M. Sokitch.

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

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–1374), explaining the purposes of the measure.

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

PURPOSE

The purpose of the proposed legislation is to authorize and direct the Foreign Claims Settlement Commission to receive, consider, and act upon the claims of Miloye M. Sokitch, or his legal representative, under title III of the Foreign Claims Settlement Act of 1949, as amended, against the Government of Italy as if they had been filed within the time limit and manner prescribed under the act. Should the Commission determine the claim is meritorious, the bill authorizes the Commission to certify the award to the Secretary of the Treasury for payment out of balances remaining in the Italian claims fund. In order to be considered the claim would have to be filed within 6 months of the date of enactment of the bill into law.

STATEMENT

In its favorable report on the bill, the House Judiciary Committee set forth the facts of the case as follows:

"This bill would make it possible for the Commission to consider and settle a claim under an amendment to the Foreign Claims Act which permitted the consideration of such claims but failed to provide a period after enactment for the filing of such a claim. The result was that only claims filed before the Commission was authorized to consider such claims could be considered as "timely filed." As is noted in the Foreign Claims Settlement Commission report, the original claims provisions only permitted claims by persons who were U.S. citizens on the date of the loss or destruction of property giving rise to the claim. On August 8, 1958, Public Law 85–604 was enacted to permit awards to persons who were nationals of the United States on August 9, 1955, the date of enactment of title III of the act, even though their claims were based upon property lost at an earlier date. The amendment thus broadened the international law principle requiring continuous U.S. nationality of a claim from the date of loss to the date of filing.

"The information before the committee indicates that Mr. Sokitch's claim would have been covered by the amendment had there been an opportunity for him to file after its enactment. The report of the Foreign Claims Settlement Commission refers to the fact that after that enactment, all claims previously denied under the original provisions of the act because of failure to qualify under the international law principle, but which would be eligible for awards under the amendment, had to be reconsidered. In all, 146 claims were considered and amounts of awards made under the amendment totaled $606,464. However, the inequity of the situation was that the Commission required that in order to be considered the claim had to have been filed within the time limit for claims under the original act. That is, by September 30, 1956, or nearly 2 years prior to the enactment of Public Law 85–604 on August 8, 1958.

"As is noted in the Commission's report Mr. Sokitch became a national of the United States on April 11, 1947, and, therefore, his claim, if timely filed, would not have been eligible under the original provisions of the act since it was not owned by a national of the United States continuously from the date of loss. However, his claim would have come within the group to be considered under the Public Law 85–604 amendment provided that it was filed under those original provisions. The committee feels that this imposed an impossible burden upon Mr. Sokitch.

"As is clearly stated in the Commission's report, Mr. Sokitch was no eligible to claim under the original act, but the ruling by that Commission as to filing would have required him to file under the original act in order to be considered under a subsequent amendment making him eligible. The amendment itself apparently contained no provision fixing a date to file. While the Commission may have had no alternative, the result was inequitable in Mr. Sokitch's case. Here he did in fact file a claim after the amendment. On September 18, 1959, Mr. Sokitch filed this claim (No. IT–10,597) with the Commission against the Government of Italy in the amount of $215,200 for losses to property occurring during the years 1941–43. The claim was denied for the reason that it was filed after the final filing date which, as has been noted, was September 30, 1956.

"The committee was concerned with the statement in the Commission's report concerning the number of "tardy claimants" and the inference that such persons should be equated to Mr. Sokitch. However a careful reading of the report shows that the Commission has referred to claimants under the original act as well as the amendment, and also to those who have never filed. Mr. Sokitch's claim must be distinguished from both those who were qualified under the original act and did not file in time and

those who never filed. Mr. Sokitch should not have been charged with a responsibility to file in a claims program which did not include him, therefore, it is not fair to characterize him as one of a group of late claimants under that program. Secondly, he did file after the amendment and he should not be classified as one of an unspecified number of persons who might have claimed but didn't. As a matter of fact, evidenced by the following two letters, there appears to be only one other claimant who filed after the amendment and who therefore might be equated to Mr. Sokitch in terms of a claim filed after the amendment."

The committee after a review of the foregoing, concurs in the action taken by the House of Representatives and recommends favorable consideration of H.R. 3571, without amendment.

Attached hereto and made a part hereof are: (1) a letter dated December 16, 1969 from Samuel Herman; (2) a letter dated December 29, 1959, from the Foreign Claims Settlement Commission; and (3) a letter dated June 3, 1963, from the Foreign Claims Settlement Commission:

DECEMBER 16, 1959.

Re claim No. IT–10,957, Miloye M. Sokitch.

Chairman PEARL C. PACE,
Foreign Claims Settlement Commission of the United States, Washington, D.C.

DEAR MRS. PACE: This will refer to the proposed decision received December 9, 1959.

In due course, the claimant proposes to file appropriate objections and request a hearing.

In preparation for this hearing, it would be of great aid, on the issue of timeliness, if the Commission would make available to the claimant the following:

1. The number of persons appearing in the Department of State records, before August 9, 1955, as having made inquiry concerning Lombardo agreement losses.

2. The number of person who filed claims with the Commission under section 304, prior to and including October 1, 1956.

3. The number of persons who filed claims with the Commission under section 304 after October 1, 1956, and prior to its amendment on August 8, 1958.

4. The number of persons who filed claims with the Commission under section 304, as amended; that is, after August 8, 1958.

5. The number of persons, if any, falling within groups "1" through "4" above who received from the Commission a written notice (such as the attached in connection with Czechoslovakia) in accordance with section 4(b) of title I of the International Claims Settlement Act of 1949, in relevent part as follows:

"In addition, the Commission is authorized and directed to mail a similar notice to the last-known address of each person appearing in the records of the Department of State as having indicated an intention of filing a claim with respect to a matter concerning which the Commission has jurisdiction under this title."

6. Whether the records of the Commission show that Miloye M. Sokitch, the present claimant, was sent a written notice with respect to his claim against Italy.

7. Whether title III claimants against the Soviet Union, Rumania, Bulgaria, and Hungary were sent similar written notices with respect to the filing of their claims.

I suggest that the above information available only through the Commission will serve to illuminate the hearing by helping to define the physical scope of the problem. How many other persons are there in Mr. Sokitch's category? This may well prove significant in the Commission's final conclusion as to the legislative intent in the filing of claims under section 304, as amended.

Respectfully submitted.

SAMUEL HERMAN.

FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES,
Washington, D.C., December 29, 1959.

Re claim No. IT–10,957, Miloye M. Sokitch.

SAMUEL HERMAN, Esq.
Washington, D.C.

DEAR MR. HERMAN: Reference is made to your letter of December 16, 1959, requesting certain information and statistics concerning claims against Italy under section 304, title III of the International Claims Settlement Act, as amended.

The records of the Commission are not maintained in such a manner that ready answers to your questions are available. Additionally, it may be stated that, by reason of budgetary limitations and shortage of clerical personnel, the research necessary for an accurate response cannot be undertaken.

In response to your questions 1 and 5, it may be explained that the Commission dispatched written notices of Public Law 285 to those persons whose files were furnished to it by the Department of State. The Commission has no assurance that these files were complete, no count is now available of the number of notices that were mailed, and we have no record of the number of persons who directed inquiries to the Department of State prior to August 9, 1955, concerning Lombardo agreement losses.

The docket of the Commission records the date upon which claims are docketed in; accordingly, it does not reflect the date that claims were mailed nor whether or not the receipt of claim forms is a followup of a timely notice of intention to file under the act. Additionally, under the practice of the Commission, it often happens that a claim is split during development so that individual members of the family or others interested in the original claim are requested to complete individual claims forms after the filing date. For these reasons the information you seek in questions 2, 3, and 4 could be ascertained with accuracy only by an examination of each claim file. The docket does reveal that five claims (including the subject claim) were docketed after August 8, 1959. One of these upon examination, is found to be an amendment or splitoff of a timely filed claim, while the other four were denied as not timely filed.

With reference to question 6, the records of the Commission indicate that a notice of the enactment of Public Law 285 was mailed to Miloye M. Sokitch in Hartford, Conn., on December 19, 1955, and returned undelivered. The answer to question 7 is that notices were sent to such prospective Soviet, Rumanian, Bulgarian, and Hungarian claimants as were ascertainable from the records furnished by the State Department.

In answer to your last specific inquiry, according to the docket ledger it appears that only one claim, other than the Sokitch claim, was filed as a result of the amendment to section 304.

Sincerely yours,

Mrs. STANLEY D. PACE,
Chairman.

Section 304, title III of the act, authorizing the Foreign Claims Settlement Commission to receive and determine in accordance with the memorandum of understanding between the Governments of the United States and Italy signed August 14, 1947, and applicable substantive law, including international law, the validity and amount of claims of U.S. nationals against the Government of Italy arising out of the war in which Italy was engaged from June 10, 1940, to September 15, 1947, and with respect to which provision was not made in the treaty of peace with Italy. Claims within the purview of this section were required to be filed with the Commission on or before September 30, 1956. The act also provided that the Commission complete its affairs in connection with the settlement of these claims on August 9, 1959.

Originally, nationally requirements with respect to claimants under section 304 of the act were based on the principle of international law that a government will not espouse the claim of one of its nationals against foreign government unless the claim was owned by one of its nationals at the time it arose. However, an exception was made by an amendment to the law in 1958 to permit consideration of claims by citizens who acquired U.S. citizenship after the loss but prior to August 1955, the date of the enactment of title III. The Foreign Claims Settlement Commission in its report on the bill noted that this amendment was made because by August 8, 1958, it was apparent that the Italian claims fund was more than sufficient to pay anticipated awards against the Government of Italy.

The committee has carefully considered all the facts outlined above and referred to in the report of the Foreign Claims Settlement Commission on a similar bill in a previous Congress which is set forth following this report and has concluded that legislative relief is appropriate in this instance. Accordingly, it is recommended that the bill be considered favorably.

INTERSTATE COMMERCE COMMISSION

Mr. MANSFIELD. Mr. President, yesterday, I made a statement on the floor on behalf of 30 other Senators and myself relative to the Interstate Commerce Commission. I am in receipt of a letter signed by Mr. George M. Stafford, Chairman of the Interstate Commerce Commission, acknowledging the letter signed by 31 Senators, and indicating that the Interstate Commerce Commission is in the process of preparing for the substantive committees of Congress, under the chairmanship of Senator MAGNUSON and Representative STAGGERS, an indepth position paper, and they also enclosed copies of letters to those two chairman.

Mr. STAGGERS states further:

We believe this summary or position paper will best serve as a reply to the November 30 letter signed by you and your co-signers, and we will deliver a copy to each of you just as soon as it is completed in final form.

It is anticipated that this letter will be forthcoming sometime after the 92d Congress convenes, but in the interests of fair play, I ask unanimous consent that the letter from the Honorable George M. Stafford, Chairman of the Interstate Commerce Commission, under date of December 8, 1970, together with a copy of a letter from Chairman Stafford to the Honorable WARREN G. MAGNUSON, chairman, Committee on Commerce, be printed in the RECORD at this point.

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

INTERSTATE COMMERCE COMMISSION,
Washington, D.C., December 8, 1970.

Hon. MIKE MANSFIELD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MANSFIELD AND COSIGNING SENATORS: We hereby acknowledge your letter of November 30, 1970, co-signed by a number of other Senators.

A careful reading of it indicates that much more than just a letter reply is required.

We were in the process of preparing for our substantive Committees of Congress an in-depth position paper, as is indicated by the enclosed copies of letters to Chairman Magnuson and Chairman Staggers.

We believe this summary or position paper will best serve as a reply to the November 30 letter signed by you and your co-signers, and we will deliver a copy to each of you just as soon as it is completed in final form.

Sincerely yours,

GEORGE M. STAFFORD,
Chairman.

INTERSTATE COMMERCE COMMISSION,
Washington, D.C., December 8, 1970.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: As all of us are aware, this nation is presently passing through an era marked by divisiveness, turmoil, dissension, and widespread criticism of national institutions. No branch of government has escaped a spate of criticism, invective, and vituperation. Neither the Congress, the Executive branch, or the Judiciary has been immune to the continuing attack launched against "the establishment," whatever that term may mean.

Nor has this Commission escaped a considerable measure of the continuing assault directed at Government, its agencies, and its officers. The Commission has never, and does not now, contend that its operations are in any way immune to searching inquiry or critical analysis. Some of the criticism of the Commission may be justified. Some has been objective, well articulated, and intended to be constructive in nature. However, much has been biased, political, or uninformed, or has taken the shape of irresponsible and ill-founded carp and fulmination.

The suggested remedies for the purported shortcomings of the Commission are as many and varied as are those who advance them. Some contend that the ICC should be abolished forthwith. Others propose that a superagency be constituted to assume the highly technical and specialized operations of the several existing regulatory bodies. In this regard it is significant that at a recent forum sponsored by the Transportation Association of America, at which all modes of transportation, the regulatory agencies, and transportation labor were represented, only the representative of the railroad industry was prepared to give unqualified support to the merger of the transportation regulatory agencies. The Commission has supported proposals which look to a studied evaluation of the consolidation of the agencies as well as of problem areas in every mode of transport and we have urged that, following such an in-depth study, the resultant recommendations be made the subject of Congressional and Executive scrutiny to the ultimate end that some order may be brought out of a situation which is presently characterized by charges, counter-charges, and confusion.

To this point, the Commission has attempted to maintain a position apart from the area of turmoil in an atmosphere conducive to the proper discharge of the duties and the obligations laid upon us by the Congress of the United States. We have studiously refrained from entering into heated public colloquy with the more vocal of our critics, and to carry on, within the limitations placed upon our functions, the job that all of us would like to see done in the field of surface transportation.

It has become apparent, however, Mr. Chairman, that the time has come for the Commission to make some comment relative to the charges and criticisms which have been leveled against the ICC. To that end, there is presently in preparation a factual summary or position paper which we propose to submit to the substantive committees, with copies to other Members of Congress, soon after the first session of the 92nd Congress convenes in January.

In this summary we will address the more serious criticisms, each of which we are studying and evaluating in the light of current facts and in consideration of the particular problems now faced by users and providers of transportation services. In addition, the report will treat the functional, operational, and statutory difficulties with which this Commission or any successor group must contend.

As you know, considerable support is mounting throughout the nation in support of the ICC. The Commission has played no role in the generation of such support, nor does it intend to do so in the future. We shall be content to put the facts on the record; delineate the problems with which we have been and are presently confronted; suggest constructive alternatives to destructive criticism, and generally give the substantive committees and the Congress, in general, an opportunity to put all of the facts, criticisms, invective, and emotion on the scale of reason and logic.

In conclusion, Mr. Chairman, we should say that we feel that the treatment of the Commission at your hands, and at the hands of Chairman Staggers, has been eminently fair and even-handed. We have shared and now share your concerns and apprehensions respecting transportation policy in general and the explosive problem areas confronting surface transportation in the decade of the 70's. The Commission takes this opportunity to extend to you and yours, and to the members and the families of the great Committee which you head, our sincere best wishes for a very Happy Holiday Season.

Sincerely yours,

GEORGE M. STAFFORD,
Chairman.

EDUCATIONAL ASSISTANCE TO DEPENDENTS OF CERTAIN MEMBERS OF THE ARMED FORCES

Mr. CRANSTON. Mr. President, in a few minutes I intend to move that the Senate agree to the amendments of the House to S. 3785, with certain additional amendments. The basic bill pertains to GI bill educational and home loan benefits for the families of servicemen who are missing in action, captured by a hostile force, or interned by a foreign government or power.

S. 3785 passed the Senate unanimously on September 25, 1970, and its provisions are fully explained in the committee report of the bill—No. 91–1232—and in my remarks upon passage of the bill on September 25, 1970—S. 16513.

This bill, introduced on April 30, 1970, by Mr. DOMINICK, was unanimously reported with a committee amendment in the nature of a substitute from the Committee on Labor and Public Welfare.

In brief, the purpose of the bill is to extend to the wives and children of our servicemen who are missing, captured, or interned, the same educational and home loan benefits to which they would be entitled under chapters 35 and 37 of title 38 of the United States Code if the spouse or parent had died or been totally disabled while in line of duty.

These families are beset with such grief and uncertainty that it is small recompense to immediately resolve the doubt in their favor for the purpose of eligibility for these benefits, to which they would be entitled if the most desperately hoped against circumstances were determined to have, in fact, occurred.

The Senate voted unanimously to accomplish this purpose. The House agreed, and passed these provisions without change, except to call our attention to a comma we thought to be a period. Parenthetically, I might note that we returned the favor by supplying a missing "s" in our amendment to the House's title amendment.

The Veterans' Affairs Committee of the House of Representatives received our bill on September 28, 1970, and reported it with amendments on October 14, 1970, on which date the House passed it with the committee-recommended amendments. These amendments added some unrelated provisions to the bill, dealing with GI bill educational benefits relating to apprenticeships, on-the-job training, and correspondence courses.

It is to these unrelated GI bill educational benefit amendments, and some of my own, to which I wish to address my remarks and to explain for the purpose of establishing a legislative history, as well as informing the Senate as to the substance of these amendments.

HOUSE AMENDMENTS

The House-passed version affected two GI bill programs: apprenticeship and on-job training. First, a salutary and noncontroversial group of amendments—sections 6, 7, and 8 of the House-passed bill—introduced as H.R. 17960, exclude apprenticeship and on-job training from absence counting provisions for courses leading to college degrees; establishes 120 hours per month as full-time attendance for such training with proration of training allowance based upon said 120 hours; and would adopt the number of hours of the standard workweek of the training establishment as constituting a full-time program of apprenticeship or on-job training.

This amendment recognizes that apprenticeship and on-job training programs are different from courses leading to college degrees for the purpose of counting absences, and adopts an administration-recommended procedure whereby full-time attendance in apprenticeship and on-job training programs is established as 120 hours per month. At present, for purposes of permissible absences, these noninstitutional programs are thrust into the procrustean bed of the college absence limitation of 30 days of "free walks" per year.

This amendment originated as H.R. 17960, and is well explained in the House of Representatives report—No. 91–1606, page 4—and in an October 13, 1970, letter from Donald E. Johnson, Administrator of Veterans' Affairs, to the Honorable OLIN E. TEAGUE, chairman, House of Representatives Committee on Veterans' Affairs—pages 9 to 11 of the House committee report.

Excerpting from this letter, we learn that—

> This change recognizes that apprenticeship and on-the-job training differ from institutional training. Training is conducted at the place where the work is performed and is subject to problems the training establishment may face, as where work training is performed out of doors and weather conditions may prevent following the usual training schedule.

The second change adds:

> A new clause providing for prorating the monthly training allowance when, in any month, the eligible veteran fails to complete 120 hours of training. This change would

simplify reporting, accounting procedures, and recordkeeping for the industry training establishments, as well as the Veterans' Administration, and would be looked on with favor by the participating firms and labor unions.

The letter goes on to explain that—

The existing law provides that no less than 35 hours per week shall be considered full-time training unless established as a lesser number by bona fide collective bargaining. The change to considering 30 hours as the full-time training load is more consonant with a 120-hour monthly requirement and with what is occurring in many trades and industries. The reduction of the standard measurement of full-time apprenticeship training would build in allowances for absences because of illness, personal reasons, weather, job conditions, and other types of reduced operations, in a realistic approach to reporting for benefit-payment purposes. The trainee's normal progression is not adversely affected by these changes and his training would not be affected so long as he is engaged in training for a minimal number of hours each month. The recognition of 120 hours as the standard monthly requirement would protect the veteran against loss of educational assistance when the establishment may be required to deviate from a higher standard workweek while giving him training in conformity with the program.

I have studied those three amendments and agree with the House of Representatives and administration that this change would be beneficial to veterans and to the administration of the apprenticeship and on-job training programs.

CORRESPONDENCE COURSE EDUCATIONAL ASSISTANCE

The second substantive amendment of S. 3785 by the House deals with the "established charge" for computing educational allowances for veterans taking correspondence courses.

The amendment, section 9 of the House bill, originated as H.R. 17887, and would redefine "established charge" for computing educational allowances for correspondence courses by using as a basis for the charge the institution's lowest extended time payment plan as approved by the State approving agency rather than the charge before addition of interest as now defined in VA regulations.

Some background on this issue is necessary. Under the Korean conflict GI bill, Public Law 82–550, the regulation concerning charges for correspondence courses—VA Regulation 12052(E)(2)—provided that payments would be made at not more than the lowest time payment. It did not specify that the lowest time payment could be paid if a cash payment were made lower than the time payment. An interpretation of the regulation was set out in a VA Department of Veterans' Benefits information bulletin dated May 11, 1956. This interpretation was as follows:

V.A. Regulation 12052(E)(3) provides that the established charge for a correspondence course shall not be considered to be more than the lowest charge which is customarily paid by a nonveteran student under any payment plan exclusive of a cash discount arrangement for advanced payments. In determining the maximum amounts which may be authorized for veterans pursuing correspondence courses, the total cost of each course based on the lowest payment plan is used. Thus, the charges for each course included in T B7–145 are the maximum charges which may be authorized for the course. Where, in the case of an individual veteran, the charges shown in section E, item 23 of V.A. Form VB 7–1999 for that veteran are less than the maximum allowable charges, the authorization should be based on the actual charges to the veteran trainee rather than the charges set forth in TB 7–145.

Thus, while the rule for the appropriate charge for correspondence courses was not expressed as clearly as it might have been in the regulation itself, the VA policy, under the prior GI bill program, was reasonably clear that the charge was to be the lowest time payment or the actual cost to the veteran, whichever is the lesser.

The same policy, with the same lack of clear articulation in the regulations, was applied to the post-Korean GI bill, Public Law 89–358, enacted in 1966. It was not until 1969 that the term "established charge" was explained in a footnote to VA Regulation 14136(a) as follows:

Established charge means the cost of the lowest time payment plan or the actual cost to the veteran, whichever is lesser.

This remained the VA's policy in regard to this issue until changed by a revision of the footnote accomplished in VA Regulations Transmittal Sheet 321, of June 2, 1970. The footnote was revised to read:

Established charge means the established charge before addition of interest or the actual cost to the veteran, whichever is lesser.

This charge was apparently an outgrowth of the truth-in-lending law, Public Law 90–321, in response to which correspondence schools began to state the cost of their courses in terms of a basic charge before interest. A ruling of the General Counsel of the Veterans' Administration, dated November 26, 1969, recommended that "established charge" should not include any payment of interest for an extended time payment plan, as there was no precedent in other VA educational assistance programs which would permit a payment for interest charged the student because of deferred payment of his cost.

In response to this recent change in regulations, H.R. 17887 was introduced to define established charge as the "lowest extended time payment plan offered by the institution," and this provision was appended to S. 3785. In an October 12, 1970 letter from the Administrator of Veterans' Affairs to the chairman of the House Veterans' Affairs Committee, opposition was expressed to the provision. A major reason for opposing the measure was the possibility that a veteran would receive an overpayment in the amount of interest when he made a lump-sum cash payment for the course and received an educational allowance on the basis of a time payment cost.

While this possibility of overpayment does exist under the House provision, it seems reasonably simple to resolve. Furthermore, the magnitude of the problem is not overwhelming, because only about 5 percent of correspondence school students pay cash for their courses, and about 75 percent of all GI bill correspondence students are paying under a payment plan less favorable to them than the lowest time payment.

In order to resolve the issue, I will propose an amendment to the House amendment which would revert to the standard that was applied by the VA in the case of the Korean GI conflict bill and the present post-Korean program until June 2, 1970; that is, that the established charge means the lowest extended time payment plan offered by the institution, or the actual cost to the veteran, whichever is the lesser.

The purpose of my amendment is to make clear that the VA is authorized to pay educational allowances for correspondence courses on the basis of the total cost of the lowest extended time payment plan, including the basic charge for the course if it were paid for in cash and the interest added in connection with an extended time payment plan.

I believe that this return to the VA's prior policy is a fair resolution of the issue and will be acceptable to the other body.

SENATE AMENDMENTS

Since the House initiated amendments to this bill involving unrelated changes in the educational provisions of title 38, United States Code, I believe it is appropriate for the Senate to consider certain unrelated, beneficial, and noncontroversial amendments to this bill which already have been passed by the Senate, but which may otherwise not be enacted.

On September 25, 1970, the Senate upon the recommendation of the Committee on Labor and Public Welfare and its Subcommittee on Veterans' Affairs, unanimously passed S. 3657, the Veterans' Educational Assistance Allowance Advance and Work-Study Program Act of 1970. In addition to including the provisions of two bills I had introduced earlier—S. 3657 and S. 3907—this bill implemented several recommendations of the President's Committee on the Vietnam Veteran, contained in its report submitted in March 1970.

It is with great disappointment that I report that the House of Representatives and, apparently, the administration, have been less than enthusiastic in their reception of this bill.

Although the House Committee on Veterans' Affairs has held hearings on S. 3657, no executive consideration of the bill has occured or been scheduled. Thus, in view of the little time left to this Congress, I believe it is unrealistic to expect enactment of S. 3657 during this Congress.

While I consider all of the provisions of S. 3657 important, beneficial, and sound, I am impelled by the circumstances to view the situation realistically and to make this attempt to salvage a few of the noncontroversial provisions of that bill by adding them as amendments to S. 3785, the bill under consideration today.

These provisions which I submit as amendments to the House-passed version of S. 3785 are salutary, noncontroversial, administration-supported, and not of major significance.

The first, which I will propose as a new section 10 of S. 3785, was passed by the Senate as section 2 of S. 3657 and provides that a serviceman may, after more than 180 days of active duty service begin to use his GI bill entitlement for postsecondary training. Presently, he must wait until he has served at least 2 years

to do so, although he may begin pre-college work after 180 days.

In addition, clause (2) of the proposed section 10 makes clear that a course at an educational institution required by the Small Business Administration for minority group entrepreneurs is covered under the GI bill as an approvable "program of education." Financial institutions require some training and expertise on the part of the borrower before lending money for business purposes, and the borrower's background and experience are important considerations in determining the risk involved in making the loan. Many small business ventures fail because of lack of business training. Coordinated training programs can provide the veteran with the knowledge necessary to carry on bookkeeping, managerial, personnel, and other business functions. The new provision makes clear that a program structured to this need is to be considered a program leading to an acceptable objective under the GI bill.

These provisions were originally contained in S. 3683 and were recommended by the President's Committee on the Vietnam Veteran. They are described in detail in Senate Committee Report No. 91–1231, of September 23, 1970, page 25—and supported by the administration—pages 33 to 34, of the Senate report.

The second amendment I will propose to S. 3785, as passed by the House, will be contained in proposed sections 11 and 12 of S. 3785. These sections clarify certain provisions enacted last March in Public Law 91–219, relating to measurement of college courses for GI bill purposes, in light of information developed only after that law was enacted. The basis for these provisions is described in the section-by-section analysis of Committee Report No. 91–1231, on S. 3657, pages 25 and 26—and in a letter from Mr. Donald E. Johnson, Administrator, Veterans' Administration, to Senator ALAN CRANSTON, chairman, Subcommittee on Veterans' Affairs, dated July 17, 1970, which appears in appendix A of the Senate report—pages 64 to 72.

The third amendment I will propose—which will be contained in proposed section 13 of S. 3785, accelerates the date on which GI bill allowances are increased for acquisition of dependents. I originally proposed a comparable provision in S. 3907, which is described in Senate Committee Report No. 91–1231—section 305 of S. 3657—and supported by the administration pages 41 to 43 of the Senate report.

This amendment amends section 3010 of title 38, United States Code, relating to effective dates of awards of veterans' benefits, to provide that a "voc rehab" or GI bill trainee, as well as a recipient of VA compensation or pension, who acquires a dependent shall have his GI bill allowance increased from the date he legally acquires that dependent, not when the VA receives notice of such acquisition—the present rule—as long as he gives notice within 1 year thereof. This new provision would be generally consistent with a number of other effective date provisions, which take effect on the happening of the event in question, for payment of disability compensation under chapter 11 of title 38.

The amendment I am proposing today is broader than S. 3907 as I originally introduced it and as it was contained in section 305 of S. 3657. Originally, only the effective dates under the GI bill—chapters 31 and 34 of title 38, United States Code—were affected by the provision. However, as I said when I introduced S. 3907 and later at our hearings on the bill on June 9, I fully support the idea of extending this new effective date to cover all veterans benefits, as the amendment I am proposing today would do. Since the Finance Committee has jurisdiction over the VA pension and compensation benefits, the other programs that would be affected by this new effective date, I have discussed this matter with the distinguished Senator from Georgia (Mr. TALMADGE), chairman of the Veterans' Legislation Subcommittee of that committee, and he supports the provision in the amendment I am proposing.

I commend these amendments to the Senate and thank the leadership of both parties on the Labor and Public Welfare Committee and the Veterans' Affairs Subcommittee for their support in proceeding with them.

Mr. President, the original author of S. 3785, the distinguished Senator from Colorado (Mr. DOMINICK) is necessarily absent today, but I wish to thank him for the cooperation both he and his staff have displayed on this measure.

I congratulate him upon its consideration again by the Senate, and I expect prompt, favorable action by the other body, and that it will soon be on its way to the President for enactment.

Mr. President, I ask unanimous consent that a prepared statement that the Senator from Colorado would have made had he been present today be printed in the RECORD.

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

STATEMENT BY SENATOR DOMINICK

Mr. President, I wish to add concurring remarks to those so ably made by the distinguished Senator from California, and also to acknowledge and thank Mr. Cranston for his substantial interest and cooperation, as Chairman of the Veterans' Affairs Subcommittee, in assisting this bill's passage.

Efforts on the floor of the Senate to achieve humane treatment and the safe return of American servicemen captured or missing in Southeast Asia have, irrespective of the divergent philosophies involved, received overwhelming bi-partisan support. The principal provisions of this bill, providing some solace to the wives and children of such servicemen, has likewise benefited from such support. In addition to receiving a quick and non-controversial passage by both the Senate and the House, the bill enjoyed the approval of the Veterans' Administration and endorsement by all of the leading Veterans' organizations. It appears before you today with several attached House and Senate amendments which do not affect the substance of my original bill, but do provide some minor, yet necessary improvements to Title 38 of the United States Code concerning veterans' benefits.

As of September 14, 1970, there were 1,472 United States servicemen missing, captured, or detained by foreign governments in Southeast Asia. Almost 3,000 wives and children anxiously await news of their husbands and fathers, many of whom have been missing or captured for at least three and one-half years; a period of time longer than any serviceman was held prisoner during World War II. Faced with the tragic uncertainties of the status, condition, and future of their husband or father and consequently their own future, these families must attempt to retain the semblance of living normal lives. They are presently further frustrated in this attempt by veterans' laws which entitle dependents to veterans' benefits only after the serviceman is officially declared dead or permanently disabled. This bill would entitle wives and children of missing or captured servicemen to veterans' education benefits and wives to veterans' home loan guarantees.

The effect of the bill would be to provide, in those unfortunate circumstances where the serviceman is finally determined dead or permanently disabled, an advancement of veterans' benefits the dependents would receive at some future date. It would remove the family from legal limbo and furnish them with a headstart toward a new life, including a new home, education for the wife, and continuing education for the children. The educational entitlements to the wife are particularly essential because she is tragically and unexpectedly thrust into the position of the family breadwinner. In most instances, she is ill-equipped to earn a living so career training is necessary.

If the family is fortunate enough to have their serviceman return from Southeast Asia at some future date, the bill provides the above benefits on an interim basis until he returns. Upon return of the serviceman, educational benefits would cease at the end of the semester or term with the used entitlements being deducted from future entitlements. The unexercised home loan benefits would terminate upon the return of the husband with exercised benefits remaining in effect for the duration of the purchase contract. The returning servicemen's future home loan entitlements would not be affected by his wife's use of her home benefits during his absence. Thus, the benefits extended to families even on an interim basis would not unduly favor them over other veterans' benefit recipients.

The cost of the increased veterans' entitlements provided by this bill is minimal according to general estimates furnished by the Veterans' Administration. The total cost of educational entitlements for both wives and children probably won't exceed $500,000 per year, with much of the expense merely an advancement in entitlements which would arise upon future determination of the status of the servicemen. The guaranteed home loan entitlements create only potential liabilities so enactment of that provision would incur no substantial increase in cost to the Government.

The very least we can do for men whose service to their country has certainly cost them their freedom and perhaps their lives is to provide their families with some small solace by assisting them with educational and home loan financial benefits.

I urge the approval of Senator Cranston's motion.

Mr. CRANSTON. Mr. President, I request that the chair lay before the Senate the message of the House on the bill (S. 3785) entitled "An Act to amend title 38, United States Code, to authorize educational assistance to wives and children, and home loan benefits to wives, of members of the Armed Forces who are missing in action, captured by a hostile force, or interned by a foreign government or power."

Mr. SCOTT. Mr. President, we would like to join in that request.

Mr. CRANSTON. I thank the Senator.

The PRESIDING OFFICER (Mr. SPONG) laid before the Senate the amendments of the House of Representatives to the bill (S. 3785) to amend

title 38, United States Code, to authorize educational assistance to wives and children, and home loan benefits to wives, of members of the Armed Forces who are missing in action, captured by a hostile force, or interned by a foreign government or power, which was to strike out all after the enacting clause, and insert:

That section 1701(a)(1) of title 38, United States Code, is amended by—

(1) striking out the word "or" at the end of subclause (i) of clause (A);

(2) inserting "or" after the comma at the end of subclause (ii) of clause (A);

(3) inserting a new subclause (iii) at the end of clause (A) to read as follows:

"(iii) at the time of application for benefits under this chapter is a member of the Armed Forces serving on active duty listed, pursuant to section 556 of title 37, United States Code, and regulations issued thereunder by the Secretary concerned in one or more of the following categories and has been so listed for a total of more than ninety days: (A) missing in action, (B) captured in line of duty by a hostile force, or (C) forcibly detained or interned in line of duty by a foreign government or power,";

(4) striking out the word "or" at the end of clause "(B)";

(5) redesignating clause "(C)" as clause "(D)"; and

(6) inserting a new clause "(C)" to read as follows:

"(C) the wife of any member of the Armed Forces serving on active duty who, at the time of application for benefits under this chapter is listed, pursuant to section 556 of title 37, United States Code, and regulations issued thereunder, by the Secretary concerned in one or more of the following categories and has been so listed for a total of more than ninety days: (i) missing in action (ii) captured in line of duty by a hostile force, or (iii) forcibly detained or interned in line of duty by a foreign government or power, or".

SEC. 2. Section 1711(b) of title 38, United States Code, is amended by—

(1) striking out the word "or" at the end of paragraph (1);

(2) redesignating paragraph "(2)" as paragraph "(3)"; and

(3) inserting a new paragraph (2) to read as follows:

"(2) the parent or spouse from whom eligibility is derived based upon the provisions of section 1701(a)(1)(A)(iii) or 1701(a)(1)(C) of this title is no longer listed in one of the categories specified therein, or"; and

(4) striking out "1701(a)(1)(C)" in redesignated paragraph (3) and inserting in lieu thereof "1701(a)(1)(D)".

SEC. 3. Section 1712 of title 38, United States Code, is amended by—

(1) striking out "1701(a)(1)(B) or (C)" in subsection (b) and inserting in lieu thereof "1701(a)(1)(B) or (D)"; and

(2) adding at the end thereof the following new subsections:

"(f) No person made eligible by section 1701(a)(1)(C) of this title may be afforded educational assistance under this chapter beyond eight years after the date on which her spouse was listed by the Secretary concerned in one of the categories referred to in such section or the date of enactment of this subsection, whichever last occurs.

"(g) Any entitlement used by any eligible person as a result of eligibility under the provisions of section 1701(a)(1)(A)(iii) or 1701(a)(1)(C) of this title shall be deducted from any entitlement to which he may subsequently become entitled under the provisions of this chapter."

SEC. 4. Section 1720(b) of title 38, United States Code, is amended by striking out "section 1701(a)(1)(B) or (C)" and inserting in lieu of thereof "section 1701(a)(1)(B), (C), or (D).

SEC. 5. (a) Section 1801(a) of title 38, United States Code, is amended by adding a new paragraph as follows:

"(3) The term 'veteran' also includes, for purposes of home loans, the wife of any member of the Armed Forces serving on active duty who is listed, pursuant to section 556 of title 37, United States Code, and regulations issued thereunder, by the Secretary concerned in one or more of the following categories and has been so listed for a total of more than ninety days: (A) missing in action, (B) captured in line of duty by a hostile force, or (C) forcibly detained or interned in line of duty by a foreign government or power. The active duty of her husband shall be deemed to have been active duty by such wife for the purposes of this chapter. The loan eligibility of such wife under this paragraph shall be limited to one loan guaranteed or made for the acquisition of a home, and entitlement to such loan shall terminate automatically, if not used, upon receipt by such wife of official notice that her husband is no longer listed in one of the categories specified in the first sentence of this paragraph."

(b) Section 1802 of such title is amended by adding at the end thereof a new subsection as follows:

"(g) A veteran's entitlement under this chapter shall not be reduced by any entitlement used by his wife which was based upon the provisions of paragraph (3) of section 1801(a) of this title."

SEC. 6. Section 1681(b)(2) of title 38, United States Code, is amended by inserting immediately after "degree" the following: "(excluding programs of apprenticeship and programs of other on-job training authorized by section 1683 of this title)".

SEC. 7. Section 1683(b) of title 38, United States Code, is amended by—

(1) striking out "(b)" and inserting in lieu thereof "(b)(1)"; and

(2) adding a new paragraph (2) to read as follows:

"(2) In any month in which an eligible veteran pursuing a program of apprenticeship or a program of other on-job training fails to complete one hundred and twenty hours of training in such month, the monthly training assistance allowance set forth in subsection (b)(1) of this section shall be reduced proportionately in the proportion that the number of hours worked bears to one hundred and twenty hours rounded off to the nearest eight hours."

SEC. 8. Section 1684(a) of title 38, United States Code, is amended by—

(1) striking out "and" after the semicolon in clause (3);

(2) striking out the period at the end of clause (4) and inserting in lieu thereof "; and"; and

(3) adding at the end thereof a new clause (5) to read as follows:

"(5) a program of apprenticeship or a program of other on-job training shall be considered a full-time program when the eligible veteran is required to work the number of hours constituting the standard workweek of the training establishment, but a workweek of less than thirty hours shall not be considered to constitute full-time training unless a lesser number of hours has been established as the standard workweek for the particular establishment through bona fide collective bargaining."

SEC. 9. Paragraph (1) of section 1682(c) of title 38, United States Code, is amended by inserting immediately before the last sentence thereof the following: "The term 'established charge' as used herein means the charge for the course or courses determined on the basis of the lowest extended time payment plan offered by the institution and approved by the appropriate State approving agency."

And amend the title so as to read: "An act to authorize educational assistance to wives and children, and home loan benefits to wives, of members of the Armed Forces who are missing in action, captured by a hostile force, or interned by a foreign government or power; and to further amend certain educational section of title 38, United States Code."

Mr. CRANSTON. Mr. President, I move that the Senate agree to the amendment of the House to the text of the bill with the following amendments which I send to the desk for reading.

The PRESIDING OFFICER. The clerk will state the amendments.

The assistant legislative clerk proceeded to read the amendments.

Mr. CRANSTON. Mr. President, I ask unanimous consent that further reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendments will be printed in the RECORD.

The amendments are as follows:

On page 7 of the House engrossed amendments, line 4, strike out the period and insert in lieu thereof the following: "or the actual cost to the eligible veteran, whichever is the lesser."

On page 7 of the House engrossed amendments, between lines 4 and 5, insert the following:

"SEC. 10. Section 1652 of title 38, United States Code, is amended by—

"(1) striking out 'at least two years' in subsection (a)(2) and inserting in lieu thereof 'more than one hundred and eighty days'; and

"(2) by adding at the end of subsection (2) a new sentence as follows: 'Such term also means any unit course or subject, or combination of courses or subjects, pursued by an eligible veteran at an educational institution, required by the Administrator of the Small Business Administration as a condition to obtaining financial assistance under the provisions of 402(a) of the Economic Opportunity Act of 1964 (42 U.S.C. 2902(a)).'

"SEC. 11. (a) Clause (4) of section 1684 (a) of title 38, United States Code, is amended to read as follows:

"'(4) an institutional undergraduate course offered by a college or university on a quarter- or semester-hour basis shall be considered a full-time course when a minimum of fourteen semester hours or the equivalent thereof, for which credit is granted toward a standard college degree (including those for which no credit is granted but which are required to be taken to correct an educational deficiency), is required, except that where such college or university certifies, upon the request of the Administrator, that (A) full-time tuition is charged to all undergraduate students carrying a minimum of less than fourteen such semester hours or the equivalent thereof, or (B) all undergraduate students carrying a minimum of less than fourteen such semester hours or the equivalent thereof, are considered to be pursuing a full-time course for other administrative purposes, then such an institutional undergraduate course offered by such college or university with such minimum number of such semester hours shall be considered a full-time course, but in the event such minimum number of semester hours is less than twelve semester hours or the equivalent thereof, then twelve semester hours or the equivalent thereof shall be considered a full-time course.'

"(b) The last sentence of section 1684(a) of such title is repealed.

"SEC. 12. Clause (3) of section 1733(a) of title 38, United States Code, is amended to read as follows:

"'(3) an institutional undergraduate course offered by a college or university on a quarter- or semester-hour basis shall be

considered a full-time course when a minimum of fourteen semester hours or the equivalent thereof, for which credit is granted toward a standard college degree (including those for which no credit is granted but which are required to be taken to correct an educational deficiency), is required, except that where such college or university certifies, upon the request of the Administrator, that (A) full-time tuition is charged to all undergraduate students carrying a minimum of less than fourteen such semester hours or the equivalent thereof, or (B) all undergraduate students carrying a minimum of less than fourteen such semester hours or the equivalent thereof, are considered to be pursuing a full-time course for other administrative purposes, then such an institutional undergraduate course offered by such college or university with such minimum number of such semester hours shall be considered a full-time course, but in the event such minimum number of semester hours is less than twelve semester hours or the equivalent thereof then twelve semester hours or the equivalent thereof shall be considered a full-time course.'

"SEC. 13. Section 3010 of title 38, United States Code, is amended by adding at the end thereof a new subsection as follows:

"'(n) The effective date of the award of any benefit or any increase therein by reason of marriage or the birth or adoption of a child shall be the date of such event if proof of such event is received by the Veterans' Administration within one year from the date of the marriage, birth, or adoption.'"

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to.

Mr. CRANSTON. Mr. President, I move that the Senate agree to the amendment of the House to the title of the bill with an amendment as follows: Amend the title so as to read: "An Act to authorize educational assistance to wives and children, and home loan benefits to wives, of members of the Armed Forces who are missing in action, captured by a hostile force, or interned by a foreign government or power; and to further amend certain educational sections of title 38, United States Code."

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10 a.m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 51 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, December 9, 1970, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate December 8, 1970:

DEPARTMENT OF JUSTICE

Louis Patrick Gray III, of Connecticut, to be an Assistant Attorney General vice William D. Ruckelshaus.

U.S. DISTRICT COURTS

Dennis R. Knapp, of West Virginia, to be U.S. district judge for the Southern District of West Virginia vice a new position created by Public Law 91-272, approved June 2, 1970.

IN THE NAVY

Vice Adm. Paul Masterton, U.S. Navy, and Vice Adm. Luther C. Heinz, U.S. Navy, for appointment to the grade of vice admiral, when retired, pursuant to the provisions of Title 10, United States Code, section 5233.

Vice Adm. William I. Martin, U.S. Navy, for appointment to the grade of vice admiral, when retired, pursuant to the provisions of Title 10, United States Code, section 5233.

Rear Adm. James L. Holloway III, U.S. Navy, having been designated for commands and other duties determined by the President to be within the contemplation of Title 10, United States Code, section 5231, for appointment to the grade of vice admiral while so serving.

Adm. John J. Hyland, U.S. Navy, for appointment to the grade of admiral, when retired, pursuant to the provisions of Title 10, United States Code, section 5233.

IN THE MARINE CORPS

First Lt. Jack T. Kline, U.S. Marine Corps for appointment to the grade of captain.

IN THE ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3305:

To be colonel

Mason, William H., xxx-xx-xxxx
Shackelton, Phillip L., xxx-xx-xxxx

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

To be lieutenant colonel

Butler, Millard J., xxx-xx-xxxx
Coughlin, John T., II, xxx-xx-xxxx
DeMaria, John M., xxx-xx-xxxx
Dotson, J. T., xxx-xx-xxxx
Evans, Dell G., xxx-xx-xxxx
Luper, Robert B., xxx-xx-xxxx
Reybold, Philip C., xxx-xx-xxxx
Riesterer, Lavern R., xxx-xx-xxxx
Schlafer, Clarence J., xxx-xx-xxxx
Vaughan, Miles C., Jr., xxx-xx-xxxx

NURSE CORPS

To be lieutenant colonel

Smith, Lilamae, xxx-xx-xxxx

To be major

Barrett, William T., xxx-xx-xxxx
Bedsole, William K., xxx-xx-xxxx
Birt, Charles J., xxx-xx-xxxx
Blanton, Philip T., xxx-xx-xxxx
Brown, Fred D., xxx-xx-xxxx
Cloutier, Harold J., xxx-xx-xxxx
Codd, David R., xxx-xx-xxxx
Coulter, Wayne E., xxx-xx-xxxx
Crisp, Richard A., xxx-xx-xxxx
Gilliam, John J., xxx-xx-xxxx
Goldberg, Gerald D., xxx-xx-xxxx
Hammer, Theodore W., xxx-xx-xxxx
Hoyt, Joseph M., xxx-xx-xxxx
Jackson, George, Jr., xxx-xx-xxxx
Kennett, Walter H., xxx-xx-xxxx
Kitchen, Kenneth S., xxx-xx-xxxx
Korywchak, Frank, xxx-xx-xxxx
Large, Darrell R., xxx-xx-xxxx
Lokay, Fred J., xxx-xx-xxxx
Lytle, James H., xxx-xx-xxxx
Niemczyk, Theodore T., Jr., xxx-xx-xxxx
Nixon, Paul L., xxx-xx-xxxx
Opstad, Edwin A., xxx-xx-xxxx
Robinson, Benjamin F., Jr., xxx-xx-xxxx
Schenck, Roger L., xxx-xx-xxxx
Smith, George O., xxx-xx-xxxx
Thompson, Richard P., xxx-xx-xxxx

MEDICAL SERVICE CORPS

To be major

Story, Jack P., Jr., xxx-xx-xxxx

NURSE CORPS

To be major

Laurence, Charles H., xxx-xx-xxxx

ARMY MEDICAL SPECIALIST CORPS

To be major

Williams, Bertha C., xxx-xx-xxxx

To be captain

Allen, Frank B., xxx-xx-xxxx
Andrews, Roger L., xxx-xx-xxxx
Barthmus, Winfried, xxx-xx-xxxx
Bell, Robert J., xxx-xx-xxxx
Cayere, Jacques, xxx-xx-xxxx
Chippi, Michael J., xxx-xx-xxxx
Conter, Edward N., xxx-xx-xxxx
Cook, Jeffrey M., xxx-xx-xxxx
Diesing, Richard C., xxx-xx-xxxx
Donovan, John J., xxx-xx-xxxx
Easton, Jack E., xxx-xx-xxxx
Etzel, Stephen L., xxx-xx-xxxx
Evans, Larry D., xxx-xx-xxxx
Farris, Stephen R., xxx-xx-xxxx
Fesler, Lorenzo E., Jr., xxx-xx-xxxx
Fite, Don G., xxx-xx-xxxx
French, John R., Jr., xxx-xx-xxxx
Garbarino, Lloyd N., xxx-xx-xxxx
Henderson, James R., xxx-xx-xxxx
Jablonski, Robert C., xxx-xx-xxxx
Johansen, Eldon R., xxx-xx-xxxx
Johnson, Joseph V., Jr., xxx-xx-xxxx
Johnson, Michael P., xxx-xx-xxxx
Johnson, Richard A., xxx-xx-xxxx
Jones, William A., xxx-xx-xxxx
Keane, Patrick J., xxx-xx-xxxx
Knox, Everett W., xxx-xx-xxxx
Lalli, Charles G., xxx-xx-xxxx
Landis, George A., xxx-xx-xxxx
Leonard, Bruce M., xxx-xx-xxxx
Mabie, Gordon W., xxx-xx-xxxx
Merz, Edward W., II, xxx-xx-xxxx
Miller, Charles S., xxx-xx-xxxx
Miller, Gerald D., xxx-xx-xxxx
Montgomery, Thomas M., xxx-xx-xxxx
Morrison, Fred K., xxx-xx-xxxx
Napper, John E., xxx-xx-xxxx
Nichols, John D., xxx-xx-xxxx
Perry, James L., xxx-xx-xxxx
Phillips, David E., xxx-xx-xxxx
Phipps, Olen C., xxx-xx-xxxx
Rhinehart, Harry J., xxx-xx-xxxx
Ritzschke, Charles R., xxx-xx-xxxx
Robinson, Richard S., xxx-xx-xxxx
Schulenberg, Robert H., xxx-xx-xxxx
Shelly, Clyde, xxx-xx-xxxx
Smor, Francis M., xxx-xx-xxxx
Speranza, Nicholas, xxx-xx-xxxx
Stalmann, Bernard E., xxx-xx-xxxx
Sprout, David I., xxx-xx-xxxx
Thomas, Stanley E., xxx-xx-xxxx
Trimble, William L., xxx-xx-xxxx
Triplett, Robert L., xxx-xx-xxxx
Unzelmann, Werner O., xxx-xx-xxxx
Van Horn, John B., xxx-xx-xxxx
Weis, John R., xxx-xx-xxxx
Wilkins, George H., III, xxx-xx-xxxx
Wren, Charles C., xxx-xx-xxxx
Yurcaba, John, Jr., xxx-xx-xxxx
Zadrozny, Paul F., xxx-xx-xxxx

MEDICAL CORPS

To be captain

Barnes, Cary M., xxx-xx-xxxx
Burger, Leslie, xxx-xx-xxxx
Dewey, George C., Jr., xxx-xx-xxxx
Farr, James E., Jr., xxx-xx-xxxx
Hammond, James W., Jr., xxx-xx-xxxx
Leininger, Peter A., xxx-xx-xxxx
Marrero, Gualberto, xxx-xx-xxxx
Mathias, Phil A., xxx-xx-xxxx
Meinert, William J., Jr., xxx-xx-xxxx
Pierson, Dean L., xxx-xx-xxxx
Stabenow, David L., xxx-xx-xxxx
Wilson, Robert M., xxx-xx-xxxx
Wright, Paul A., xxx-xx-xxxx

DENTAL CORPS

To be captain

Bondioli, John E., xxx-xx-xxxx
Broome, William C., xxx-xx-xxxx
Kraut, Richard, xxx-xx-xxxx
McKeever, Peter J., xxx-xx-xxxx
Stringer, John L., xxx-xx-xxxx
Woodruff, Harvey C., xxx-xx-xxxx

VETERINARY CORPS

To be captain

Stonefield, Andrew J., xxx-xx-xxxx

MEDICAL SERVICE CORPS

To be captain

Barron, Garrett W., xxx-xx-xxxx
Parker, Stanley, R., xxx-xx-xxxx
Rooney, Christopher J., xxx-xx-xxxx
Shaffer, William J., xxx-xx-xxxx
Turner, Milton E., xxx-xx-xxxx

NURSE CORPS

To be captain

Burnett, Corrine, xxx-xx-xxxx
Evert, Richard H., xxx-xx-xxxx

MEDICAL SPECIALIST CORPS

To be captain

Arnold, Thelma S., xxx-xx-xxxx

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3298:

To be first lieutenant

Adair, Lawrence J., xxx-xx-xxxx
Adams, James C., II, xxx-xx-xxxx
Aday, Michael W., xxx-xx-xxxx
Agee, Hubert C., Jr., xxx-xx-xxxx
Alexander, Charles, xxx-xx-xxxx
Ambrose, Richard L., xxx-xx-xxxx
Anderson, Charles W., xxx-xx-xxxx
Anderson, Stephen L., xxx-xx-xxxx
Andrighetti, John, xxx-xx-xxxx
Anthes, Louis C., xxx-xx-xxxx
Arnold, Richard B., xxx-xx-xxxx
Art, William L., xxx-xx-xxxx
Askwig, Glenn W., Jr., xxx-xx-xxxx
Avakian, Charles M., xxx-xx-xxxx
Bailey, Albert W., xxx-xx-xxxx
Baker, Howard L., xxx-xx-xxxx
Banyard, Thomas A., xxx-xx-xxxx
Barbee, William R., xxx-xx-xxxx
Barrett, James R., xxx-xx-xxxx
Bassett, Dennis A., xxx-xx-xxxx
Bassett, Richard S., xxx-xx-xxxx
Batistoni, Joseph M., xxx-xx-xxxx
Bauer, Michael W., xxx-xx-xxxx
Bay, Thomas R., xxx-xx-xxxx
Baybrook, Thomas G., xxx-xx-xxxx
Beach, Martin H., xxx-xx-xxxx
Beck, Raymond G., xxx-xx-xxxx
Beddow, Sidney W., II, xxx-xx-xxxx
Beech, George W., xxx-xx-xxxx
Bemis, Al H., xxx-xx-xxxx
Berish, George L., xxx-xx-xxxx
Bernardo, Peter R., Jr., xxx-xx-xxxx
Bernhardt, Paul G., xxx-xx-xxxx
Bevington, Richard, xxx-xx-xxxx
Bigbie, Samuel H., Jr., xxx-xx-xxxx
Bishop, Paul A., xxx-xx-xxxx
Bloodworth, Daniel, xxx-xx-xxxx
Boddie, James W., Jr., xxx-xx-xxxx
Bores, David R., xxx-xx-xxxx
Borns, Charles J., xxx-xx-xxxx
Bottman, John A., xxx-xx-xxxx
Boudreau, Michael W., xxx-xx-xxxx
Bradley, Bernard K., xxx-xx-xxxx
Brannon, David L., xxx-xx-xxxx
Bristol, William A., xxx-xx-xxxx
Britton, Randall T., xxx-xx-xxxx
Brown, Michael S., xxx-xx-xxxx
Brown, Richard K., Jr., xxx-xx-xxxx
Brownfield, John R., xxx-xx-xxxx
Burcher, David P., xxx-xx-xxxx
Burckhardt, Marland, xxx-xx-xxxx
Burdelak, David M., xxx-xx-xxxx
Burdick, William L., xxx-xx-xxxx
Burns, James C., Jr., xxx-xx-xxxx
Burton, David J., xxx-xx-xxxx
Busch, Conrad H., Jr., xxx-xx-xxxx
Bustamante, Arturo, xxx-xx-xxxx
Butler, James M., xxx-xx-xxxx
Cain, Michael E., xxx-xx-xxxx
Caldwell, John E., xxx-xx-xxxx
Callaway, Gary C., xxx-xx-xxxx
Camden, Joseph C., xxx-xx-xxxx
Campbell, Larry J., xxx-xx-xxxx
Campbell, Robert W., xxx-xx-xxxx
Cannon, Charles C., Jr., xxx-xx-xxxx
Carlson, John S., Jr., xxx-xx-xxxx
Carter, John L., xxx-xx-xxxx
Cartwright, Robert, xxx-xx-xxxx
Casey, James R., II, xxx-xx-xxxx
Cecil, Thomas W., xxx-xx-xxxx
Chalmers, Jefferson, xxx-xx-xxxx
Chappabitty, Edwin, xxx-xx-xxxx
Chestnutt, James R., xxx-xx-xxxx
Chrietzberg, Walter, xxx-xx-xxxx
Clark, Elliot J., Jr., xxx-xx-xxxx
Clark, Roy L., III, xxx-xx-xxxx
Clark, Walter D., xxx-xx-xxxx
Clarke, Hamer D., xxx-xx-xxxx
Clement, Ronald C., xxx-xx-xxxx
Colburn, Cordis B., xxx-xx-xxxx
Collings, Lawrence, xxx-xx-xxxx
Connolly, John F., xxx-xx-xxxx
Connors, Ralph J., xxx-xx-xxxx
Conrardy, Peter R., xxx-xx-xxxx
Constant, Terrence, xxx-xx-xxxx
Conti, Robert J., xxx-xx-xxxx
Cook, Marcus L., xxx-xx-xxxx
Costales, Patrick G., xxx-xx-xxxx
Cowan, William L., xxx-xx-xxxx
Cox, Ronald H., xxx-xx-xxxx
Cox, William D., Jr., xxx-xx-xxxx
Crews, Gerald L., xxx-xx-xxxx
Crist, Charles E., xxx-xx-xxxx
Crocker, George C., xxx-xx-xxxx
Crowder, William S., xxx-xx-xxxx
Cumpson, Garrett J., xxx-xx-xxxx
Cupp, Lloyd G., Jr., xxx-xx-xxxx
Daane, John H., xxx-xx-xxxx
Daniels, John E., xxx-xx-xxxx
Darden, Thomas S., xxx-xx-xxxx
Darrow, Arthur C., xxx-xx-xxxx
Daubert, David B., xxx-xx-xxxx
Davis, Edward M., xxx-xx-xxxx
Davis, James C., xxx-xx-xxxx
Dean, Arthur T., xxx-xx-xxxx
Dempsey, Jack D., xxx-xx-xxxx
Denmark, Robert C., xxx-xx-xxxx
Di, Leonardo Anthony D., xxx-xx-xxxx
Diaz-Rodriguez, Manuel, xxx-xx-xxxx
Dick, William P., xxx-xx-xxxx
Dickinson, Thomas R., xxx-xx-xxxx
Dinkel, Ernest H., Jr., xxx-xx-xxxx
Dixon, Gurney L., xxx-xx-xxxx
Dolan, John F., xxx-xx-xxxx
Donovan, Jack R., Jr., xxx-xx-xxxx
Donovan, Ronald E., xxx-xx-xxxx
Downing, John T., xxx-xx-xxxx
Downs, Curtis H., III, xxx-xx-xxxx
Drezins, Herbert G., xxx-xx-xxxx
Dubroff, Jack B., xxx-xx-xxxx
Dunham, Dale L., xxx-xx-xxxx
Dunkle, Stephen W., xxx-xx-xxxx
Durfee, Gary L., xxx-xx-xxxx
Edmonds, James T., II, xxx-xx-xxxx
Eichling, Robert E., xxx-xx-xxxx
Ellison, William H., xxx-xx-xxxx
Emig, John T., xxx-xx-xxxx
Estep, John D., xxx-xx-xxxx
Evans, Ronald L., xxx-xx-xxxx
Fairchild, Robert W., xxx-xx-xxxx
Fannoney, Abraham C., xxx-xx-xxxx
Fedok, Edward A., xxx-xx-xxxx
Filip, Thomas J., Jr., xxx-xx-xxxx
Fish, Elbridge G., II, xxx-xx-xxxx
Fletcher, James M., xxx-xx-xxxx
Fletcher, Jeffrey D., xxx-xx-xxxx
Foisy, William A., xxx-xx-xxxx
Ford, Francis N., xxx-xx-xxxx
Frase, Richard J., xxx-xx-xxxx
Frause, Robert D., xxx-xx-xxxx
Freeman, James J., xxx-xx-xxxx
Funkhouser, Preston, xxx-xx-xxxx
Fuzy, Eugene A., xxx-xx-xxxx
Gaffney, Edward J., xxx-xx-xxxx
Gallup, Archibald M., xxx-xx-xxxx
Gardner, Barry J., xxx-xx-xxxx
Gardner, Bruce R., xxx-xx-xxxx
Gardner, Michael C., xxx-xx-xxxx
Garlitz, Richard L., xxx-xx-xxxx
Garrett, George B., xxx-xx-xxxx
Gaul, Edwin J., xxx-xx-xxxx
Gauthier, Alfred T., xxx-xx-xxxx
Gavin, Victor C., xxx-xx-xxxx
Geoghegan, William, xxx-xx-xxxx
Geremia, Anthony J., xxx-xx-xxxx
Giblin, James F., xxx-xx-xxxx
Giddens, Paul J., xxx-xx-xxxx
Gilliam, Charles E., xxx-xx-xxxx
Glass, Patrick R., xxx-xx-xxxx
Goates, Donald R., xxx-xx-xxxx
Gomez, Jesus, xxx-xx-xxxx
Goree, Ronald B., xxx-xx-xxxx
Gorman, John L., xxx-xx-xxxx
Goslee, Clarke D., xxx-xx-xxxx
Gottfried, Edward J., xxx-xx-xxxx
Govekar, Paul L., Jr., xxx-xx-xxxx
Grannis, Herbert L., xxx-xx-xxxx
Green, John J., Jr., xxx-xx-xxxx
Greenspane, Ira R., xxx-xx-xxxx
Greenwalt, Robert J., xxx-xx-xxxx
Greer, David R., xxx-xx-xxxx
Greeson, Jon M., xxx-xx-xxxx
Griswold, Walter W., xxx-xx-xxxx
Groome, Nelson S., xxx-xx-xxxx
Grubbs, Earl H., xxx-xx-xxxx
Guilfoyle, Dale T., xxx-xx-xxxx
Gutierrez, Rodolfo, xxx-xx-xxxx
Haggar, Michael J., xxx-xx-xxxx
Hall, Anthony W., Jr., xxx-xx-xxxx
Hall, Clint W., Jr., xxx-xx-xxxx
Hall, Duane F., xxx-xx-xxxx
Hall, John C., xxx-xx-xxxx
Haluski, John S., xxx-xx-xxxx
Ham, Franklin E., xxx-xx-xxxx
Hammond, Thomas C., xxx-xx-xxxx
Hampton, William A., xxx-xx-xxxx
Hansen, William W., xxx-xx-xxxx
Hardesty, Duane E., xxx-xx-xxxx
Hare, James C., Jr., xxx-xx-xxxx
Harris, William H., Jr., xxx-xx-xxxx
Hatton, Gwyn R., xxx-xx-xxxx
Hawkins, John H., Jr., xxx-xx-xxxx
Hawthorne, James S., xxx-xx-xxxx
Hazen, James C., xxx-xx-xxxx
Hebert, Maurice G., xxx-xx-xxxx
Hejna, Donald J., xxx-xx-xxxx
Heltsley, Raymond D., xxx-xx-xxxx
Hendrickson, Gerald, xxx-xx-xxxx
Henkel, Jonathan C., xxx-xx-xxxx
Heslop, Ronald D., xxx-xx-xxxx
Hethcote, Stephen A., xxx-xx-xxxx
Hettish, John R., Jr., xxx-xx-xxxx
Hewitt, Roger L., xxx-xx-xxxx
Hill, Gerald L., xxx-xx-xxxx
Hill, Joe L., xxx-xx-xxxx
Hills, Shaun C., xxx-xx-xxxx
Hinton, Clarence C., xxx-xx-xxxx
Hitchcock, John L., xxx-xx-xxxx
Hobrle, John W., xxx-xx-xxxx
Hogg, Christian D., xxx-xx-xxxx
Holmes, Miles W., Jr., xxx-xx-xxxx
Homan, James V., xxx-xx-xxxx
Hooper, Richard A., xxx-xx-xxxx
Hopkins, John G., xxx-xx-xxxx
Hotard, Ernest P., xxx-xx-xxxx
Howell, Clifford N., xxx-xx-xxxx
Hubbard, James L., xxx-xx-xxxx
Huckabee, Robert H., xxx-xx-xxxx
Hunsaker, George D., xxx-xx-xxxx
Hunter, Joseph S., xxx-xx-xxxx
Hutchinson, Craig R., xxx-xx-xxxx
Isley, Rex M., xxx-xx-xxxx
Iverson, David L., xxx-xx-xxxx
Jackson, John W., Jr., xxx-xx-xxxx
Jackson, Ronnie D., xxx-xx-xxxx
Jarman, Robert O., xxx-xx-xxxx
Jefferson, Charles, xxx-xx-xxxx
Jeffrey, David G., xxx-xx-xxxx
Jelinek, Frederick, xxx-xx-xxxx
Jenkins, Everett R., xxx-xx-xxxx
Jennings, Floyd W., xxx-xx-xxxx
Jensen, Paul E., xxx-xx-xxxx
Johansen, Ralph F., xxx-xx-xxxx
Johnson, Lory, Jr., xxx-xx-xxxx
Johnson, Richard C., xxx-xx-xxxx
Jones, Donald R., Jr., xxx-xx-xxxx
Jones, James R., xxx-xx-xxxx
Jones, Malcolm W., Jr., xxx-xx-xxxx
Jones, Michael G., xxx-xx-xxxx
Jooss, Carl C., xxx-xx-xxxx
Joyner, James N., Jr., xxx-xx-xxxx
Kanda, Richard, xxx-xx-xxxx
Karig, Martin R., xxx-xx-xxxx
Karpman, Lawrence I., xxx-xx-xxxx
Keisling, Kim, xxx-xx-xxxx
Keller, Tommy A., xxx-xx-xxxx
Kelly, Everette S., xxx-xx-xxxx
Kelly, Robert J., xxx-xx-xxxx
Kelly, Ronald L., xxx-xx-xxxx
Kennedy, Kenneth H., xxx-xx-xxxx
Keppeler, Clifford, xxx-xx-xxxx

Kidd, Duane G. xxx-xx-xxxx
King, Roger S. xxx-xx-xxxx
Kinman, Harry D. xxx-xx-xxxx
Kirk, Joseph S. xxx-xx-xxxx
Kirner, Randall J. xxx-xx-xxxx
Knotts, Ralph D. xxx-xx-xxxx
Koch, Daniel R. xxx-xx-xxxx
Koerselman, Benjamin D. xxx-xx-xxxx
Koopman, Garold P. xxx-xx-xxxx
Kotrous, Gary L. xxx-xx-xxxx
Kowallik, Richard L. xxx-xx-xxxx
Kroon, Jerry D. xxx-xx-xxxx
Kuckowicz, Kenneth xxx-xx-xxxx
Kuehler, Marin A. xxx-xx-xxxx
Kuelbs, John T. xxx-xx-xxxx
La Bounty, James W. xxx-xx-xxxx
La Gree, Brooks J., Jr. xxx-xx-xxxx
La Rose, Willard G. xxx-xx-xxxx
Ladnier, Paul D. xxx-xx-xxxx
Lake, James A. xxx-xx-xxxx
Lambert, David E. xxx-xx-xxxx
Latta, Byron F. xxx-xx-xxxx
Leggett, Isiah xxx-xx-xxxx
Leonard, Gary L. xxx-xx-xxxx
Likins, Robert A., Jr. xxx-xx-xxxx
Link, Robert J., Jr. xxx-xx-xxxx
Linson, Robert xxx-xx-xxxx
Lippencott, Barry L. xxx-xx-xxxx
Littig, Melvin J. xxx-xx-xxxx
Llewellyn, William xxx-xx-xxxx
Long, Dallas L., Jr. xxx-xx-xxxx
Lott, Ralph E. xxx-xx-xxxx
Lovell, Larry G. xxx-xx-xxxx
Luther, Peter J. xxx-xx-xxxx
Mabry, Dawson B. xxx-xx-xxxx
Mackay, Donald J. xxx-xx-xxxx
Mackey, Patrick J. xxx-xx-xxxx
Magee, Burl D. xxx-xx-xxxx
Main, Roger L. xxx-xx-xxxx
Malone, Dennis A. xxx-xx-xxxx
Mangold, Robert B. xxx-xx-xxxx
Manor, Michael H. xxx-xx-xxxx
Manus, Kerry L. xxx-xx-xxxx
Marczak, Stanley A. xxx-xx-xxxx
Mariani, Joseph P., Jr. xxx-xx-xxxx
Marion, George R. xxx-xx-xxxx
Marks, James L. xxx-xx-xxxx
Marrs, Larry C. xxx-xx-xxxx
Marsh, Julian T. xxx-xx-xxxx
Martinache, Robert xxx-xx-xxxx
Martinez, Miguel A. xxx-xx-xxxx
Marty, Edward J. xxx-xx-xxxx
Matthews, William P. xxx-xx-xxxx
Maupin, Larry S. xxx-xx-xxxx
Maxie, Keith A. xxx-xx-xxxx
McCarthy, Joseph T. xxx-xx-xxxx
McCormick, John E. xxx-xx-xxxx
McDaniel, Bernard xxx-xx-xxxx
McDevitt, Paul J. xxx-xx-xxxx
McDonough, James F. xxx-xx-xxxx
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McMillan, William L., Jr. xxx-xx-xxxx
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McPhee, James J. xxx-xx-xxxx
McQuitty, John T. xxx-xx-xxxx
Mealing, Robert A. xxx-xx-xxxx
Meekin, Richard S. xxx-xx-xxxx
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Melton, Arthur R. xxx-xx-xxxx
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Millett, Roman L. xxx-xx-xxxx
Mitchell, Jim B. xxx-xx-xxxx
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Moore, James P. xxx-xx-xxxx
Moore, William T. xxx-xx-xxxx
Morgan, Michael M. xxx-xx-xxxx
Morton, Clarence M. xxx-xx-xxxx
Mowrer, John M. xxx-xx-xxxx
Murphey, Samuel L. W. xxx-xx-xxxx
Murphy, Chester A. I. xxx-xx-xxxx
Myers, Wesley E. xxx-xx-xxxx
Nelson, Harry A. xxx-xx-xxxx
Nelson, Henry C. xxx-xx-xxxx
Nelson, Leo E. xxx-xx-xxxx
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Nicholas, David P. xxx-xx-xxxx
Niemira, James M. xxx-xx-xxxx
Nixon, Woodard L. xxx-xx-xxxx
Noles, James L. xxx-xx-xxxx
Norris, Michael A. xxx-xx-xxxx
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Oates, Daniel L. xxx-xx-xxxx
Oberlin, Randolph A. xxx-xx-xxxx
Odom, Charles R. xxx-xx-xxxx
Oliver, Vincent G., Jr. xxx-xx-xxxx
Olsen, Jack B. xxx-xx-xxxx
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Ott, John J., Jr. xxx-xx-xxxx
Otto, Charles R. xxx-xx-xxxx
Paczkowski, Alan R. xxx-xx-xxxx
Padovano, Daniel J. xxx-xx-xxxx
Parker, Michael C. xxx-xx-xxxx
Passela, George W. xxx-xx-xxxx
Patterson, Thomas L. xxx-xx-xxxx
Paulus, Jeffrey A. xxx-xx-xxxx
Payne, Jimmy A. xxx-xx-xxxx
Peacock, Kenneth W. xxx-xx-xxxx
Peil, John L. xxx-xx-xxxx
Pelton, William E. xxx-xx-xxxx
Penrose, Clifford E. xxx-xx-xxxx
Penzel, William B. xxx-xx-xxxx
Perham, Gerald D. xxx-xx-xxxx
Perkins, Thomas H., III xxx-xx-xxxx
Persons, Henry W., Jr. xxx-xx-xxxx
Petrich, Rudolph J. xxx-xx-xxxx
Pharr, Owen F., Jr. xxx-xx-xxxx
Pike, Joseph L. xxx-xx-xxxx
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Pinckert, Frank G. xxx-xx-xxxx
Poirier, Louis F., II xxx-xx-xxxx
Polles, John S. xxx-xx-xxxx
Popham, John K. xxx-xx-xxxx
Powell, Raymond F. xxx-xx-xxxx
Price, Joseph S., Jr. xxx-xx-xxxx
Proctor, Frank T., Jr. xxx-xx-xxxx
Prothro, Walter L. xxx-xx-xxxx
Prysock, David L. xxx-xx-xxxx
Puk, Richard F. xxx-xx-xxxx
Purcell, Thomas C. xxx-xx-xxxx
Ramsey, Royce D., Jr. xxx-xx-xxxx
Randall, Charles I. xxx-xx-xxxx
Randles, James D. xxx-xx-xxxx
Ratajczak, Jerome F. xxx-xx-xxxx
Raycraft, Homer J., Jr. xxx-xx-xxxx
Redding, James K. xxx-xx-xxxx
Reed, Cliff W. xxx-xx-xxxx
Reed, Henly E., Jr. xxx-xx-xxxx
Reed, Henry J. xxx-xx-xxxx
Reedy, Charles J. xxx-xx-xxxx
Rees, Michael D. xxx-xx-xxxx
Renneisen, Robert M. xxx-xx-xxxx
Requa, William V. xxx-xx-xxxx
Rhame, William F., Jr. xxx-xx-xxxx
Rheude, Gregory L. xxx-xx-xxxx
Richards, Robert R. xxx-xx-xxxx
Rilovick, J. Sheppard xxx-xx-xxxx
Roberts, William G. xxx-xx-xxxx
Roberts, William J. xxx-xx-xxxx
Robinson, Donald L. xxx-xx-xxxx
Rockwell, William J. xxx-xx-xxxx
Rogers, Bruce F. xxx-xx-xxxx
Rolston, David A. xxx-xx-xxxx
Ronning, Craig O. xxx-xx-xxxx
Rowan, John E. xxx-xx-xxxx
Russell, William T. xxx-xx-xxxx
Sabine, Henry A., III xxx-xx-xxxx
Sakamoto, Richard Y. xxx-xx-xxxx
Sakimura, Ronald K. xxx-xx-xxxx
Sale, Lafayette L. xxx-xx-xxxx
Salvadorini, David xxx-xx-xxxx
Savage, Calvin K. xxx-xx-xxxx
Saxby, Robert E. xxx-xx-xxxx
Scandrett, William xxx-xx-xxxx
Scherrer, George J. xxx-xx-xxxx
Schoch, Bruce P. xxx-xx-xxxx
Schoenborn, Donald xxx-xx-xxxx
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Schorr, John D. xxx-xx-xxxx
Schroeder, Philip V. xxx-xx-xxxx
Schubert, Russell B. xxx-xx-xxxx
Schuster, Kenneth B. xxx-xx-xxxx
Schwartz, Samuel R. xxx-xx-xxxx
Segree, Joseph W. xxx-xx-xxxx
Serrano, Jose A. xxx-xx-xxxx
Severn, Theodore R. xxx-xx-xxxx
Sheridan, George F. xxx-xx-xxxx
Siddons, James G. xxx-xx-xxxx
Sidebottom, William xxx-xx-xxxx
Sienkiewicz, Richard J. xxx-xx-xxxx
Simmons, Ronald J. xxx-xx-xxxx
Sims, John E. xxx-xx-xxxx
Sinclair, Michael F. xxx-xx-xxxx
Singer, James C. xxx-xx-xxxx
Skantz, Conrad P. xxx-xx-xxxx
Skrzysowski, Richard J. xxx-xx-xxxx
Slayton, Barney F. xxx-xx-xxxx
Sloan, John E. xxx-xx-xxxx
Sloniker, Michael E. xxx-xx-xxxx
Smith, Mason E. xxx-xx-xxxx
Smith, Nelson F., Jr. xxx-xx-xxxx
Smith, Paul C. xxx-xx-xxxx
Smith, Rodney L. xxx-xx-xxxx
Smith, William C. xxx-xx-xxxx
Sommerfeld, Evan E. xxx-xx-xxxx
Sopko, Rance D. xxx-xx-xxxx
Speaker, Harry A., II xxx-xx-xxxx
Speelman, James F. xxx-xx-xxxx
Squires, Richard C. xxx-xx-xxxx
Stanley, Stanislaw xxx-xx-xxxx
Staubach, James C. xxx-xx-xxxx
Steiger, Michael S. xxx-xx-xxxx
Stelzenmuller, George V., III xxx-xx-xxxx
Stephens, Thomas C. xxx-xx-xxxx
Stern, Bennett M. xxx-xx-xxxx
Stewart, Bobby A. xxx-xx-xxxx
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Street, George L., IV, xxx-xx-xxxx
Stuart, Richard J. xxx-xx-xxxx
Swinehart, Lewis S. xxx-xx-xxxx
Tallant, David R. xxx-xx-xxxx
Teixeira, Edward T. xxx-xx-xxxx
Thibeault, William xxx-xx-xxxx
Thomason, Melvin F. xxx-xx-xxxx
Thompson, John H., Jr. xxx-xx-xxxx
Tibbetts, Walter P. xxx-xx-xxxx
Tilson, David W. xxx-xx-xxxx
Timberlake, Harvey xxx-xx-xxxx
Tirey, James D. xxx-xx-xxxx
Tomlinson, Meredith xxx-xx-xxxx
Trexler, Herbert J. xxx-xx-xxxx
Tricomi, Frank A. xxx-xx-xxxx
Tripp, Russell E. xxx-xx-xxxx
Tyner, James C., Jr. xxx-xx-xxxx
Utley, Robert C. xxx-xx-xxxx
Vallecillo, Carlos, xxx-xx-xxxx
Van Brunt, Roy T., Jr. xxx-xx-xxxx
Vogel, Frederick J., Jr. xxx-xx-xxxx
Voightritter, Donald H. xxx-xx-xxxx
Voightritter, Ronald H. xxx-xx-xxxx
Vukelich, Vincent M. xxx-xx-xxxx
Wagner, Michael D. xxx-xx-xxxx
Walls, James A. xxx-xx-xxxx
Walsh, Francis R. xxx-xx-xxxx
Watkins, John F. xxx-xx-xxxx
Wattawa, Thomas J. xxx-xx-xxxx
Wedding, Benny E. xxx-xx-xxxx
Weinberg, Michael H. xxx-xx-xxxx
Wells, David R., Jr. xxx-xx-xxxx
Wendling, Henry H. xxx-xx-xxxx
Wertschnig, John J. xxx-xx-xxxx
Wesley, Daryl V. xxx-xx-xxxx
West, Alan C. xxx-xx-xxxx
West, Charles E. xxx-xx-xxxx
Wheeler, Marion H., Jr. xxx-xx-xxxx
White, Harold G. xxx-xx-xxxx
White, Ronald J. xxx-xx-xxxx
Whitman, Roy K. xxx-xx-xxxx
Whitsett, Robert M. xxx-xx-xxxx
Wieczorek, Robert L. xxx-xx-xxxx
Wiehe, Edward L. xxx-xx-xxxx
Wilkinson, Charles xxx-xx-xxxx
Williams, Harold E. xxx-xx-xxxx
Willis, Max L. xxx-xx-xxxx
Wilson, Donald M. xxx-xx-xxxx
Wilson, James G. xxx-xx-xxxx
Windham, Daniel O. xxx-xx-xxxx
Wolfe, Randall H. xxx-xx-xxxx
Wood, Clifford M., Jr. xxx-xx-xxxx
Wright, Michael L. xxx-xx-xxxx
Wright, Victor E. xxx-xx-xxxx
Yager, Klaus D. xxx-xx-xxxx
Yarrison, James L. xxx-xx-xxxx
Yatsevitch, Peter G. xxx-xx-xxxx
Zaccagni, Philip J. xxx-xx-xxxx
Zak, Michael I. xxx-xx-xxxx
Zerhusen, Led J. xxx-xx-xxxx
Zielinski, Ronald J. xxx-xx-xxxx
Zink, Gale R., Jr. xxx-xx-xxxx

WOMEN'S ARMY CORPS

To be first lieutenant

Hess, Patricia A., [redacted].

MEDICAL SERVICE CORPS

To be first lieutenant

Aron, Bruce L., [redacted].
Austin, Henry M., III, [redacted].
Beale, Donald L., [redacted].
Beumler, Henry C., [redacted].
Bishop, Ronald M., [redacted].
Boyd, Ronald C., [redacted].
Davis, Brian K., [redacted].
Davis, Francisco S., [redacted].
Deas, Bernard W., Jr., [redacted].
Dievendorf, Lynn A., [redacted].
Earley, Ronald N., [redacted].
Fritsch, Robert G., [redacted].
Goding, William R., [redacted].
Hanohano, William J., [redacted].
Hawkes, Thomas A., Jr., [redacted].
Hendricks, Larry D., [redacted].
Hinkel, Robert E., [redacted].
Jones, Larry L., [redacted].
Jones, Thomas R., Jr., [redacted].
Lenz, Ernest J., Jr., [redacted].
Markham, Selwyn L., [redacted].
McCrea, Charles D., [redacted].
Michels, George N., [redacted].
Miles, Otha G., [redacted].
Munnell, Thomas C., [redacted].
Murphy, Robert F., [redacted].
Peterson, Lawrence, [redacted].
Peyton, Gaylon A., [redacted].
Schade, Harold C., II, [redacted].
Schaefer, Ken M., [redacted].
Sealfon, Michael S., [redacted].
Sheppard, Paul R., [redacted].
Simonetti, Robert G., [redacted].
Smart, Samuel C., [redacted].
Thomas, William G., [redacted].
Torba, Gerald M., [redacted].
Weaver, Daniel U., [redacted].
Wiener, Michael L., [redacted].
Wortham, James T., Jr., [redacted].
Wright, Cephas C., [redacted].

ARMY MEDICAL SPECIALIST CORPS

To be first lieutenant

Pope, Richard L., [redacted].

ARMY NURSE CORPS

To be first lieutenant

Blake, Nelson A., [redacted].
Bombard, Charles F., [redacted].
Bowlyow, Ronald G., [redacted].
Bradley, John J., [redacted].
Chase, Harold M., Jr., [redacted].
Cochran, Ronald L., [redacted].
Cook, Thomas E., [redacted].
Defibaugh, Dixie L., [redacted].
Drummond, William F., [redacted].
Duffel, Dale L., [redacted].
Farineau, Paul F., [redacted].
Hamer, Lawrence A., [redacted].
Heston, James V., [redacted].
Pfaehler, Karl H., [redacted].
Ramirez, Ann L., [redacted].
Reis, Jerold M., [redacted].
Sinclair, Allen L., [redacted].
Trahan, Joseph A., Jr., [redacted].
Wilson, Margaret E., [redacted].

U.S. CIRCUIT COURTS

W. Wallace Kent, of Michigan, to be a U.S. circuit judge for the sixth circuit vice Bert T. Combs, resigned.

U.S. DISTRICT COURTS

Fred M. Winner, of Colorado, to be a U.S. district judge for the district of Colorado vice a new position created by Public Law 91-272, approved June 2, 1970.

William H. Webster, of Missouri, to be a U.S. district judge for the Eastern District of Missouri vice a new position created by Public Law 91-272, approved June 2, 1970.

H. Kenneth Wangelin, of Missouri, to be a U.S. district judge for the Eastern and Western Districts of Missouri vice Roy W. Harper, retiring.

Barron P. McCune, of Pennsylvania, to be a U.S. district judge for the Western District of Pennsylvania vice a new position created by Public Law 91-272, approved June 2, 1970.

DEPARTMENT OF JUSTICE

Ralph B. Guy, Jr., of Michigan, to be U.S. attorney for the Eastern District of Michigan for the term of 4 years vice James H. Brickley, resigned.

Frederick M. Coleman, of Ohio, to be U.S. attorney for the Northern District of Ohio for the term of 4 years vice Robert B. Krupansky, resigned.

Clarence A. Butler, of Maryland, to be U.S. marshal for the district of Maryland, for the term of 4 years, vice Frank Udoff.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 8, 1970:

DEPARTMENT OF COMMERCE

Andrew E. Gibson, of New Jersey, to be an Assistant Secretary of Commerce.

C. Langhorne Washburn, of the District of Columbia, to be Assistant Secretary of Commerce for Tourism.

EXTENSIONS OF REMARKS

THE CONCEPT OF ACCOUNTABILITY IN EDUCATION

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1970

Mr. ASHBROOK. Mr. Speaker, in October of this year Roger A. Freeman, senior fellow at the Hoover Institution on War, Revolution, and Peace at Stanford University and until recently a member of the present administration, reported on a hopeful and encouraging reevaluation in the field of education now being effected by Federal educational officials. The theme was set forth by President Nixon in his message on education reform and was summarized by the President in these words:

> School administrators and school teachers alike are responsible for their performance and it is in their interest as well as in the interest of their pupils that they be held accountable.

According to Mr. Freeman the prime emphasis in the President's message was on reform and not on finances, and was, in fact, the first message on education reform delivered by any President. This new approach was, indeed, a welcome relief to those who have long contended that more Federal funds do not necessarily result in better educational results. In the past the accent has been on the input or resources consumed by the schools with little attention paid to the output or effectiveness of the educational job done.

On October 22, 1970, Mr. Freeman delivered the following address before the annual fall conference of the California Elementary School Administrators' Association in Oakland, Calif. Its message should prove of interest to those in the field of education and to the many taxpayers whose annual contributions help so greatly in financing our educational endeavors:

MATH AND AFTERMATH IN THE PUBLIC SCHOOLS: THE CONCEPT OF ACCOUNTABILITY IN EDUCATION

(By Roger A. Freeman)

Ever since President Nixon sent his message on Education Reform to Congress last March, a lively discussion has been going on about its content, its meaning, its implementation. Some of his critics thought that the President should have recommended federal support of public school operations to the tune of several billion dollars a year and left everything else to the school administrators, the boards of education and the teachers. That is what the National Education Association and its allies have been demanding, for well over a hundred years, and still deem to be the solution to the problems which beset the schools. But no President ever has recommended such a program, nor is Congress likely to approve one if it were proposed, at least for as far in the future as we can see ahead. In fact, the chances for federal general school support appear to be slimmer now than they were twenty or twenty-five years ago.

In his message on March 3 the President followed a track that runs counter to the road his critics in the educational establishment would want him to travel: he introduced the concept of accountability: "School administrators and school teachers alike are responsible for their performance and it is in their interest as well as in the interest of their pupils that they be held accountable." He declared: "We have, as a nation, too long avoided thinking of the *productivity* of schools."

That conjured up in the minds of some school principals a vision of being tarred and feathered if their students fell short of the national norm on standard achievement tests. But that is not what it was intended to mean.

At the outset the President made it known to the staff charged with drafting the education message that he wanted its prime emphasis placed on reform and not on finances. This message was in preparation for six months and was as thoroughly studied, discussed, revised and edited as any presidential document could and should be; it went through several drafts before its was finally issued.

In contrast to many other messages it does not say: here is a problem and this is the solution. It admits that we do not know as much about the learning process as we should, that we have no ready answer to the question why so many children do not learn the essentials they need. It makes it quite clear however that the time is overdue to find out.

Accountability of the schools is not an entirely new concept. Some of us have been talking about it for a long time. Wilbur Cohen, President Johnson's last Secretary of H.E.W., criticized three years ago "the voluminous, yet unsuitable data now available for assessing the products of our education." He complained that "practically none of it measures the output of our educational system in terms that really matter—that is in