cision and Melpar Div. of American-Standard Co. Ground school course is about 540 hr. in length.

BOMBING ACCURACY

Bombing accuracy of the Navy LTV A–7E as demonstrated on the first concentrated bombing practice is substantially improved over that of the McDonnell Douglas A–4 and earlier A–7A and A–7B models.

The average bombing circular error probability (CEP) for pilots of two squadrons, VA–146 and VA–147 flying A–7E aircraft for two weeks of concentrated ordnance practice was 60 ft. This was the first A–7E squadron deployment and included some initial problems with systems.

Squadron officials believe on the basis of this first deployment that the average bombing CEP for the A–7E ultimately will shrink to 40 ft. These figures compare with an average 95–100 ft. pilot CEP for experienced A–4 squadrons at Lemoore and 70–75 ft for A–7A/B units. A 125–ft. CEP is required to qualify under Navy regulations.

Mode of delivery in the A–7E was dive toss in which the automatic system computed the proper release point and the practice bomb was released during the pullout. The A–4 and A–7A/B averages are based on straight dive bomb runs at a 30 deg. angle.

EQUIPMENT INTEGRATION

Major equipment components for the A–7E are integrated with a central computer to provide maximum automation and assistance for navigation and bombing with improved accuracy at any dive angle, speed or altitude the pilot selects.

Major components include:

International Business Machines, CP–952/ASN–91 (V) digital computer.

Elliott Bros., Ltd., AN/AVQ–7 head-up display.

Texas Instruments, AN/AVQ–126 forward looking radar.

Singer General Precision, AN/APN–190 (V) Doppler radar.

Singer General Precision. AN/ASN–90 (V) inertial measurement set.

Computing Devices of Canada ASN–99 projected map display set.

Garrett CP–953/AJQ air data computer.

LTV armament station control unit.

THE MIDDLE EAST

HON. DONALD E. LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 23, 1970

Mr. LUKENS. Mr. Speaker, I am quite concerned over the recent turn of events regarding the military balance of power in the Middle East. Recent shipments of arms to the Arabs by France and the Soviet Union put Israel at a major arms disadvantage.

While I deplore the escalation of the arms race and the increased intensity of hostilities, I refuse to silently stand by while our ally, Israel, is in need of help. The people of America will not and cannot accept Israel's being placed at such a disadvantage.

I am particularly disturbed over the recent sale of 100 French Mirage jets to Libya. This infusion of arms into a country whose army is smaller than the New York City police department is of major concern to me. Libya has virtually no trained pilots, and a nation of 3 million people, in my opinion, does not require 100 warplanes for its defense. France's action can only serve to inflame the fires which have been blazing in the Middle East.

The action is even more reprehensible when one recalls that Israel has paid for 50 French jets and that the French regime, contrary to all norms and ethics, has refused to honor its own contract. Since France failed to deliver jets after accepting Israel's money, our country remains the prime source of aid to Israel in its fight for freedom and survival. We must not turn our backs on that small fortress of democracy in the Mideast.

I have long feared that the Middle East which is vital to American interests could become part of a Communist enclave. Our country must help our allies so they do not fall to the forces of communism. I have been gravely concerned for some time over an ambitious program by the Soviet Union to subvert the entire Mideast.

The Soviet Union and France ship arms; we deliberate; the Mideast situation deteriorates. Those who advocate a so-called even-handed approach are actually jeopardizing our fight against world communism and risking the security of the people of Israel. Too often we have been placed in the position of reacting to the maneuvering of Russia.

I wholeheartedly concur with the President in his concern that the Soviet Union is not doing what it could toward peace in the Middle East. I fully agree with the President who said the "United States would view any effort by the Soviet Union to seek predominance in the Middle East as a matter of grave concern."

The Soviet Union has a very strong interest in opening the Suez Canal since it would be able to supply Asia, especially the North Vietnamese Communists, with equipment on a much larger scale than is now possible by overland routes.

I, therefore, strongly urge for the President to give favorable consideration to Israel's request for additional Phantom and Skyhawk jets. Credit should be extended to Israel to pay for the jets in view of that country's dire financial situation.

It is high time that we take the initiative with a positive program for assistance to Israel to keep the spirit of democracy alive in that part of the world.

TRIBUTE TO THE LATE HONORABLE BEN F. JENSEN

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. EVINS of Tennessee. Mr. Speaker, permit me to take this means of joining with members of the Iowa delegation and others in paying a brief but sincere tribute to the memory of our late colleague and friend, Ben F. Jensen of Iowa.

I was saddened to learn of Ben Jensen's passing, as announced in the press. It was my privilege to serve with Ben Jensen on the Committee on Appropriations and as a member of the Subcommittee on Public Works Appropriations.

Ben Jensen also served as ranking minority member of the Subcommittee on Interior Appropriations. He played an important role in the development of our national parks and recreation areas. I was impressed with his concern regarding fiscal affairs and of his desire to effect economies in Government wherever possible.

Ben Jensen served his district, State, and Nation well and will be greatly missed.

I want to take this means of extending to the members of the Jensen family an expression of my deepest and most sincere sympathy in their loss and bereavement.

SENATE—*Tuesday, February 24, 1970*

The Senate met at 10 o'clock a.m. and was called to order by the President pro tempore (Mr. RUSSELL).

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

Eternal Father, we thank Thee for the creative spirit mediated to American life by Thy followers in every age. We thank Thee for the godly heritage of this land, for the faith of our fathers, and for spirit-filled leaders in every generation. May the same spirit pervade our common days and guide us in all our actions. May there arise in us the resolution to create that better world which proceeds from holy lives. Grant that the spirit of wisdom may save us from all that is wrong, and that in Thy light we may see light, and in Thy straight path we may walk uprightly.

Through Him whose name is above every name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, February 23, 1970, be dispensed with.

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

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS—ADDITIONAL STATEMENTS OF SENATORS

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

of routine morning business be conducted with statements by any Senator being limited to 3 minutes, and—this is something new—I further ask unanimous consent that it be in order to include in the morning business additional statements presented at the desk by each Senator, respectively—and that means personally.

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

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

Mr. MANSFIELD. I am happy to yield to the distinguished minority leader.

Mr. SCOTT. Mr. President, may I say that this is a matter of agreement between the distinguished majority leader and myself.

The purpose is to make the RECORD more readable and more readily understandable, to enable Senators and their staffs to follow a cursive debate rather than a discursive variance. Whereas up to now the RECORD has been interspersed with olla podidra, mixed hash, and pot au feu, now, hopefully, by the elimination of largely extraneous matter, when we begin debate on a subject such as the school lunch program and a Senator wants to talk about grazing rights, mineral rights, irrigation, or housing, there will be a separation of the data, so that we may, perhaps, find the CONGRESSIONAL RECORD becoming, at long last, slightly interesting.

I am very anxious that this be done and congratulate the distinguished majority leader.

Mr. MANSFIELD. It will not only be all that, but I think a certain amount of money will be saved in the process, which is a good thing in this day and age.

Mr. SCOTT. As a Republican, I am sorry I forgot the money. [Laughter.]

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

ORDER FOR ADJOURNMENT UNTIL 10 O'CLOCK A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 o'clock tomorrow morning.

The 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 nominations on the Executive Calendar.

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

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

U.S. AIR FORCE

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

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

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

U.S. NAVY

The bill clerk read the nomination of Vice Adm. Lawson P. Ramage, U.S. Navy, for appointment to the grade indicated, when retired, in accordance with the provisions of title 10, United States Code, section 5233.

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

U.S. MARINE CORPS

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

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

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of these nominations.

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

LEGISLATIVE SESSION

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

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

WISE WORDS OF A GREAT AMERICAN

Mr. YOUNG of Ohio. Mr. President, John S. Knight, editor and publisher of the Akron Beacon Journal and the Miami Herald, is one of the Nation's most distinguished journalists. Also, he has been one of the most consistent critics of our involvement in that immoral, undeclared war in Vietnam during the Johnson administration and now during the Nixon administration.

In a recent column that appeared in the Miami Herald and other Knight newspapers entitled "Too Kind to Nixon? Well, That Depends," John S. Knight responded to criticism that he was "going a little easier on the Nixon administration than is deserving." In that column he clearly and concisely pointed out the futility of our involvement in Vietnam and the danger of that war dragging on indefinitely and expanding.

Mr. President, I believe that this column should be read by as many citizens as possible, and therefore ask unanimous consent that it be printed in the RECORD.

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

TOO KIND TO NIXON? WELL, THAT DEPENDS

A distinguished professor of history has been kind enough to offer some commendation of JSK's Notebook.

"With the death of Ralph McGill," he writes, "the number of aggressive editors diminished and I hope you will continue your work. However, I have felt that you were going a little easier on the Nixon administration than is deserving."

Well, sir, people differ about that. Many Republicans, and especially those who read this column in the Miami Herald, appear to think that any criticism of President Nixon is tantamount to treason.

The "either you're for him or against him" dictate runs very strong in the minds of people who oversimplify the issues by automatically rejecting any view not in consonance with their own.

As an original member of the "Give Nixon Every Chance" club, I have muted my criticism on issues raised by the opposition for purely partisan reasons.

Thus, when the volatile Hubert Humphrey charged that Nixon's veto of the Health, Education and Welfare bill was a victory won "at the expense of America's children and the needy," I called the allegation "pure bosh" which of course it was.

Yet there has been no hesitancy about disagreeing with the President on matters where—at least in one man's opinion—he has been wrong.

Issue was taken here with the selection of Henry Cabot Lodge as our chief negotiator at the Paris peace talks. Cabot Lodge, a longtime friend, was too closely associated with the Saigon regime to offer any hope that he and Hanoi could ever agree on anything. Other than the shape of the peace table, that is.

Subsequent columns expressed objections to a gala inauguration since a nation at war should practice austerity; to the doubling of the President's pay and to labelling critics of the Pentagon as the "new isolationists."

We have been puzzled by Nixon's apparent acceptance of the Johnsonian dictum on "our sacred commitments" in Vietnam and the contradictions in the President's Guam and Bangkok pledges.

Nixon said at Guam that the United States would avoid future Vietnams. But at Bangkok he gave assurance that we will stand proudly with Thailand. Even the Asians found this confusing.

And then there is the "secret war" in Laos. We have printed the facts on Laos which include U.S. air support, bombing of the Ho Chi Minh trail which travels through Laos, U.S. tactical air support for the Laotian forces, U.S. advisers running the Laotian army and the loss of at least 100 American pilots on Laotian missions conducted by the Central Intelligence Agency.

We think it high time the administration came clean and told the truth about Laos, an area fraught with the same perils as Vietnam in the early 1960's.

On the lighter side, the Nixon-Agnew anti-media kick was incomprehensible. Mr. Nixon's name is included since the Vice President wouldn't even think of playing in the Bob Hope Golf Classic without White House approval.

Spiro Agnew succeeded in shaking the network presidents and he offended some overly sensitive editors and commentators. But for what purpose?

The Vice President is so elated over his oratorical successes that he is now scorching the "limousine liberals" and finding "the old lions and wolves of the Democratic party being replaced by tabby cats and lap dogs."

This is good partisan stuff and the crowds love it. What contribution it all makes to national unity or solution of the nation's pressing problems somehow escapes us.

The latest Gallup poll shows President Nixon with 66 pct. of the persons interviewed giving approval to the way he is handling his job, a rise of 7 points over his lowest rating last year.

As the most politically sensitive President since Franklin D. Roosevelt, the man in the White House has checkmated the Democrats on every move.

He is given credit for doing his utmost to curb inflation, getting tough on pollution, urging reform of an unworkable welfare system and planning an orderly withdrawal from Vietnam.

Nixon has his political opposition in complete disarray. In commenting on the resignation of Democratic National Chairman Fred R. Harris, Columnist Mary McGrory says that "no ambitious young man would want to linger in the Democratic National Committee which can scarcely pay its telephone bills and is reduced to putting on vaudeville shows because, thanks to Johnson, the Vietnam war and the Chicago convention, there is nothing its orators can safely talk about."

Even Lyndon Johnson is, as Mary McGrory says, "rubbing salt in the wounds he inflicted on the Democratic party during his five years in the presidency."

So Dick Nixon who made it to the White House the hard way is sitting pretty over on Key Biscayne. Given a little better weather, he might even become exuberant.

We cannot forget, however, that the people and the polls are fickle. One month's applause can become next month's disaster.

The Vietnam war is not ending, as so many persons choose to believe.

High interest rates are drying up expansion capital. Without the benefit of presidential jawboning on wages and prices, the cost of living indices continue to rise.

Whether inflation can ever be checked without credit and wage and price controls is at best a dubious prospect.

Other than inflation, the Vietnam war is President Nixon's gravest problem. Defense Secretary Melvin R. Laird promises "steady withdrawals" beyond the 250,000 level once advocated by his predecessor Clark Clifford.

But Mr. Laird qualifies his optimism by conceding that U.S. combat troops will remain in Vietnam after American forces have given up primary combat responsibility in the war. They will remain, he said, to protect American support troops left in Vietnam to help the South Vietnamese.

In other words, another Korea where elements of U.S. combat troops have remained for 20 years. The South Vietnam situation is infinitely more complicated than Korea where an armistice of sorts does exist and the South Koreans as fighting men are far superior to the South Vietnamese.

Let Vietnam drag on interminably and public patience will wear thin. This would spell trouble for Nixon in view of his forthright pledge "to end this war in a way that would increase our chances to win true and lasting peace . . . If I fail to do so I expect the American people to hold me accountable."

As to whether I have been "easier on Nixon than is deserving" or "too critical" as some readers see it, the endeavor has been to deal fairly and objectively with an administration not long in power and still facing its most crucial tests.

Whenever thoughts of disenchantment begin to smoulder, I think of what might have been and the combustive processes come down to cool.

Mr. YOUNG of Ohio. Mr. President, John S. Knight points out how President Nixon has failed to use the Paris peace talks as an effective forum for ending the Vietnam war. While the peace talks have come to a complete standstill, young Americans daily continue to fight and die in that little faraway country of no strategic or economic importance whatever to the defense of the United States. He reiterates his disappointment that President Nixon appointed Henry Cabot Lodge to succeed Averell Harriman as our chief negotiator at Paris. Averell Harriman is a great American diplomat who succeeded in achieving the Limited Nuclear Test Ban Treaty with the Soviet Union which his predecessors under previous American Presidents had failed to accomplish. Even though Henry Cabot Lodge was his longtime friend, Mr. Knight strongly believed the President made a bad appointment if for no other reason than that Henry Cabot Lodge on several occasions has stated that he affectionately regarded Vice President Ky as a son. This flamboyant air marshal who has stated that Hitler was his hero, fought against his own fellow countrymen seeking national liberation from the French. That Lodge had stated that Ky was like a son to him is a fact that is well known to representatives of North Vietnam and of the National Liberation Front and was a roadblock toward any possible effectiveness of Lodge as a negotiator.

John Knight also criticizes the so-called "secret war" in Laos and the very real danger of our escalating the undeclared war we are waging at the present time in that small undeveloped country that is not worth the life of a single young American.

In his column Editor and Publisher Knight states the danger that U.S. combat troops may remain in Vietnam for many years to come. Reducing the troop level in Vietnam to 350,000 or 250,000 men is not what Americans had in mind when they elected Richard Nixon to end the war.

Mr. President, John S. Knight deserves the gratitude of all Americans for his keen understanding of the issues involved in Vietnam and for his editorial efforts to help bring about an end to our involvement in the Vietnam quagmire.

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

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

ABOMINATION

Mr. YOUNG of Ohio. Mr. President, conscription of our youth in time of peace is an abomination. It should never be tolerated. We should seek to have a purely volunteer army, though an increase in pay would probably be necessary. Only in times of grave national emergency and when Congress has declared war should our youth be conscripted into the Armed Forces. Under our former selective service law the lives of young men were disrupted due to uncertainty. Under our present selective service policy, a 19-year-old boy if he is not summoned before his 20th birthday will not be drafted except in time of war. The old draft law of taking the oldest first needlessly disrupted countless homes, marriages and careers.

The Armed Services Committees of the Congress also have a duty to recommend a maximum 18 months' service for draftees.

In that connection, may I say that every one of our European allies has conscription for a lesser period than 2 years.

West Germany has a conscription for 13 months.

Belgium conscripts for only 12 months. France and Norway conscript for 12 to 15 months; Denmark from 12 to 14 months.

We alone have 2 years.

The United Kingdom and Canada have no draft whatever.

It is high time that we do away with this abomination except in a time of grave national emergency or in a period when Congress has declared war. Otherwise, we must have a purely volunteer army.

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

Mr. YOUNG of Ohio. I yield.

Mr. MANSFIELD. Mr. President, I want to express my approval of what the distinguished Senator has just said and also express my wholehearted support for the Gates Commission report on an all-volunteer army.

I think that the figure set by the Gates Commission is too high. Instead of being 2.5 million, the figure ought to be around 2 million or a little less.

I certainly approve their suggestion and their recommendation that the pay of the lower grades be increased considerably and that those who become members of an all-volunteer army be subject to veterans' benefits. I think this is a step in the right direction.

I applaud the recommendations of the Gates Commission. I think the present draft law is most inequitable and most unfair. I say that as one who voted against the draft law, and as one who voted against the lottery affecting the 19-year-olds, which I think in itself was also inequitable.

I am delighted that we have come to this pass whereby a Commission appointed by the President of the United States has made some sound and solid recommendations.

I would hope most sincerely that even though the draft does not expire until next year, the Armed Services Committee would start hearings on the Gates proposals this year. The way needs to be paved without further delay, leading to a better situation as far as armed service personnel are concerned than is the case today or has been the case for a good number of years.

It is my understanding that one of the recommendations of the Gates Commission is that a means will be created whereby a stand-by will be in operation in case of extreme emergency.

A most significant and most important part of that proposal is that the decision will be up to Congress, the elected representatives of the people. They will be

responsible once again for putting it in operation and to me that means a return to constitutional normalcy and congressional intent. In a sense, it will be an application related to Congress' war-declaring powers.

The Senator mentioned the draft. His figures were correct. He also mentioned the fact that 18-year-olds had been called up over the past several decades. Maybe some of them are still eligible. It would be fitting and I would hope that the hearings now being conducted by the Committee on the Judiciary relative to giving the voting franchise to the 18-year-olds would become a part of the law of this land, either through a constitutional amendment or through attachment to another bill which may come to the floor of the Senate.

I think it is about time, because the 18-year-olds are considered adults; they are subject to criminal action; are subject to the draft; are subject to paying taxes; are allowed to marry at that age. However, they are not allowed to participate in the making of a policy which has a vital control over their lives for a certain period of time in the application of the draft. Because of this and the other factors mentioned they should be given the right and the responsibility to vote.

I think we are long overdue in giving these young citizens the right to participate in the exercise of the franchise. I would hope that if they are continued to be denied that right—incidentally, they have that right in the State of Georgia—that we would consider seriously in any future draft or conscription legislation, a provision that no man will become eligible for the draft until he has the right to vote. That would mean, generally speaking, at age 21. The way to face up to this question and overcome it is to give the 18-year-olds the right to vote now or as soon as possible so that they can determine in some small part the policy of this country that they are called upon and have been called upon to execute over the last several decades.

Mr. YOUNG of Ohio. Mr. President, I thank the distinguished majority leader very much for his remarks and commend him for the statement he has made today. I am so glad that the distinguished majority leader and I are in complete agreement.

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

Mr. MANSFIELD. I yield.

Mr. GURNEY. Mr. President, I have listened with great interest to the colloquy between the distinguished majority leader and the distinguished senior Senator from Ohio. I would like to add one thought.

People who run for public office make many promises and sometimes extravagant promises. Sometimes I think there is no intent to live up to some of the promises.

One of the gratifying things about the present incumbent in the White House, President Richard Nixon, is the fact that he has carried out or has tried to carry out many of the major campaign promises he made in 1966, 1967, 1968. One of the campaign promises that I recall was that we should have a volunteer army. So I am gratified that the Commission has come up with this suggestion and also that the President's attitude has received the very strong support and, of course, the very important support of the distinguished majority leader as well as the distinguished Senator from Ohio.

Mr. President, I might also make a further remark that if the granting of the franchise to 18-year-olds and up is in the mainstream of America's thinking, then, too, the present incumbent in the White House, President Richard Nixon, also advocated this many years ago.

I would also like to say, in passing, that I think these attitudes on lowering the voting age, coupled with draft reforms already made and coupled with his attitude on a volunteer army, certainly are factors why there is less youth unrest in the country today and a greater acceptability by the young people of the present incumbent of the White House.

Mr. MANSFIELD. I think it also should be pointed out that the initial legislation in this body for an all volunteer army was in accord with what the President advocated during the campaign; and if I remember correctly, the initiators of the legislation were the distinguished Senator from Oregon (Mr. HATFIELD) and—I believe I am correct in saying this—the distinguished Senator from Arizona (Mr. GOLDWATER) joined him, and also a number of Senators on this side, including the Senator from Wisconsin (Mr. NELSON) and others. So there is truly a bipartisan feeling on the part of Members of the Senate.

I hope this promise which had been made by the President during the campaign—this Commission he created which has come forth with these recommendations—would be followed by specifics from the executive branch of Government to the end that this proposal can be given consideration as expeditiously as possible and brought before the Congress as a whole for debate, consideration, and disposition.

Mr. GURNEY. I thank the distinguished majority leader for his further contribution. Indeed, it is a truly bipartisan effort. I should hasten to add that this Senator from Florida has also supported for a long time the concept of a volunteer army as soon as we are able to move in that direction.

Mr. STEVENS. Mr. President, I wish to join the distinguished majority leader and to congratulate him for holding out hope to the 18-year-olds that we may take the step to extend to them the voting privilege. My State has the 19-year-old law. Our 19-year-olds may vote. They have been responsible in exercising this privilege.

I would like to urge that we make this a bipartisan effort and that we do not hold out a carrot to these young people to let them believe we will finally take this action and then not take it.

I think one of the great causes of unrest among the young people in this country is that they have not had an opportunity to really have a piece of the action, so to speak, as far as participation in Government nationally is concerned. I would hope we will do this.

I notice the suggestion that the matter might be tacked on to the civil rights legislation. I think that would be a good place to put it; but, in any event, it would seem to me that once we start the ball rolling we must keep the ball rolling because our young people have been disappointed with us all too often because we start things and then do not finish them.

I think the majority leader will find he has a lot of Young Turks who will be behind him in his efforts to extend the voting privilege to 18-year-olds.

Mr. BYRD of West Virginia. Mr. President, anent the suggestion that the franchise be accorded to persons under 21 years of age, may I say that my colleague (Mr. RANDOLPH) has been in the forefront of this effort over a period of many years. He is not in the Chamber at the moment but I rise to remind Senators that my senior colleague has been fighting this battle a long time. At the present moment he has, I believe, a joint resolution to provide for a constitutional amendment placing the matter before the people of the States for them to decide. He has as cosponsors of this proposed constitutional amendment about two-thirds of the Members of the Senate. He has been very diligent in his efforts to obtain signatures. I am cosponsor of that resolution. He is pressing for action by the Committee on the Judiciary and, hopefully, by the Senate at an early date.

I very much support the idea of a constitutional amendment. I could not support any suggestion that a Federal statute be passed to implement this proposal because I think that under the Constitution, article I, section 2; article II, section 1; and the 17th amendment to the Constitution, the matter of determining the qualifications of voters remains the prerogative of the States. The States may, of course, act individually to lower the voting age without action by the Congress.

But I heartily support the idea of the constitutional amendment. I would vote for it. I hope the Senate will take action to present the matter to the people to let them make the final judgment thereon. But I wanted to remind Senators that my colleague (Mr. RANDOLPH) has been fighting this battle for a long time and I did not want this moment to escape without due credit being given him.

Mr. MANSFIELD. Mr. President, I, too, want to join in giving full credit to the distinguished Senator from West Virginia (Mr. RANDOLPH) for the interest he has shown in trying to achieve the right to vote for 18-year-olds over a long period of time. He has made an outstanding and continuing contribution to the effort to bring about this desirable change. Just a few days ago, hearings were held on Senate Joint Resolution 147, which was introduced by the Senator from West Virginia (Mr. RANDOLPH) and which would lower the voting age to 18. Among the witnesses supporting the proposal at the time were Dr. S. I. Hayakawa, of San Francisco State University, Dr. Walter Menninger, who served on the National Commission on

the Causes and Prevention of Violence, and Deputy Attorney General Richard Kleindienst. I would also point out that the distinguished senior Senator from Vermont (Mr. AIKEN), the dean of the Republicans, and I—and I say this in all modesty—over a number of years jointly have been interested in this matter and have introduced constitutional amendments seeking to achieve the same objective.

I agree that basically it is the responsibility of the States under all the notations which the distinguished Senator from West Virginia has cited; but I note also in certain States like New Jersey and Virginia in the last election—and just in the past week, I believe in the Maryland House of Delegates—proposals to lower the voting age to 18 or 19 were turned down.

In my State I have been advocating the vote should be given to 18-year-olds for many years. It was turned down until last year. The Montana Legislature did pass a resolution calling for a referendum this November which would lower the vote to 19-year-olds in my State. I am sorry it is not going down to 18-year-olds but I intend to campaign up and down the width and length of my State in behalf of the 19-year-old amendment for the young people of Montana. I am hopeful that with a combined and coordinated effort on the part of many of us that this referendum will be agreed to by the people.

I think what many of us forget or do not recognize is that the young men and women of today are far more aware and far better informed than we were at their age. They know what is going on. They want a "piece of the action," to use the phrase of the distinguished Senator from Alaska (Mr. STEVENS), who has been in the forefront of this fight. They are entitled to be given recognition and responsibility, so that their responsibilities will be in accord, at least in some degree, with the making of the policies which they are called on to carry on, as in Vietnam and elsewhere.

Mr. BYRD of West Virginia. Mr. President, if I may have 1 additional minute.

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

Mr. BYRD of West Virginia. I want to thank the majority leader for reminding us that the able senior Senator from Vermont (Mr. AIKEN) and our own beloved majority leader have over the years advocated a constitutional amendment which would present to the people of the United States the question of allowing persons under 21 the privilege of voting. It was not my intention to detract from the actions of any other Senators, but I just wanted to make clear that the proposal or suggestion that 18-year-olds be given an opportunity to vote, or at least allowing the people of the United States to decide the issue through such a constitutional amendment, is not something new. The reference to New Turks is all right, but some of the Old Turks have been fighting for this for a long time. It is not something that has recently come about with the advent of a new administration. I wanted my colleagues to know that my senior colleague, who was in the House of Representatives for 14 years, was fighting for this privilege a long time before any of the New Turks on either side reached this body. He, in fact, offered his first constitutional amendment for 18-year-old voting in 1942.

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

Mr. GORE. Mr. President——

Mr. BYRD of West Virginia. Mr. President, I yield the floor.

Mr. JAVITS. Mr. President, I just wanted to say a word about the 18-year-old vote question.

Will the Senator from Tennessee yield to me for a moment?

Mr. GORE. I yield.

Mr. JAVITS. Mr. President, I joined the Senator from West Virginia (Mr. RANDOLPH) only a month ago, in redeeming a campaign pledge of mine in 1968 to let 18-year-olds vote. I rise only to join in what has been said about the Senator from West Virginia (Mr. RANDOLPH) on that score. I am very enlightened by what has been said by the majority leader and the Senator from Alaska (Mr. STEVENS).

I would like to affirm by own feeling that we ought to have a constitutional amendment granting 18-year-olds the right to vote. It should be universal and not just on a State-by-State basis. It would thus represent the judgment of the whole Nation on this question.

I have done much campaigning among the young people and I think it is definitely what they want. This is one of the major aspects of our response to their feelings about the modern world. I deeply believe it will be very satisfactory to them and will introduce a note of responsibility which we saw in the McCarthy campaign and which is most desirable for the Nation.

I rise only to affirm my own feeling about a constitutional amendment. I hope very much that we may have a very early opportunity to consider the question. I notice there is some thought that this objective can be accomplished by law. I shall devote myself to looking into that question. I would not say "No," but it seems to be a doubtful question. However, whatever is done should be done nationally and uniformly in all the States and for all our young people.

I thank the Senator from West Virginia for yielding and I also thank the Senator from Tennessee for his customary courtesy.

Mr. BYRD of West Virginia. Mr. President, I thank the Senator from New York for his remarks.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. GORE. Mr. President, I wish to congratulate the distinguished majority leader.

I also wish to associate myself with the views expressed by the distinguished senior Senator from Alaska.

Fixing a voting age is a question that has no partisan characteristics. I think it is a question of recognition of the improved enlightenment of our citizens.

I have been associated with the youth in my State for a long while. As a teacher, as a superintendent, as a Congressman, and now as a Senator, I have visited many schools. Few things give me greater thrill, nothing gives me greater inspiration and challenge, than a visit with the bright youngsters of today. I hold them infinitely better informed on domestic and international problems than my generation was. I hold the 18-year-olds today better informed, more capable of the exercise of discriminating judgment on national issues, than my generation was at the age of 21.

The Democratic Party has been characterized throughout its history with initiative, with adventure, with progressive action. The action proposed in the speech of the distinguished majority leader today is in keeping with that character. We of the legislative branch must of necessity, and also out of genuine desire, cooperate with the Executive, but this does not mean that the initiative passes from us, or should. Indeed, the initiation of legislation, the consideration of legislation, the enactment of legislation, is the primary function of the legislative branch of Government.

With the leadership of the distinguished majority leader, I think we should proceed to make a reality of the goals to which so many of us on both sides of the aisle have given voice—that is, to effectuate the franchise for the young men and women of 18, 19, and 20 years of age.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senator from Tennessee may have 3 additional minutes.

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

Mr. BELLMON. Mr. President, I would like to associate myself with the remarks regarding lowering the voting age to 18 years. During my campaign for Governor and also for Senator I supported that proposition, and still strongly feel that the present law which does not allow for voting until the age 21 is a relic of the past, and it is long past the time when we took note of the fact that young people today are better informed. They are able to exercise the good judgment we expect of voters. More than that, young people desire a "piece of the action." Until we give them a chance to exercise that privilege, we are going to continue to let them believe that they are being left out and that we do not recognize the contribution they can make.

I would like to congratulate those Senators who have commented on this subject this morning. I am very happy to tell them that I will do what I can to help them bring about that change.

Mr. GORE. Mr. President, I appreciate the remarks of the Senator from Oklahoma. They further indicate that this is not a partisan issue. It is an issue in which the legislative branch can take the lead. I am happy we are now in the act of doing so.

Like the senior Senator from New York, I would prefer a constitutional amendment to dramatize and formalize this progressive move; but if it is possible to do it through legislation, constitutionally and effectively, I would favor that, too. Perhaps legislation on the sub-

ject would facilitate the approval of a constitutional amendment.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senator from Tennessee may have an additional 3 minutes.

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

Mr. BYRD of West Virginia. Mr. President, under the Constitution, the sections thereof to which I have already alluded, I do not believe that this matter can be resolved by legislation. Article I, section 2; article II, section 1; and the 17th amendment state in essence that the electors for offices such as those of Senators, Representatives, and so on in each State shall have the same qualifications as electors of the most numerous branch of the State legislature. It would seem that this clearly indicates that the determination of qualifications of voters is a prerogative of the States.

But with respect to its being a matter for the legislative branch, it seems to me, Mr. President, that when we consider the fact that constitutional amendments are presented by way of joint resolutions, and that this would be a joint resolution which would not go to the President for his signature—he has no opportunity to veto a resolution presenting to the people a constitutional amendment; he has no voice in that——

Mr. GORE. Nor to initiate it.

Mr. BYRD of West Virginia. Nor to initiate it. So it is entirely a legislative matter, resting with the legislative branch—the elected representatives of the people—and in the final analysis the people themselves, when it comes to ratification of such an amendment.

So I do not view this as a matter requiring Presidential initiative, at all. He has no voice in the matter; and if we present a resolution carrying a constitutional amendment to the people, this is not a matter which would go to the President's desk. He has no opportunity to veto it or sign it; therefore it is unquestionably a matter, I think, over which we have jurisdiction. It would go directly from the Congress to the people.

Mr. GORE. Of course, in the case of legislation it would be a matter for reference to the President.

Mr. BYRD of West Virginia. Yes, it would.

Mr. GORE. Like the distinguished Senator from West Virginia. I have leaned in favor of a constitutional amendment. That would still be my choice. But I am willing to examine the possibility of legislation, and if substantial doubt as to its constitutionality exists, then I would lean toward initiation of legislation as a means possibly of achievement, and also as a means of spurring the more formalized and surer matter of a constitutional amendment.

I congratulate the Senator from Montana for his fine presentation.

Mr. SCOTT subsequently said: Mr. President, with regard to the proposal that the voting age be lowered, I should like to say that I hope the committee will act on this matter and bring it to the floor of the Senate, and that we can then act expeditiously upon it.

I favor the lowering of the voting age. I have something of a feeling that perhaps it might be accomplished more quickly by statute by the several States, but if a constitutional amendment is necessary, and if it is in the proper wording, I would expect to be able to support it.

As evidence of my own feeling, I point out that there is a controversy going on with relation to whether the voting age should be lowered to 19 or whether it should be lowered to 18. That is one part of the general controversy. Some States say 18, others say 19. An interesting poll, taken some time ago, I believe in the State of Washington, showed that the 18-year-olds voted heavily for lowering the voting age to 18, but those polled whose ages were from 19 to 21 voted equally heavily to lower the voting age to 19.

In other words, as you progress from 18 to 19, you change your views and you believe more favorably that 19 is the best age. So apparently the only voting age group which is overwhelmingly for voting at 18 is the 18-year-olds; and 1 year later, they have decided that 19 is better.

I do not know which is better, but I do know there is a good deal of merit in saying that if you are old enough to fight, you are old enough to vote, and when we see 16-year-olds driving automobiles and 18-year-olds piloting fighter planes, it would seem to me that it is about time we got away from the old fashion of believing that all decisions of import are to be postponed until you are 21. If you can get married at 18 in many places, and in practically every place with the consent of your parents, I think getting married is as important a decision as whom you are going to send to public office. If that is the case, perhaps we should apply it in our laws, and therefore I would like to see the voting age lowered.

THE TRANS-ALASKAN PIPELINE

Mr. BELLMON. Mr. President, the attention of conservation-minded Americans will be directed toward Alaska in the months ahead as the construction of the Trans-Alaskan Pipeline begins. In many ways, this is the most critical pipeline construction job in history, since it will encounter many problems which have seldom been confronted and never on this large a scale before.

Secretary Hickel is to be commended for the care and thoroughness he has exercised in requiring that extraordinary safeguards be established before a permit to build this pipeline is issued. Those who were fearful of the Secretary's Alaskan background and the pressures generated by those with an economic interest in an early construction date should take heart from the courage and good judgment which the Secretary has used.

The Trans-Alaskan Pipeline involves spanning over 800 miles of some of the most difficult and ecologically sensitive terrain on earth. In addition, the climatic conditions under which this job must proceed offer severe challenges to the ingenuity and the technology of the pipeline construction industry.

The job is likely to cost in the neighborhood of $1 billion and will be the means whereby many billion barrels of crude oil from the North Slope move to markets in this country. In addition, success with the Trans-Alaskan Pipeline project will help hasten the day when a natural gas pipeline can be built to the North Slope to bring in natural gas to combat pollution and meet growing energy needs.

Mr. President, the construction of this project will be watched by many conservation groups, both within our Government and in the private sector. In addition, the eyes of conservationists abroad will be directed toward Alaska to observe effects on the delicate, ecological balance which exists in the Arctic. Clearly, the construction of the Trans-Alaskan Pipeline is no place for experimentation. The successful completion of this pipeline will require the services of the most experienced builders and the finest technology which the industry has developed. The pipeline must be built as near 100-percent failure free as possible, for a mistake here could produce an environmental disaster.

The construction of the Trans-Alaskan Pipeline is no place to cut corners. The rule established by Secretary Hickel must require compliance with superior construction standards and must specify the use of the highest quality materials and workmanship. All who desire a strong domestic petroleum industry and who wish to see this Nation remain largely self-sufficient in meeting its petroleum needs, also have a stake in what happens on the Trans-Alaskan Pipeline job. A mistake or failure here will re-energize the critics of the domestic oil industry and further weaken the position of this vital segment of our Nation's economy and defense. Here is a place where the petroleum industry cannot afford to gamble.

Again, I wish to compliment Secretary Hickel for the thoughtful and deliberate manner in which he has proceeded in making the difficult decisions he has faced in this matter. The Secretary is an Alaskan, but he has not sacrificed safety for speed. The companies which are responsible for this project will be well advised to follow his example.

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

Mr. BELLMON. I am happy to yield to the Senator from Alaska.

Mr. STEVENS. Mr. President, I commend the Senator from Oklahoma for his statement on this matter. He certainly has highlighted one of the great fears of the national conservation organizations, and I think that he has stated the Alaskan position on the construction of the new pipeline by the Trans-Alaskan pipeline system, which is that we want the pipeline constructed in the manner that will provide the most absolute guarantee possible from the industry that no incidents such as Santa Barbara will develop in Alaska.

I have spoken to oil industry groups throughout the country and put it just like that—that the industry cannot afford an Arctic Santa Barbara, and that it must insist upon compliance with the high standards that have been set by Secretary Hickel and his advisers, and

that they must be patient, so that we and the American public as a whole can be assured that all of the conditions that are necessary for the completion of this pipeline will be met without some adverse incident.

Mr. SCOTT. Mr. President, will the Senator yield for a brief comment?

Mr. STEVENS. I am happy to yield, though the Senator from Oklahoma has the floor.

Mr. SCOTT. The Senator made reference to Santa Barbara. There is a saying that Santa Barbara gets its oil changed twice a year.

Mr. STEVENS. I thank the Senator.

Mr. President, the reason I am happy that the Senator from Oklahoma has made this statement is that many of us are watching with interest to see who is awarded the contracts for building this pipeline, because, as the Senator from Oklahoma has pointed out, we want no experimentation as far as the Alaska pipeline is concerned. It must be constructed by those who are qualified and experienced in the field, and people who understand the problem; and I have said often that I think there are many Alaskans who do know this problem, and can perform the service that is required.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

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

MODIFICATION OF TRADE AGREEMENT CONCESSION AND ADJUSTMENT OF DUTY ON CERTAIN PIANOS

A communication from the President of the United States, informing the Senate that he has issued a proclamation providing tariff relief for 3 years for most of the U.S. piano industry (with accompanying papers); to the Committee on Finance.

REPORT ON PROPOSED FACILITIES PROJECTS FOR THE ARMY NATIONAL GUARD

A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting, pursuant to law, a report on the location, nature, and estimated cost of certain facilities projects proposed to be undertaken for the Army National Guard (with an accompanying report); to the Committee on Armed Services.

COMMUNICATION AND RESOLUTION RELATING TO THE KNESSET (PARLIAMENT) OF ISRAEL

The PRESIDENT pro tempore laid before the Senate a letter from the Ambassador, Embassy of Israel, Washington, D.C., transmitting the text of the Knesset—Parliament—of Israel resolution in support of the right of Soviet Jewry to leave the U.S.S.R. and emigrate to Israel, which, with the accompanying papers, was referred to the Committee on Foreign Relations.

EXECUTIVE REPORTS OF A COMMITTEE

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

By Mr. EASTLAND, from the Committee on the Judiciary:

Whitney North Seymour, Jr., of New York, to be U.S. attorney for the southern district of New York;

John L. Buck, of Pennsylvania, to be U.S. marshal for the middle district of Pennsylvania;

Lyle S. Garlock, of Virginia, to be a member of the Foreign Claims Settlement Commission of the United States; and

Malcolm R. Wilkey, of New York, to be a U.S. circuit judge for the District of Columbia circuit.

BILLS AND A JOINT RESOLUTION INTRODUCED

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

By Mr. HRUSKA:

S. 3496. A bill for the relief of Ilona Kocsan; to the Committee on the Judiciary.

By Mr. HART:

S. 3497. A bill for the relief of Aleyamma Venneappa Parayll; and

S. 3498. A bill for the relief of Bijan Sajjadi; to the Committee on the Judiciary.

By Mr. PERCY:

S. 3499. A bill to provide emergency financial assistance to urban public transportation systems; to the Committee on Banking and Currency.

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

By Mr. NELSON:

S. 3500. A bill to amend the Federal Water Pollution Control Act to protect the navigable waters of the United States from further pollution by requiring that synthetic petroleum-based detergents manufactured in the United States or imported into the United States be free of phosphorous; to the Committee on Public Works.

By Mr. PACKWOOD:

S. 3501. A bill to authorize abortions in the District of Columbia; to the Committee on the District of Columbia.

S. 3502. A bill to amend the Internal Revenue Code of 1954 to adjust the amount of, and restrict the number of, personal exemptions allowable for children; to the Committee on Finance.

(The remarks of Mr. PACKWOOD when he introduced the bills appear later in the RECORD under separate headings.)

By Mr. SCOTT:

S.J. Res. 175. Joint resolution to authorize the President to designate the period beginning August 2, 1970, and ending August 8, 1970, as "Professional Photography Week in America"; to the Committee on the Judiciary.

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

S. 3499—INTRODUCTION OF A BILL RELATING TO EMERGENCY FINANCIAL ASSISTANCE FOR URBAN MASS TRANSPORTATION

Mr. PERCY. Mr. President, I am introducing legislation today to provide emergency financial transportation assistance to those urban mass transportation systems which might well, first, face curtailment of all or a significant part of such service, or second, which through further threatened fare raises could seriously undermine the welfare of lower income persons who are now totally dependent upon public transportation systems.

The Senate enacted on February 3 the Urban Mass Transportation Assistance Act of 1969 to provide $3.1 billion over a period of 6 or more years to fund improved mass transportation service. For years Congress has pumped billions of dollars into highway construction while starving our mass transit system. The result was predictable: decline of mass transit, clogged roads, and increased air pollution. Our environment and transportation system has grown so bad, however, that we are finally beginning to wake up. The act just passed represents a good beginning in our road back to a balanced, modernized transportation network. Far larger sums will have to be appropriated as inflationary pressures ease. Careful consideration should be given to the creation of a transportation trust fund to intelligently fund modes of transportation on a systems basis.

These considerations all relate to future hopes and aspirations, however. In the meantime, those mass transportation systems that have managed to survive and those gallant or desperate or needy mass transit riders who have hung on are suffering. Emergency help is required by them now. Yet, nothing in present legislation appears available to help them quickly and adequately.

The legislatoin will greatly assist in the construction of new systems or help existing systems purchase new equipment. It does not, however, help those systems that have had the foresight, initiative, and courage to purchase new equipment without the promise or commitment of outside financial assistance. Thus, one system with gumption incurs debt to preserve or improve transportation service while another plays it safe, does nothing, and winds up with Federal financial assistance. By rewarding delay and penalizing initiative, we are undermining the very spirit we need if we are to revitalize urban mass transportation.

The Chicago Transit Authority is a prime case in point. The CTA presently faces a deficit for 1970 exceeding $20 million primarily as a result of having to pay interest on equipment bonds and to lay funds aside to pay off the principal on such obligations as well as the need to contribute to a depreciation account to meet future needs. Yet, income will only cover current operating expenses. To meet these added expenses, then, the CTA will be forced to increase their fare. It is already 40 cents. Initial proposals called for increasing this to 50 cents. The public protest was monumental. Now talk is circulating that the fare will go to 45 cents. But, no one can doubt this is only a way station pending a new emergency and a new need for a fare increase.

As fares are increased total paid passenger fares have declined from $1.1 billion in 1947 to under $400 million today. This decline cannot continue. Roads in the Chicago area are becoming increasingly overcrowded. Mass transportation continues to decline in quality and service. Passengers continue to desert the system. The air grows more foul. Lower income persons are being forced to dig deeper into lean budgets for higher fares they can ill afford or to turn to group riding in old cars which endanger safe driving and further pollute the air.

Such conditions can be found in city after city. Means must be found to help reverse the trend away from decay of these systems. One way would be to provide direct operating subsidies. Such an

idea should be seriously considered. It is a drastic step, however. A step more moderate in nature is that proposed in the bill I am introducing today which provides emergency relief to mass transportation systems which are in serious financial difficulty—at least partly because of a burdened indebtedness—and who can be helped if relieved of the need to service such debt.

The proposed bill was offered by me as an amendment to the Mass Transportation Assistance Act just passed by the Senate. Because of the highly technical nature of the proposal and because inadequate time existed to explore the proposal in all its ramifications, I agreed to withdraw the amendment in return for the scheduling of early hearings by the Banking and Currency Committee. Senators WILLIAMS of New Jersey, and TOWER, the floor managers of the legistion, both of whom have a good understanding of the problem, graciously agreed to schedule such hearings. It is my hope that through such hearings we can bring forth constructive legislation to provide necessary financial assistance to mass transportation systems in vital need of emergency help. I ask unanimous consent that the bill be printed in the RECORD immediately following my remarks.

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

The bill (S. 3499) to provide emergency financial assistance to urban public transportation systems, introduced by Mr. PERCY, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 3499

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 5 of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1602), is amended by inserting "(a)" after SEC. 5 and by inserting at the end thereof the following subsections:

"(b) Notwithstanding any other provision of this Act, the Secretary is authorized to make grants to States and local public bodies and agencies thereof to pay the interest on and to discharge obligations on securities, equipment trust certificates, or otherwise which have been incurred in the acquisition, construction, reconstruction, and improvement of facilities and equipment for use, by operation or lease or otherwise, in mass transportation service in urban areas. A grant may be made under this authority where the Secretary determines that such a grant is essential to prevent (1) the termination of all or a significant part of the transportation service for a community, or (2) the occurrence of a serious adverse affect upon the welfare of a substantial number of lower income persons who are dependent upon the transportation service of such community.

"(c) To finance the grants under subsection (b) of this section, the Secretary is authorized to incur obligations in the form of grant agreements or otherwise in amounts aggregating not to exceed $250,000,000. This amount shall become available for obligation upon the effective date of this subsection and shall remain available until obligated. There are authorized to be appropriated for liquidation of the obligations incurred under this subsection not to exceed $25,000,000 prior to July 1, 1970, which amount may be increased to not to exceed an aggregate of $75,000,000 prior to July 1, 1971, not to exceed an aggregate of $150,000,000 prior to July 1, 1972, and not to exceed an aggregate of $250,000,000 prior to July 1, 1973. Sums so appropriated shall remain available until expanded."

SENATE JOINT RESOLUTION 175—INTRODUCTION OF A JOINT RESOLUTION DESIGNATING PROFESSIONAL PHOTOGRAPHY WEEK IN AMERICA

Mr. SCOTT. Mr. President, I welcome this opportunity to introduce a joint resolution calling on the President to designate the week of August 2 to August 8 of this year as Professional Photography Week in America.

This year, 1970, marks the 90th anniversary of the founding of the Professional Photographers of America, Inc., the oldest and largest association of photographers in the world. It is especially significant that the nine decades of this organization's lifetime have seen the growth of photography into its modern form. It has bridged the gap from the daguerreotype to the scientific photographic applications we know today.

Today, photography—in all of its many facets and applications—is an almost $5 billion per year industry, employing over a quarter of a million Americans. Its annual growth rate three times that of our gross national product.

Photography has preserved for us, and for our children's children, the faces of our great men, from Lincoln and Grant, Davis and Lee, down to Roosevelt, Churchill, Eisenhower, Martin Luther King, John F. Kennedy—and Richard M. Nixon.

Photography has recorded, and reported, the great events that shape men's lives: wars and peace treaties, invention, exploration, legislation, politics, business, and man's never-ending struggle for freedom and dignity. Indeed, photography—in both the print and broadcast media—has helped make Americans the best-informed people in history.

But photography is more than a faithful recorder and reporter. It is the scientific tool that gave us our first look inside the human heart, our first look at the floor of the deep ocean, our first look at the surface of the moon. Indeed, without the many applications of photography in our space program, man would not yet have reached the moon.

Today, photography plays a leading part in medicine, scientific and industrial research and development, manufacturing, distribution and sales. It is contributing in ever-increasing measure to our fight against crime. It helps expand every horizon of human knowledge.

And the art of photography enriches our lives with beauty.

In recognition of the role of photography in our modern life and culture—and of the contribution of the men and women of the Professional Photographers of America, Inc.—I am pleased to introduce this joint resolution and to urge immediate and favorable consideration.

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

The joint resolution (S.J. Res. 175) to authorize the President to designate the period beginning August 2, 1970, and ending August 8, 1970, as "Professional Photography Week in America," introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on the Judiciary.

ADDITIONAL COSPONSORS OF A BILL

S. 3492

Mr. STEVENS. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Mississippi (Mr. EASTLAND) be added as a cosponsor of S. 3492, to strengthen the penalties for illegal fishing in the territorial waters and the contiguous fishing zone of the United States, and for other purposes.

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

EXPANSION AND IMPROVEMENT OF THE NATION'S AIRPORT AND AIRWAY SYSTEM—AMENDMENTS

AMENDMENT NO. 516

Mr. GURNEY (for himself, Mr. BOGGS, Mr. BROOKE, Mr. COOK, Mr. FANNIN, Mr. GRIFFIN, Mr. HANSEN, Mr. HART, Mr. MCGOVERN, Mr. PACKWOOD, Mr. PERCY, Mr. PROUTY, Mr. SMITH of Illinois, and Mr. TOWER) submitted amendments, intended to be proposed by them, jointly, to the bill (H.R. 14465) to provide for the expansion and improvement of the Nation's airport and airway system, for the imposition of airport and airway user charges, and for other purposes, which were ordered to lie on the table and to be printed.

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

AMENDMENT NO. 517

Mr. STEVENS. Mr. President, I am submitting today an amendment, intended to be proposed by me, to H.R. 14465, the airport and airways bill, that will exempt State and local governments from the proposed user taxes.

It is a longstanding doctrine that taxation of governmental entities can be accomplished only through reciprocity. For example, we permit State and local governments to tax the incomes of Federal employees in return for which we tax the incomes of State and local employees. In another instance, the Federal Government does not pay State or local sales taxes for purchases made in those areas which impose such taxes. State and municipal government are likewise exempted from paying certain Federal excise taxes on their purchases.

This bill proposes to extend to State and local governments a user tax to which they have been previously exempt. But the bill provides no reciprocal taxing power to compensate for this tax. Since the recipocity doctrine has its foundations in constitutional law, there is a real question as to whether the elimina-

tion of the exemption will withstand a test of constitutionality.

However, I would like to point out a much more real and likely result if we refuse to continue this exemption. The word that best describes this action—and it is not a nice word—is "retaliation." If the State and local governments find that they are going to have to pay a tax to the Federal Government, they are quite naturally going to look for a way to get the Federal Government to repay that tax to them. The possibilities are infinite: a tax on aircraft owned by persons or entities that do not pay property taxes to the State is one possibility. Refusal to exempt the Federal Government from State sales or gasoline taxes is another.

Obviously, we do not wish to create an environment of hostility between the Federal and local governments. In fact, we are trying to establish just the opposite: a relationship of cooperation and mutual good will. We are concerned with the problems of our cities and of our rural residents. We are concerned that many State and local governments are facing budgetary crises. We are even considering sharing portions of the Federal revenues with the State and local governments to assist them in meeting their financial obligations.

With these purposes and attitudes, how can we justify imposing these user taxes on these governments? At a time when increased participation of State and local officials in conference, hearings and other important gatherings is desired, we cannot in good conscience impose a tax which will effectively reduce their ability to participate rather than increase it.

Nearly every day there are hearings being conducted by this Congress affecting the State and local governments. Attendance at these hearings by representatives of those governments is essential if their side is to be fairly and properly heard. Yet this Congress is considering a bill that will clearly make such attendance more difficult.

One pertinent fact to which I would like to address myself is the amount of revenue that the elimination of this exemption is expected to produce. Various inquiries have failed to produce a firm figure, but a very rough figure of $25 million has been suggested. This $25 million figure represents only 4 percent of the total $670 million the Finance Committee anticipates will be earned in the first full year of operation of the new user taxes. Yet, $25 million is a very substantial burden to place on our Nation's hard-pressed State and local governments. Clearly, the slight increase in revenues to be derived by elimination of this exemption is not worth the consequences of reduced local participation in important hearings and conferences or of hostility and retaliation toward the Federal Government that could result.

For these reasons I strongly urge that the Senate retain the exemption from air transportation user taxes presently provided to State and local governments. The amendment I am submitting will accomplish that purpose.

Because of the importance of this amendment to our Nation's State and local governments, I ask unanimous consent that it be printed in the RECORD immediately following my remarks.

The PRESIDING OFFICER. 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. 517) is as follows:

AMENDMENT NO. 517

On page 105, line 16, strike out the closing quotation marks, and after line 16, insert the following:

"SEC. 4283. STATE AND LOCAL GOVERNMENTS.

"Under regulations prescribed by the Secretary or his delegate, the taxes imposed by sections 4261 and 4271 shall not apply to transportation furnished to the government of any State, any political subdivision of a State, or the District of Columbia."

Page 97, lines 22 and 23, strike out "sections 4281 and 4282" and insert "sections 4281, 4282, and 4283".

Page 114, line 22, strike out the period and insert a comma, and after line 22, insert the following: "except that such term does not include any aircraft which is owned by the government of a State, any political subdivision of a State, or the District of Columbia and which is normally used exclusively in the exercise of governmental functions."

ADDITIONAL COSPONSOR OF AN AMENDMENT

NO. 514

Mr. STEVENS. Mr. President, I ask unanimous consent that the name of the Senator from Hawaii (Mr. FONG) be added as a cosponsor of my amendment No. 514, to S. 2548, the school lunch bill.

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

ADDITIONAL STATEMENTS OF SENATORS

SENATOR WILLIAMS CALLS FOR PRIVATE MEETING BETWEEN CONGRESSIONAL DELEGATION AND PRESIDENT POMPIDOU—URGES CANCELLATION OF JET SALE TO LIBYA

Mr. WILLIAMS of New Jersey. Mr. President, for weeks and months now, we have become accustomed to opening our morning newspapers to news of an increasingly intense Middle East conflict. We were all greatly distressed last week when, in the heat of that conflict, bombs fell on a civilian plant in Egypt killing 70 civilians. Israel immediately informed the world that the bombing had been a mistake: That the civilian plant had not been intended as a target. In what must have been one of the most unusual displays of good faith between combatants in wartime, Israel's Defense Minister, Gen. Moshe Dayan, immediately warned Egypt, through the Red Cross, that one of the bombs that fell on that plant was a bomb timed to explode 24 hours later. Fortunately, this enabled Egypt to defuse the bomb and avoid subsequent loss of life.

The State Department reacted immediately and strongly with a resounding criticism of Israel, despite Israel's immediate assurance that the bombing was an accident of war and not premeditated destruction of civilians. This reaction is in marked contrast to the State Department's lethargic response to the admittedly premeditated bombings of civilian aircraft by Arab terrorists which have injured scores of civilians, Israelis and non-Israelis alike. This immediate reaction was also in marked contrast to our belated, afterthought-like criticism of the bombing of a civilian airliner in Munich, Germany, killing and injuring civilians. This is in marked contrast to our lack of response to the series of terrorist activities directed against Jews outside of Israel culminating in a Munich fire killing seven elderly Jews.

And now we have witnessed the apparent sabotage of a Swissair flight the past weekend, resulting in 47 deaths, and the ambush of a bus of American tourists visiting the Holy Land.

The State Department has pledged itself to a policy of even-handedness as between our Israel allies and the Soviet-dominated Egyptian and Syrian regimes. I have previously criticized that policy and do so again. But I do so now with even more fervor because I have learned that the State Department apparently believes that in making foreign policy, it need not respond to the wishes of the American people. It need not even respond to the policies enunciated by the President of the United States.

Mr. President, it is my sad duty to share with Senators and with the people of our country a recent exchange of correspondence with the State Department regarding the Middle East and our policy of even-handedness.

As we all recall, Secretary of State Rogers, on December 9, 1969, delivered his first major policy statement on the Middle East. In that statement, the full text of which appeared in the New York Times the following day, he announced his basic position on what should be contained in any settlement agreement.

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

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

A LASTING PEACE IN THE MIDDLE EAST: AN AMERICAN VIEW

(An address by Secretary of State William P. Rogers)

I am very happy to be with you this evening and be a part of this impressive conference. The Galaxy Conference represents one of the largest and most significant efforts in the Nation's history to further the goals of all phases of adult and continuing education.

The State Department, as you know, has an active interest in this subject. It is our belief that foreign policy issues should be more broadly understood and considered. As you know, we are making a good many efforts toward providing continuing education in the foreign affairs field. I am happy tonight to join so many stanch allies in those endeavors.

In the hope that I may further that cause I want to talk to you tonight about a foreign policy matter which is of great concern to our nation.

U.S. POLICY IN THE MIDDLE EAST

I am going to speak tonight about the situation in the Middle East. I want to refer to the policy of the United States as it re-

lates to that situation in the hope that there may be a better understanding of that policy and the reasons for it.

Following the third Arab-Israeli war in 20 years, there was an upsurge of hope that a lasting peace could be achieved. That hope has unfortunately not been realized. There is no area of the world today that is more important, because it could easily again be the source of another serious conflagration.

When this administration took office, one of our first actions in foreign affairs was to examine carefully the entire situation in the Middle East. It was obvious that a continuation of the unresolved conflict there would be extremely dangerous, that the parties to the conflict alone would not be able to overcome their legacy of suspicion to achieve a political settlement, and that international efforts to help needed support.

The United States decided it had a responsibility to play a direct role in seeking a solution.

Thus, we accepted a suggestion put forward both by the French Government and the Secretary General of the United Nations. We agreed that the major powers—the United States, the Soviet Union, the United Kingdom, and France—should cooperate to assist the Secretary General's representative, Ambassador Jarring, in working out a settlement in accordance with the resolution of the Security Council of the United Nations of November 1967. We also decided to consult directly with the Soviet Union, hoping to achieve as wide an area of agreement as possible between us.

These decisions were made in full recognition of the following important factors:

First, we knew that nations not directly involved could not make a durable peace for the peoples and governments involved. Peace rests with the parties to the conflict. The efforts of major powers can help, they can provide a catalyst, they can stimulate the parties to talk, they can encourage, they can help define a realistic framework for agreement; but an agreement among other powers cannot be a substitute for agreement among the parties themselves.

Second, we knew that a durable peace must meet the legitimate concerns of both sides.

Third, we were clear that the only framework for a negotiated settlement was one in accordance with the entire text of the U.N. Security Council resolution. That resolution was agreed upon after long and arduous negotiations; it is carefully balanced; it provides the basis for a just and lasting peace—a final settlement—not merely an interlude between wars.

Fourth, we believe that a protracted period of no war, no peace, recurrent violence, and spreading chaos would serve the interests of no nation, in or out of the Middle East.

UNITED STATES-SOVIET DISCUSSIONS

For 8 months we have pursued these consultations in four-power talks at the United Nations and in bilateral discussions with the Soviet Union.

In our talks with the Soviets we have proceeded in the belief that the stakes are so high that we have a responsibility to determine whether we can achieve parallel views which would encourage the parties to work out a stable and equitable solution. We are under no illusions; we are fully conscious of past difficulties and present realities. Our talks with the Soviets have brought a measure of understanding, but very substantial differences remain. We regret that the Soviets have delayed in responding to new formulations submitted to them on October 28. However, we will continue to discuss these problems with the Soviet Union as long as there is any realistic hope that such discussions might further the cause of peace.

The substance of the talks that we have had with the Soviet Union has been conveyed to the interested parties through diplomatic channels. The process has served to highlight the main roadblocks to the initiation of useful negotiations among the parties.

On the one hand, the Arab leaders fear that Israel is not in fact prepared to withdraw from Arab territory occupied in the 1967 war.

On the other hand, Israeli leaders fear that the Arab states are not in fact prepared to live in peace with Israel.

Each side can cite from its viewpoint considerable evidence to support its fears. Each side has permitted its attention to be focused solidly and to some extent solely on these fears.

What can the United States do to help to overcome these roadblocks?

Our policy is and will continue to be a *balanced* one.

We have friendly ties with both Arabs and Israelis. To call for Israeli withdrawal as envisaged in the U.N. resolution without achieving agreement on peace would be partisan toward the Arabs. To call on the Arabs to accept peace without Israeli withdrawal would be partisan toward Israel. Therefore, our policy is to encourage the Arabs to accept a permanent peace based on a binding agreement and to urge the Israelis to withdraw from occupied territory when their territorial integrity is assured as envisaged by the Security Council resolution.

BASIC ELEMENTS OF U.N. RESOLUTION

In an effort to broaden the scope of discussion we have recently resumed four-power negotiations at the United Nations.

Let me outline our policy on various elements of the Security Council resolution. The basic and related issues might be described as peace, security, withdrawal, and territory.

Peace between the parties

The resolution of the Security Council makes clear that the goal is the establishment of a state of peace between the parties instead of the state of belligerency which has characterized relations for over 20 years. We believe the conditions and obligations of peace must be defined in specific terms. For example, navigation rights in the Suez Canal and in the Strait of Tiran should be spelled out. Respect for sovereignty and obligations of the parties to each other must be made specific.

But peace, of course, involves much more than this. It is also a matter of the attitudes and intentions of the parties. Are they ready to coexist with one another? Can a live-and-let-live attitude replace suspicion, mistrust, and hate? A peace agreement between the parties must be based on clear and stated intentions and a willingness to bring about basic changes in the attitudes and conditions which are characteristic of the Middle East today.

Security

A lasting peace must be sustained by a sense of security on both sides. To this end, as envisaged in the Security Council resolution, there should be demilitarized zones and related security arrangements more reliable than those which existed in the area in the past. The parties themselves, with Ambassador Jarring's help, are in the best position to work out the nature and the details of such security arrangements. It is, after all, their interests which are at stake and their territory which is involved. They must live with the results.

Withdrawal and territory

The Security Council resolution endorses the principle of the nonacquisition of territory by war and calls for withdrawal of Israeli armed forces from territories occupied in the 1967 war. We support this part of the resolution, including withdrawal, just as we do its other elements.

The boundaries from which the 1967 war began were established in the 1949 armistice agreements and have defined the areas of national jurisdiction in the Middle East for 20 years. Those boundaries were armistice lines, not final political borders. The rights, claims, and positions of the parties in an ultimate peaceful settlement were reserved by the armistice agreements.

The Security Council resolution neither endorses nor precludes these armistice lines as the definitive political boundaries. However, it calls for withdrawal from occupied territories, the nonacquisition of territory by war, and the establishment of secure and recognized boundaries.

We believe that while recognized political boundaries must be established and agreed upon by the parties, any changes in the preexisting lines should not reflect the weight of conquest and should be confined to insubstantial alterations required for mutual security. We do not support expansionism. We believe troops must be withdrawn as the resolution provides. We support Israel's security and the security of the Arab states as well. We are for a lasting peace that requires security for both.

ISSUES OF REFUGEES AND JERUSALEM

By emphasizing the key issues of peace, security, withdrawal, and territory, I do not want to leave the impression that other issues are not equally important. Two in particular deserve special mention: the questions of refugees and of Jerusalem.

There can be no lasting peace without a just settlement of the problem of those Palestinians whom the wars of 1948 and 1967 have made homeless. This human dimension of the Arab-Israeli conflict has been of special concern to the United States for over 20 years. During this period the United States has contributed about $500 million for the support and education of the Palestine refugees. We are prepared to contribute generously along with others to solve this problem. We believe its just setlement must take into account the desires and aspirations of the refugees and the legitimate concerns of the governments in the area.

The problem posed by the refugees will become increasingly serious if their future is not resolved. There is a new consciousness among the young Palestinians who have grown up since 1948 which needs to be channeled away from bitterness and frustration toward hope and justice.

The question of the future status of Jerusalem, because it touches deep emotional, historical, and religious wellsprings, is particularly complicated. We have made clear repeatedly in the past two and a half years that we cannot accept unilateral actions by any party to decide the final status of the city. We believe its status can be determined only through the agreement of the parties concerned, which in practical terms means primarily the Governments of Israel and Jordan, taking into account the interests of other countries in the area and the international community. We do, however, support certain principles which we believe would provide an equitable framework for a Jerusalem settlement.

Specifically, we believe Jerusalem should be a unified city within which there would no longer be restrictions on the movement of persons and goods. There should be open access to the unified city for persons of all faiths and nationalities. Arrangements for the administration of the unified city should take into account the interests of all its inhabitants and of the Jewish, Islamic, and Christian communities. And there should be roles for both Israel and Jordan in the civic, economic, and religious life of the city.

It is our hope that agreement on the key issues of peace, security, withdrawal, and territory will create a climate in which these questions of refugees and of Jerusalem, as well as other aspects of the conflict, can be resolved as part of the overall settlement.

FORMULAS FOR UNITED ARAB REPUBLIC-ISRAEL ASPECT OF SETTLEMENT

During the first weeks of the current United Nations General Assembly the efforts to move matters toward a settlement entered a particularly intensive phase. Those efforts continue today.

I have already referred to our talks with the Soviet Union. In connection with those talks there have been allegations that we have been seeking to divide the Arab states by urging the U.A.R. to make a separate peace. These allegations are false. It is a fact that we and the Soviets have been concentrating on the questions of a settlement between Israel and the United Arab Republic. We have been doing this in the full understanding on both our parts that, before there can be a settlement of the Arab-Israeli conflict, there must be agreement between the parties on other aspects of the settlement—not only those related to the United Arab Republic but also those related to Jordan and other states which accept the Security Council resolution of November 1967.

We started with the Israeli-United Arab Republic aspect because of its inherent importance for future stability in the area and because one must start somewhere.

We are also ready to pursue the Jordanian aspect of a settlement; in fact the four powers in New York have begun such discussions. Let me make it perfectly clear that the U.S. position is that implementation of the overall settlement would begin only after complete agreement had been reached on related aspects of the problem.

In our recent meetings with the Soviets we have discussed some new formulas in an attempt to find common positions. They consist of three principal elements:

First, there should be a binding commitment by Israel and the United Arab Republic to peace with each other, with all the specific obligations of peace spelled out, including the obligation to prevent hostile acts originating from their respective territories.

Second, the detailed provisions of peace relating to security safeguards on the ground should be worked out between the parties, under Ambassador Jarring's auspices, utilizing the procedures followed in negotiating the armistice agreements under Ralph Bunche in 1949 at Rhodes. This formula has been previously used with success in negotiations between the parties on Middle Eastern problems. A principal objective of the four-power talks, we believe, should be to help Ambassador Jarring engage the parties in a negotiating process under the Rhodes formula.

So far as a settlement between Israel and the United Arab Republic goes, these safeguards relate primarily to the area of Sharm al-Shaykh controlling access to the Gulf of Aqaba, the need for demilitarized zones as foreseen in the Security Council resolution, and final arrangements in the Gaza Strip.

Third, in the context of peace and agreement on specific security safeguards, withdrawal of Israeli forces from Egyptian territory would be required.

Such an approach directly addresses the principal national concerns of both Israel and the U.A.R. It would require the U.A.R. to agree to a binding and specific commitment to peace. It would require withdrawal of Israeli armed forces from U.A.R. territory to the international border between Israel [or Mandated Palestine] and Egypt which has been in existence for over a half century. It would also require the parties themselves to negotiate the practical security arrangements to safeguard the peace.

We believe that this approach is *balanced* and fair.

U.S. INTERESTS IN THE AREA

We remain interested in good relations with all states in the area. Whenever and wherever Arab states which have broken off diplomatic relations with the United States are prepared to restore them, we shall respond in the same spirit.

Meanwhile, we will not be deterred from continuing to pursue the paths of patient diplomacy in our search for peace in the Middle East. We will not shrink from advocating necessary compromises, even though they may and probably will be unpalatable to both sides. We remain prepared to work with others—in the area and throughout the world—so long as they sincerely seek the end we seek: a just and lasting peace.

Mr. WILLIAMS of New Jersey. Mr. President, Mr. Rogers was greatly criticized for this statement because it gave the appearance of an attempt by the United States to impose a settlement on the Middle East.

The Secretary of State then followed that policy statement with a news conference on December 23, 1969, in which he reiterated the bureaucratic position of America's evenhandedness in the Middle East, of America's friendship to all nations in that war-torn area.

Americans of all religious persuasions were gravely and publicly concerned about this serious erosion of U.S. support for Israel. I expressed my own views, as well as the views of the thousands of New Jersey citizens who have written to me, in a letter to Secretary Rogers. In that letter, I strongly criticized the Secretary's statements equating America's friendship to Israel with the need for friendly relations with countries like Syria and Egypt. I called into question this so-called evenhanded approach. With an urgent warning that this country was sliding backward toward a renewal of the disastrous Dulles policies of the 1950's, I urged that we continue to provide military and economic assistance to Israel and, more particularly, that we expend all of our efforts to demand "that all powers desist from providing the Arab nations with the tools to fulfill their maniacal dreams of destruction of Israel."

I ask unanimous consent that the full text of my 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:

JANUARY 19, 1970.

Hon. WILLIAM P. ROGERS,
State Department,
Washington, D.C.

DEAR MR. SECRETARY: For several months now, we have been witnessing the gradual but nonetheless harmful erosion of U.S. support for the continued secure existence of Israel.

In your recent press conference, you called for an "even-handed" approach to the Middle East crisis. You solicitously called for continued American friendship for the Arab nations.

Perhaps you can explain to America why it is in our national interest to be even-handed when dealing with a pro-American democracy, on the one hand, and pro-Soviet dictatorship on the other.

Let us look at the record.

Israel is the only bastion of democracy that is willing to stand in the way of Soviet domination of the entire Middle East. She is willing to do so without the aid of even one American soldier. The Arab nations at war with Israel, on the other hand, have demonstrated a willingness and even a desire to embrace the Soviet Union.

Perhaps you can explain why Americans should be willing to continue to seek friendship with Arab nations at the cost of weakened security of Israel when those same Arab nations have nothing but contempt for an America which has provided billions of dollars in aid over the past twenty years.

Let us again look at the record.

Over the past twenty years, we have given in direct grants, $917 million of economic aid to those Arabs whose military might was thrust against Israel in June, 1967. During the same period, we have given Israel only $369 million.

Viewing the parties from a purely economic sense also discloses a distorted basis for a claim of even-handedness. We have loaned these same Arab states $803 million since 1946. In that same period of time, we have loaned Israel almost the same amount, $786 million. Yet, Israel has already repaid 47% of that loan. We have generously permitted the Arab nations to repay less than 17% of their loans.

Not long ago, this country granted almost $20 million to Jordan for an irrigation project. Yet, when your Administration prepared its first budget, you deleted President Johnson's proposed authorization for a grant to Israel for development of a desalination plant. You still have not seen fit to approve the Congressional proposal for a $20 million loan to Israel for the same peaceful purpose. Why, Mr. Secretary, does "even-handedness" always lead us down the same one-way street?

Despite this record, you equate American friendship with Israel to American friendship with nations such as Egypt and Syria. Despite this record, you call for an even-handed approach.

We can already see some of the many unfortunate consequences of the State Department's policy shift. First, the Arab nations have confirmed their own resolve not to negotiate a lasting peace since they see a weakening of American resolve. Then, just a few days ago, the French government demonstrated complete disregard of the views of its own citizens as well as responsible people throughout the world by the sale of 50 mirage jets to Libya. Surely you realize, as France must, the likelihood that those jets are destined for Egypt.

It is imperative that you clearly reiterate America's position of unrelenting support for the continued and secure integrity of Israel. You must assure the world of America's willingness to approve the sale of military equipment to Israel as well as our desire to provide economic assistance to Israel's projects of peace.

Instead of permitting the four-power talks to be the cloak for continued war in the Middle East, we must expend all our efforts to demand (1) that the Arab nations negotiate a lasting peace with Israel and (2) that all powers desist from providing the Arab nations with the tools to fulfill their maniacal dreams of destruction of Israel.

To do less, in the name of "even-handedness," signals a complete return to the disastrous Dulles policy of the 1950's.

Sincerely,

HARRISON A. WILLIAMS, Jr.

Mr. WILLIAMS of New Jersey. Mr. President, just a few days after I sent this letter, President Nixon assured the Nation and the world of this country's continued support for Israel.

Although the text of the President's statement left much to be desired, the mere fact of his making the statement offered great encouragement. For in that statement he not only reiterated America's historical support for Israel, but assured the world that America "is prepared to supply military equipment necessary to the efforts of friendly govern-

ments like Israel's, to defend the safety of their people."

Despite the fact that this statement was designed to offer encouragement to Israel's friends in this country, the State Department, which implements America's foreign policy, reads the President's statement as a Presidential seal of approval for the bureaucracy's distorted evenhanded approach.

For example, the President's promise to provide aid to Israel "as the need arises" means to the State Department that "we will not hesitate to provide arms to friendly states as the need arises." I have emphasized "friendly" because we know who the State Department considers America's friends. The State Department has eliminated the President's specific reference to Israel. Furthermore, to the State Department, it is clear that the "need" has not yet arisen. The bureaucrats even try to demonstrate that the finding of a lack of need is based on the statements of Israel's leaders. Concerning economic aid for Israel, the State Department obviously still opposes the congressionally authorized loan to Israel for purposes of establishing a desalination plant. And, finally, not one word about France's sale to Libya of 110 Mirage jets.

I ask unanimous consent that the State Department's response to me be printed at this point in the RECORD.

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

DEPARTMENT OF STATE,
Washington, D.C., January 29, 1970.

HON. HARRISON A. WILLIAMS, JR.,
U.S. Senate
Washington, D.C.

DEAR SENATOR WILLIAMS: The Secretary has asked me to reply to your letter of January 19, in which you express concern about United States policy on peace in the Middle East and urge close attention to Israel's requests for economic and military assistance.

I can assure you that this Government remains steadfast in its support for the continued secure existence of Israel, as has been reflected in recent statements by both President Nixon and Secretary Rogers. I do not think Israel has found America wanting in our responsiveness to Israel's arms requirements. As the President said in his January 25 statement on the Middle East, we continue to be prepared to supply military equipment necessary to support the efforts of friendly governments, like Israel's to defend the safety of their people. We would prefer restraint in the shipment of arms to this area. But we are maintaining a careful watch on the relative strength of the forces there, and we will not hesitate to provide arms to friendly states as the need arises.

According to the statements of Israeli leaders, Israel enjoys an overwhelming military superiority over the combined strength of Israel's Arab neighbors, and the margin of that strength has grown since May 1967. These assertions seem well borne out by recent military events on the ground.

As for Israel's needs for economic assistance, the United States has been responsive in this regard as well. It is pertinent to note that Israel stands 18th among the independent nations of the world in per capita gross national product, about the level of Finland and Austria. Israel's current economic requests are related to arms purchases, chiefly from the United States, and not to strictly economic criteria. They are under careful study.

The United States Government is attempting to promote a permanent peaceful settlement of the Arab-Israel crisis not for the primary purpose of furthering our relations with Arab nations, but because peace in the Middle East is in the national interest of the United States. Mutual suspicions between the parties to the conflict have steadily mounted, along with the violence. There is no doubt that Arab leaders are under increasing pressures at home to reject the very idea of achieving a peaceful settlement with Israel and to withdraw the acceptance by their governments of the UN Security Council resolution of November 1967. I enclose a copy of the resolution for your reference. Meanwhile, some in Israel tend increasingly to define Israel's future security in territorial terms and to write off all hope of a final and agreed settlement with Israel's neighbors.

The deteriorating situation in the Middle East thus poses grave dangers to world peace and security, a fact which is clear to all the major powers, including the United States and Soviet Union. The United States is confronted with serious difficulties in attempting to evolve, together with the other major powers and also in consultation with the parties concerned, a set of guidelines which would help the parties come together under the auspices of UN Special Representative Jarring to work out a settlement. We have been carefully weighing all the considerations as we proceed in our efforts to promote the achievement of peace.

While keeping up our guard at all times, and ever mindful of Israel's legitimate security concerns, we believe that the best interests of the United States lie in continuing our search for ways to help Israel and her neighbors settle their differences by mutual agreement and without resort to war. This view is explained in the Secretary's speech of December 9, of which I enclose a copy in case you have not had the opportunity to examine the text in entirety. I also enclose a policy information brief prepared recently which further explains the United States stand.

In conclusion I would like to point out that the present situation is completely different from the one which followed the Arab-Israeli fighting of 1956. Today the United States is strongly opposed to a so-called imposed solution and to any return to the kind of fragile armistice arrangements of the past. The sole purpose of our peace efforts is to bring the parties together in a negotiating process, as we believe that only through negotiations between the parties can a viable peace settlement be attained.

I hope the above information will be useful. If I may be of further assistance, please let me know.

Sincerely yours,

H. G. TORBERT, JR.,
Acting Assistant Secretary for Congressional Relations.

Mr. WILLIAMS of New Jersey. Mr. President, it is clear to me that America cannot rely upon our so-called experts in foreign affairs to represent America's viewpoint accurately with regard to the Middle East. We cannot rely on the State Department to vigorously urge France to cancel the sale of 110 jet planes to Libya.

Therefore, I am proposing that Senators and our friends in the House join me in what may be an unprecedented step, but a step which needs to be taken.

Yesterday President Pompidou arrived from France for a state visit. He will be given the opportunity to address a joint meeting of Congress tomorrow. I intend to request that the administration arrange for a delegation from Congress to meet privately with President Pompidou to bring to his attention our own views and the views of our constituents on the Middle East crisis and to present to him our formal request that France rescind the sale of military equipment to Libya.

I have distributed a copy of the proposed letter and a declaration I wish to present to President Pompidou to every Senator as well as to Members of the other body, welcoming them to join me in these statements.

TRANSPORTATION AND THE ENVIRONMENT

Mr. BAYH. Mr. President, the magnificent accomplishment of safely transporting our astronauts to the moon and back to earth was accomplished in less than a decade because the goal announced by President John F. Kennedy in May of 1961 was accepted as a matter of top priority by the Nation as a whole. Similarly, the task of restoring, protecting and conserving our natural environment will require the same degree of dedication and sense of urgency in the decade ahead.

Those most knowledgeable about the potentially hazardous state of our despoiled and poisoned land, water and air have raised the very question of human survival. Surely this is an issue which confronts everyone, the consequences of which no one can ignore or neglect. It is not the question of whether only the strong shall survive; rather, it is whether through careful planning, absolute cooperation and herculean efforts none shall perish.

If the inevitable economic, social, and human losses caused by ever-mounting pollution are to be combated successfully, all persons, agencies and institutions must unite in a concerted drive toward this goal. Of critical importance in this quest will be the role to be played by Government and industry, both of which have been sometimes criticized for lethargy and inactivity.

It is encouraging to note that in recent months there appears to be wide recognition of the need to pool our strengths and talents in this struggle. One industrialist who has publicly indicated his awareness of the situation and a determination to attack the ills of pollution is Mr. Richard Stoner, vice chairman of the board of Cummins Engine Co., Inc., of Columbus, Ind. In a recent address to the National Transportation Institute, Mr. Stoner pointed out that his firm has committed itself to "standards of sociability" as a planning goal for the 1970's. This means, according to Mr. Stoner, that Cummins intends to operate its plant and make its products "in such a manner that it is acceptable to the public—that it is not too noisy; that it is not unhealthy; that it does not emit offensive odors; and that it does not sting the eyes." As a leading manufacturer of diesel engines, Cummins is intensifying research and investing substantial amounts of capital on engine design modifications in order to greatly reduce or eliminate noxious exhaust emissions and to control noise problems.

Because of the significance of this forward-looking message, I ask unanimous consent that it be printed in the RECORD.

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

DEVELOPING TRANSPORTATION FOR THE SEVENTIES

I wonder how many of you saw a full-page advertisement that appeared in the "News in Review" section of The New York Times on January 18? It was headed "April 22: Earth Day." It said "a disease has infected our country. It has brought fog to Yosemite, dumped garbage in the Hudson, sprayed DDT in our food, and left our cities in decay. Its carrier is man."

Sponsor of that ad is an organization called "the environmental teach-in," which says April 22 "is a day to challenge the corporate and governmental leaders who promise change but who shortchange the necessary programs."

A few days earlier, on January 13, The Times carried a report issued by Mayor Lindsay's task force on noise control. Let me summarize one portion.

One of the first moves will be against truck and construction equipment noise. As for trucks, attempts will be made to lower the 88-decibel limit the State of New York now prescribes.

The report says anything above 85 decibels is where injury begins; and California, the leader in sociability standards, has already set standards for 1973 at 86 decibels.

Do you know whom both the ad and the report are talking about?

They are talking about us!
And we had better listen!
And . . . we had better take action!

Our industry is either going to fulfill its moral obligation to lead the way in minimizing the threat of air, water, waste, and noise pollution in this decade or the people, led by our youth, will force the government to enact legislation which requires us to do the job we will not do ourselves.

All of industry is about to be caught again with an inadequate response to those problems that affect the human environment—health, hunger, security, to name three.

For most of us who have operated effectively with the clear economic goal of producing a competitive product at the lowest possible cost, a new phrase—sociability—is about to become the planning "goal" of the 1970's. Never before has this country entered a new decade with such a clear-cut technological challenge. We must clean up our environment.

So, remember that word, "sociability." It means making our products, our industry, our company, or plant operate in such a manner that it is acceptable to the public—that it is not too noisy; that it is not unhealthy; that it does not emit offensive odors; and that it does not sting the eyes.

Sociability has real meaning to us today as we recognize that stopping pollution is the number one technological challenge to the transportation industry in this decade.

This is the thesis of my remarks today because transportation vehicles are the number one contributor to air, noise, and esthetic decay. Emissions from vehicles make up over half of the contamination in the air over the United States. To a great extent, our success in cleaning up our products will determine the improvement in environmental quality throughout the country. The 100 million automobiles, trucks, and buses on America's highways spew more than 66 million tons of carbon monoxide, one million tons of sulfur oxides, six million tons of oxides of nitrogen, 12 million tons of hydrocarbons, and one million tons of particulates annually into the air we breathe.

In addition, the smoke, dirty water, and industrial wastes from our production facilities, our foundries, and even our office complexes are tainting the air we breathe, the water we drink, and the sources of food we eat.

Admittedly, pollution has been with us as long as time itself. The American Indian had little need to be concerned about the polluting effects of his smoke signals. But, as population has increased, as we have become technologically more sophisticated, as consumers have demanded more convenience products in non-returnable containers, and more powerful engines, and as we have moved together into huge urban areas, man has emerged as a threat to his own environment.

The transportation industry has responded to pollution about as well, but no better, than all of industry. Until just a few years ago, we were not greatly concerned with engine exhaust emissions. The problem was concentrated primarily in a few highly populated industrialized areas.

Then, California's smog problems became so great the State government was forced to issue the first automobile exhaust emission standards. If you will recall, the industry and general public reaction was less than enthusiastic. We protested costs would be too high, the time requirements were too short, and the standards were impossible to achieve. Yet, today, we are rushing ahead, successfully I might add, to meet the latest Federal standards which until recently we also had criticized as too costly, too restrictive in time to achieve, and, yes, even impossible to achieve.

The latest Federal or State of California standard became our next target. And, this is why the transportation industry has not solved its pollution problem. Our goal must become the reduction of engine emissions and noise to the lowest possible level which technology will permit.

Our technical staff at Cummins is confident the technology can be developed and applied within this decade which will eliminate the problems of internal combustion engine emissions and noise in environmental quality. We can achieve this goal if our industry is prepared to commit itself to solving the problem. Dramatic improvements must and will be made in the next two to three years.

The emission control effort will be massively expensive. The many millions already committed to the problem by the automotive industry will seem almost insignificant when the total cost is added up.

And, all of us will pay. Increased costs will not stop with the manufacturer. Equipment purchasers and finally the ultimate consumer will feel the cost of the emission control effort. This is not because manufacturing costs will be passed along in their entirety. It is primarily because high horsepower-to-weight ratios and high engine performance and low emissions are not necessarily compatible according to our present understanding of the state of the art.

Where we have historically emphasized high horsepower engines to pull heavier loads and lighter, smaller engines to permit more freight to be hauled, we now may be talking about bigger engines with lower horsepower. This could require more trucks to haul the same amount of produce; consequently, higher freight charges to keep trucking profitable and, thus, more costs to the consumer. I choose this illustration to point up the inescapable fact that all of us—producers and consumers alike—will share in the added cost of emission controls.

WHAT MUST BE DONE?

Somehow out of today's rhetoric must come not just governmental pledges, nor industry programs, but a national commitment to improve environmental quality. Most of us as consumers will have to change our life style. Protection of our environment must become a personal cause of highest magnitude in the everyday lives of tens of millions of Americans. President Nixon in his state of the Union address said, "each individual must enlist if this fight is to be won . . . It is time for those who make massive demands on society to make some minimal demands on themselves."

In this growing effort government can provide guidelines and help define priorities, but it is those of us in industry who must take on the leadership role and commit, now today, both our human and financial resources to guarantee, as the President has requested, that: "clean air, clean water, open spaces—these should once again be the birthright of every American." Surely, if we have the brainpower and resources to put a man on the moon in the short span of ten years, we can bring our environmental violations into tolerable limits within a similar time span.

INDUSTRY'S ROLE

There is a jarring truth to *Newsweek's* statement that "until a few years ago, fighting pollution ranked somewhere below giving to charity on the list of corporate priorities." We have this black eye because we have not led in the control of pollution. And, we have not given sufficient attention to the harm our manufacturing plants and products are having on the quality of our environment.

There is, however, a growing movement among responsible industrialists; and, if the effort can be expanded and maintained, I am confident we can have clean air, pure water, and decent living conditions for all people.

As a first step in industry's commitment, all of us must take whatever action is necessary to stop noise, air, water, and waste pollution resulting from our manufacturing processes. The technology is available and it must be put to work. The cost will be enormous and it is likely that some industries will need governmental assistance and incentives. Unfortunately, some enterprises will not survive, but that is a necessary cost.

Second, sociability must become a priority design criterion in planning all new products, plants, and services.

Third, those of us who produce products that pollute must modify present product lines so they are as emission-free as society requires. Products which cannot be modified, must be abandoned and replaced by new ones with a high sociability factor. Cost consideration must be secondary to health and safety.

Fourth, industry-wide cooperation in reducing pollution must override competitive considerations. I am pleased to be able to tell you that cooperative studies to develop meaningful test procedures to measure the emissions from diesel engines are underway through the engine manufacturer's association and in conjunction with the State of California. I will be gratified if the association can go to Washington with a recommendation that stricter standards be applied. This will be the kind of positive leadership our industry should provide.

Fifth, industry must find more basic reseach to develop new technologies which go beyond those presently known. We have great faith in the adaptability of the internal combustion engine. It has served man well over the years; and, if we are as creative in making social improvements as we have been in improving its efficiency, we can extend its useful life for years to come.

However, and this is very important, if the technology cannot be found, we must be prepared in fact to bury our old friend (as University of Minnesota students did recently at a campus demonstration when they buried a gasoline automobile engine) and replace it with a new, less offensive power plant. Presidential science advisor Dr. Lee A. DuBridge cautions that "such a power plant, however, has not yet been invented, or at least has not yet proven to be reliable, economical, or capable of the high performance required."

GOVERNMENT'S ROLE

Government's primary role is to make pollution a priority public issue of our decade and to provide incentives and, where necessary, requirements for industry to meet its responsibilities to eliminate pollution as a threat to the nation's survival.

This role should be implemented as follows. First, economic incentives should be devised that encourage all industries, large and small, to accelerate their anti-pollution efforts—the idea being to make normal economic factors provide the nation with the direction so urgently needed in the conservation task ahead of us.

Second, we would also favor the establishment of a Federal program of penalties for those who pollute, whether it be the producer or the end user, if he is at fault. Income from a pollution tax could be used to fund research, pollution control devices, and purification systems for the good of the entire community. Senator Proxmire has introduced a bill that would levy a Federal "effluency fee" of 10 cents per pound for industrial wastes emitted into the Nation's rivers. A similar fee system could be developed for engines with emissions measured at the time of annual licensing and a punitive fee schedule used for emissions of various kinds. When the consumer realizes it costs him more to own a product that pollutes or he will be fined if he deactivates the emission control device on his engine, he will demand and maintain a clean product.

Third, we recommend the Government reallocate present funds earmarked for development of low-emission engines into more productive channels. Industry has the proper economic incentives to develop sociable products and industry will get this job done.

More appropriately, Government should be funding studies to determine what levels of pollution we can tolerate and maintain a good environment, thereby determining the standards required. Also, we are not well enough informed on the interactions of various emissions, especially their tolerability as they affect health and living conditions and the rate at which the atmosphere cleanses itself. These studies should lead to specific emission parameters. Industry does not have the facilities for such ecological determinations. These are governmental responsibilities of the highest order.

Government's efforts must be coordinated and not diffused through establishment of inefficient and ineffective offices in a number of Federal bureaus. The effort must be singularly directed and receive the top-level attention the problem demands.

Fourth, while industry should set the pace, Government must make it possible for industry-wide cooperation to be carried out without fear of antitrust violation. In other words, we must be able to "swap information" in the public interest. Cooperation between Government and industry is imperative in setting targets and meeting new standards.

CUMMINS' COMMITMENT

Cummins Engine Company's commitment is to eliminate, to the extent technically feasible, the pollutants, noise, and wastes resulting from each of our plant operations and all of our products. We will do this job as quickly as possible. We will take this action, not waiting for an adjustment in Federal requirements or incentives, but in an attempt to fulfill our responsibility to improve the quality of our environment.

Diesel improvement starts with an engine that already has emission characteristics superior to most vehicular engines in use today. The diesel is inherently low in unburned hydrocarbons, a principal contributor to chemical smog, and carbon monoxide, a known poison. Both are major concerns in gasoline engines, although the automobile manufacturers are well along the road to solving these problems.

We are funding an accelerated program for the development of clean and quiet engines, including new power forms. Cummins has adopted emission control standards more severe than any current governmental standards as design criteria for all new products. Our ultimate goal is to produce engines that are completely socially acceptable. By this we mean that engine emissions and noise will no longer cause problems of environmental quality. An immediate target is to reduce smoke substantially below the present federal smoke standards, thus removing diesel smoke as a nuisance. We will apply this new target across the broad spectrum of our power applications—off-highway uses in construction, industrial, and marine equipment as well as on-highway truck engines. To achieve this further improvement of our engines will require changes ranging from minor modifications and substantial increases in the number of turbocharged engine models to the possible elimination of some engine models and development of new engines to replace them.

Our technical center staff is currently studying promising techniques of emission and noise control and is hard at work exploring new techniques.

These clean engine commitments have been made with the full realization that the risks involved may include:

Reductions in profitability,

Increased capital investments,

Increased initial investment for the customer, and

A massive educational job to sell the new concepts and their importance to customers and operators.

Beyond product research and development, Cummins has placed in the 1970 capital budget substantially increased funding for an accelerated program to begin the clean-up of all of our plant operations. We will cooperate fully with each of our plant communities in the solution of the solid waste disposal problem.

Frankly, we are not in a position to brag about these decisions. We should have made them years ago. But it is important to understand that Cummins has made the basic commitment to go as far as we can in eliminating contamination of our environment, not just meeting federally imposed standards.

We hope others will join us in this commitment because we concur with philosopher Lewis Munford's observation that: "Any square mile of inhabited earth has more significance for man's future than all of the planets in the solar system."

NETWORK NEWS BIAS

Mr. ALLOTT. Mr. President, an interesting and highly readable article dealing with television network commentators appears in the February 28 issue of TV Guide now on sale at newsstands.

The article is written by Edith Efron and titled "There Is a Network News Bias." That is the conclusion of the article's subject—the distinguished television newscaster Howard K. Smith—who cites coverage of the race question, Vietnam, Russia, and conservatives as proof of his thesis.

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

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

THERE IS A NETWORK NEWS BIAS

(By Edith Efron)

On Nov. 12, 1969, when the liberal media were angrily aboil over Vice President Agnew's blasts at the liberal left and its frequently violent crusades, a quiet voice on ABC–TV declared: "Political cartoonists have that in common with the lemmings, that once a line is set, most of them follow it, though it lead to perdition. The current cliche shared by them and many columnists is that Spiro Agnew is putting his foot in his mouth [and] making irredeemable errors. . . . Well, . . . I doubt that party line. . . . There is a possibility it is not Mr. Agnew who is making mistakes. It is the cartoonists."

One week later, on Nov. 19, 1969, when the liberal media were even more violently aboil over the climactic Agnew speech blasting bias in network news, that same quiet voice on ABC–TV once again was heard: "I agree with some of what Mr. Agnew said. In fact, I said some of it before he did."

The speaker was Howard K. Smith, ABC's Washington-based anchor man, ex-CBS European correspondent, and winner of a constellation of awards for foreign and domestic reporting. Mr. Smith had, indeed, said some of what Mr. Agnew said before Mr. Agnew had said it. For several years, despite his respect for network news departments and their achievements, he had been criticizing his colleagues—on the air and off—for falsifying U.S. political realities by means of biased reporting.

Mr. Smith is by no means an unqualified suporter of Mr. Agnew, and he has reservations about The Speech. To name the two most important: "A tone of intimidation, I think, was in it, and that I can't accept. . . . Also a sense that we do things deliberately. I don't think we do them deliberately."

Mr. Smith, however, says: "I agree that we made the mistakes he says we made." And he himself levels charges at the network news departments.

In fact, according to Howard Smith, political bias in TV reporting is of such a magnitude that it fully justifies the explosion we have seen. Here is this insider's analysis of the problem.

His candor begins at the very base of the network news operation—namely, with the political composition of the staff. Networks, says Mr. Smith, are almost exclusively staffed by liberals. "It evolved from the time when liberalism was a good thing, and most intellectuals became highly liberal. Most reporters are in an intellectual occupation." Second, he declares that liberals, virtually by definition, have a "strong leftward bias": "Our tradition, since FDR, has been leftward."

This is not to say that Mr. Smith sees anything wrong with being a leftist—"I am left-of-center myself." But he sees everything wrong with the dissemination of an inflexible "party line"; and this, he charges, is what liberal newsmen are doing today: "Our liberal friends, today, have become dogmatic. They have a set of automatic reactions. They react the way political cartoonists do—with over-simplification. Oversimplify. Be sure you please your fellows, because that's what 'good.' They're conventional, they're conformists. They're pleasing Walter Lippmann, they're pleasing the Washington Post, they're pleasing the editors of The New York Times, and they're pleasing one another."

He says a series of cartoonlike positive and negative reflexes are determining much of the coverage.

He names a series of such negative reflexes—ie., subjects which newsmen automatically cover by focusing on negatives. Herewith, excerpts from his comments:

Race: "During the Johnson Administration, six million people were raised above the poverty level. . . . And there is a substantial and successful Negro middle class. But the newsmen are not interested in the Negro who succeeds—they're interested in the one who fails and makes a loud noise. They have

ignored the developments in the South. The South has an increasing number of integrated schools. A large part of the South has *accepted* integration. We've had a President's Cabinet with a Negro in it, a Supreme Court with a Negro on it—but more important, we have 500 Negroes elected to local offices in the deep South! This is a tremendous achievement. But that achievement isn't what we see on the screen."

Conservatives: "If Agnew says something, it's bad, regardless of what he says. If Ronald Reagan says something, it's bad, regardless of what he says. Well, I'm unwilling to condemn an idea because a particular man said it. Most of my colleagues do just that."

The Middle Class: "Newsmen are *proud* of the fact that the middle class is antagonistic to them. They're proud of being out of contact with the middle class. Joseph Kraft did a column in which he said: Let's face it, we reporters have very little to do with middle America. They're not our kind of people. . . . Well, I resent that. *I'm* from middle America!"

The Vietnam War: "The networks have never given a complete picture of the war. For example: that terrible siege of Khe Sanh went on for five weeks before newsmen revealed that the South Vietnamese were fighting at our sides, and that they had higher casualties. And the Viet Cong's casualties were 100 times ours. But we never told *that*. We just showed pictures day after day of Americans getting the hell kicked out of them. That was enough to break America apart. That's also what it did."

The Presidency: "The negative attitude which destroyed Lyndon Johnson is now waiting to be applied to Richard Nixon. Johnson was actually politically assassinated. And some are trying to assassinate Nixon politically. They hate Richard Nixon irrationally."

If this is a sampling of the liberal reporters' negative reflexes, as seen by Howard Smith—what then are the positive reflexes? He provides an even more extensive set of examples—subjects on which, he says, his colleagues tend to have an affirmative bias and/or from which they screen out negatives. Again here are excerpts from his comments:

Russia: "Some have gone overboard in a wish to believe that our opponent has exclusively peaceful aims, and that there is no need for armaments and national security. The danger of Russian aggression is unreal to many of them, although some have begun to rethink since the invasion of Czechoslovakia. But there is a kind of basic bias in the left-wing soul that gives the Russians the benefit of the doubt."

Ho Chi Minh: "Many have described Ho Chi Minh as a nationalist leader comparable to George Washington. But his advent to power in Hanoi, in 1954, was marked by the murder of 50,000 of his people. His consistent method was terror. He was not his country's George Washington—he was more his country's Hitler or Stalin. . . . I heard an eminent TV commentator say: 'It's an awful thing when you can trust Ho Chi Minh more than you can trust your President.' At the time he said that, Ho Chi Minh was lying! He was presiding over atrocities! And yet an American TV commentator could say that!"

The Viet Cong: "The Viet Cong massacred 3000 Vietnamese at Hue alone—a massacre that *dwarfs* all allegations about My Lai. This was never reported on."

Doves: "Mr. Fulbright maneuvered the Gulf of Tonkin Resolution through—with a clause stating that Congress may revoke it. Ever since, he's been saying: 'This is a terribly immoral thing.' I asked him: 'If it's that bad, aren't *you* morally obligated to try to revoke it?' He runs away! And yet Mr. Fulbright—who incidentally has voted against *every* civil-rights act—is not criticized for his want of character. He is beloved by reporters, by everyone of my group, which is left-of-center. It's one of the mysteries of my time!"

Black Militants: "A few Negroes—scavengers on the edge of society—have discovered they're riding a good thing with violence and talk of violence. They can get on TV and become nationally famous."

The New Left: "The New Left challenges America. They're rewriting the history of the Cold War. Some carry around the Viet Cong flag. Some shout for Mao—people who'd be assassinated in China! They've become *irrational*! But they're not portrayed as irrational. Reporters describe them as 'our children.' Well, they're not *my* children. *My* children don't throw bags of excrement at policemen. . . . If right-wing students had done what left-wing students have done, everyone, including the reporters, would have called in the police and beaten their heads in. But we have a left-wing bias now, that has 30 years of momentum behind it."

What do Mr. Smith's examples of negative and positive biases add up to, politically? He says: "The emphasis is anti-American." In fact, as he portrays the pattern, it is a dual emphasis: This coverage as described by Mr. Smith is *anti*-American in that it tends to omit the good about America and focus on the *bad*. And it is also biased in *favor* of attackers-of-America by tending to *omit* the bad about them and focusing on the *good*. Mr. Smith has actually reconstituted here a loose variant of the New Left line. And New Left attitudes are influencing newsmen, he says. "The New Left," says Smith, "has acquired a grave power over the liberal mind."

This is not a new charge—it is the essence of the public outcry against network news, and it's the essence of the long-standing conservative charges against the newsmen. Mr. Smith himself, although he's been described as a "conservative" because he supports the war, is as he says, a Leftist—indeed, a semi-socialist who shares many views with economist John Kenneth Galbraith. He has been one of TV's most ardent fighters for civil rights—too ardent, Smith says, for CBS's tastes, which is one reason why, he adds, he is at ABC today. He is generally in disagreement with political Conservatives on virtually everything. And, for that matter, he finds it psychologically easier to defend TV news departments than to criticize them. But on this issue of anti-American, pro-New-Left bias in the network news departments, his observations are identical to those coming from the right.

His explanation of the causes of this pattern, however, are quite different from those which emerge from the right. Where conservatives are often inclined to see this pattern as a deliberate, conscious and intellectually potent conspiracy, Mr. Smith sees it as the opposite—as a largely unconscious phenomenon, stemming from intellectual impotence, from such qualities as "conformism," "hypocrisy," "self-deception" and "stupidity."

One of the chief conformist patterns, he says, is the automatic obedience to a convention of negativism in journalism itself, often for self-serving reasons. "As reporters, we have always been falsifying issues by reporting on what goes wrong in a Nation where, historically, most has gone right. That is how you get on page one, that is how you win a Pulitzer Prize. This gears the reporter's mind to the negative, even when it is not justified."

But how about the opposite form of bias—a chronic omission of negatives and the unremitting focus on the good in our country's enemies? Here Mr. Smith tackles the New Left influence head on. He attributes it to a mental vacuum in the liberal world:

"Many of my colleagues," he says, "have the depth of a saucer. They cling to the tag 'liberal' that grew popular in the time of Franklin Roosevelt, even though they've forgotten its content. They've really forgotten it. They don't know what 'liberal' and 'conservative' *mean* any more! They've forgotten it because the liberal cause has triumphed. Once it was hard to be a liberal. Today it's 'in.' The ex-underdogs, the ex-outcasts, the ex-rebels are satisfied bourgeois today, who pay $150 a plate at Americans for Democratic Action dinners. They don't know what they stand for any more, and they're hunting for a new voice to give them new bearings."

The search for a "new voice," he says, has catapulted such men into the arms of the New Left: "They want to cling to that thrill of the old days, of triumph, and hard fighting. So they cling to the label 'liberal,' and they cling to those who seem strong—namely, the New Left. The New Left shouts tirades, rather than offering reasoned arguments. People bow down to them, so they have come to *seem* strong, to *seem* sure of themselves. As a result, there's a gravitation to them by the liberals who are *not* sure of themselves. This has given the New Left grave power over the old Left."

It is this New Left "power" over many of the Nation's liberal reporters, he says, that underlies an anti-American and pro-radical basis in network coverage—and that underlies public anger.

What is the solution to this problem, as envisaged by Mr. Smith?

Let public protest r.i.p., he says. He experiences a twinge of discomfort over the fact that his solution is identical to Mr. Agnew's: "There have been very unpleasant, even threatening, letters," he reports. "But, quite literally, what Mr. Agnew suggests is all right."

Public protest, he thinks, will knock these men back into contact with U.S. political realities.

"The networks have ignored this situation, despite years of protest, because they have power. And you know what Lord Acton says about power. It subtly corrupts. Power unaccountable has that effect on people. This situation should not continue. But I wouldn't do anything about it. I would let public opinion and the utterances of the alleged silent majority bring about a corrective. The corrective? Just a simple attempt to be fair—which many people have thrown aside over the last few years."

THE ENVIRONMENTAL CRISIS

Mr. NELSON. Mr. President, for years we have labored under the illusion that progress was a sacred word, that nothing should stand in the way of our achieving it. We have believed that progress had its own built-in safeguards, that when progress occasionally produced unwanted side effects, progress would help eliminate them.

For years, conservationists and wildlife biologists have been warning us that environmental pollution—in the name of progress—was rapidly, relentlessly lowering the quality of our lives and making irretrievable inroads on our resources.

Most of us proved hard of hearing where the environment was concerned. But in recent months there has been an awakening. Suddenly—very suddenly, in comparison to the decades the pollution had been taking place—we awakened to the fact that we were thoughtlessly squandering our resources and undercutting the quality of the air we breathe, the water we drink, and the space in which we live.

In the words of the Senator from New Hampshire (Mr. McINTYRE):

We're in trouble, we Americans.

And the loss has not all been physical. In a recent speech entitled "The Environmental Crisis," Senator McINTYRE warned:

Man is a natural creature. . . . But we do not live in harmony with nature, and the realization that we have become estranged from it, alienated from it, a prime offender of it, is taking a grim psychic as well as physical toll.

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

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

THE ENVIRONMENTAL CRISIS

General Thyng, Dean McKenna, Frank Goodspeed, faculty members, students and guests:

I came here today to talk about young people like you, older people like me, and what is happening to the America my generation is about to turn over to yours.

We're in trouble, we Americans, and, if we didn't know it before, you young people have made it clear to all of us.

And the trouble is not *all* Vietnam.

Someone wisely observed not long ago that what the war has done is to catalyze and illuminate all our other fundamental problems.

As a result, the forces of discontent run much deeper than Vietnam. And the range of discontent extends far beyond the ranks of the peace marchers and the students and the Black Front. It cuts deep into Middle America.

The American people are becoming more and more convinced that the *way* they are living is not the way they *want* to live.

Man is a natural creature. His Creator meant for man to live in harmony with Nature.

But, we do *not* live in harmony with nature, and the realization that we have become estranged from it, aliented from it, a prime offender *of* it, is taking a grim psychic as well as physical toll.

Technology and the mechanistic mentality have seduced us too long. We have succumbed to the blandishments of ease and efficiency, never fully realizing until now the price we are paying in terms of psychological stress and physical abuse of the world we live in.

In the ironic name of "progress" we are well on our way to killing the world we live in—choking off the air we breathe, poisoning the water we drink, despoiling the earth that sustains us . . . and "uglifying" America the Beautiful.

Signs of the death of our environment are everywhere. Lake Erie is dead or dying, killed by industrial and municipal wastes. Oil spills off Santa Barbara, Nova Scotia, Tampa Bay, and closer to home, beautiful Martha's Vineyard, imperial wildlife, fish, and natural beauty. The sludge, waste, sewage, excavation soil and metal refuse dumped into the ocean by the millions of tons just a few miles from New York's harbor have so decimated marine life as to shock and awe many ecologists who have observed what's happening there.

The carbon dioxide content of the earth's atmosphere has jumped fully 10% in the last century. Even if we could manage to survive the future with oxygen masks, we don't know what further increases in carbon dioxide will do to the earth's climate.

But there is more than carbon dioxide choking us.

Stroll around New York City for a single day and you'll breathe in the toxic equivalent of nearly two packs of cigarettes.

This is Fun City?

And there are urban rivers, my young friends, urban rivers so clogged with inflammable wastes that they actually constitute fire hazards. Not so long ago the Cuyahoga River, running through the heart of Cleveland, burst into flames.

And what we've done to our land is just as bad. Our own carelessness, our ignorance and neglect of erosion, have cost us precious, life-sustaining topsoil. And over a century of irresponsible mining practices have mutilated the topography and so undermined two million acres of land—in 28 states—that the surface is buckling and sinking, taking with it homes, streets, cars, utility systems, indeed entire neighborhoods.

In short, our relationship to nature has ranged from naive to rapaciously greedy, and now we're paying the consequences.

The other day I heard a story that illustrates how naive and ignorant we've been about what it takes to co-exist with Nature.

It seems that two young greenhorns were about to make their first wilderness trip. Just before they left the outskirts of civilization, they chanced to meet the area game warden. The warden, sizing up their obvious ineptitude, thought it wise to tell them that three shots fired in rapid succession was the recognized distress signal.

Sure enough, the two neophyte campers weren't gone an hour when they found themselves hopelessly lost.

"Well," said one cheerfully, "do what the game warden said, shoot three times."

The other dutifully did so and both sat down to await rescue. No one came.

"Maybe you'd better shoot three more," said the first.

The second did. But no help arrived.

By dusk both men were in a panic.

"Shoot three more!" yelled the first.

"I can't," whimpered the other. "I'm out of arrows."

Well, time won't permit us the luxury of anguishing over past mistakes.

It took many years to get us into our present environmental crisis, but this does *not* mean we have plenty of time to get out of it.

History is accelerating at an incredible rate. We live in an era of compressed time, and this means that problems will accelerate as rapidly as progress.

You've all heard, I'm sure, that 90 percent of all the scientists who ever lived are now alive, and that new scientific discoveries are being made every day.

But there are other awesome facts to consider, too.

Sir Julian Huxley, the famous biologist, observed that: "The tempo of human evolution during recorded history is at least 100,000 times as rapid as that of prehuman evolution."

Someone else noted that if the past 50,000 years of man's existence were divided into lifetimes of 62 years each, there have been about 800 such lifetimes. The first 650 lifetimes were spent in caves. Only during the past 70 lifetimes has writing made it possible to communicate from one lifetime to another.

Only during the past six have masses of men ever seen the printed word, and only during the past four lifetimes has it been possible to measure time with precision. Only in the past two lifetimes has anyone anywhere used an electric motor. And the overwhelming majority of all material goods we use in daily life today were developed within the present, the 800th lifetime.

Prior to the invention of movable type in the 15th century, Europe was producing books at a rate of 1,000 titles per year. By 1965, the world book production was up to 1,000 titles per day!

Though not every book advances knowledge—I can think of some that caused a net loss—there is, of course, a very positive correlation.

The 12th chemical element, antimony, was discovered at the time Gutenberg was working on the first printing press. It had been 200 years since the 11th, arsenic, had been isolated.

Had the same rate of discovery continued, we would have added only two or three more elements since Gutenberg's time. Instead, we have discovered 73 more.

Knowledge goes hand in hand with technology. And as knowledge accelerates so does technology, industrial growth . . . and pollution.

Our advanced societies now double their total output of goods and services about every 15 years—and the doubling times are shrinking. By the time this audience reaches the age of 30, a second doubling will have occurred. And by the time you have reached old age *society will be producing 32 times as much as when you were born!*

Production requires energy, and it should come as no surprise, then, to learn that half of all the energy consumed by man during the past 2,000 years has been consumed in the past 100. Hence the sharp increase in atmospheric carbon dioxide.

Today, as Senator Gaylord Nelson recently observed, "Progress—American style—adds up each year to 200 million tons of smoke and fumes, 7 million junked cars, 20 million tons of paper, 48 billion cans and 28 billion bottles.

This seems almost incredible, until we realize what voracious consumers we Americans are. Though we constitute only 6 percent of the world's population, we devour 35 percent of the world's annual production of raw materials!

Now then, combine this rate of consumption with the positive evidence that accelerating knowledge is resulting in accelerating gross national product—and then add the fact that by the end of this century there will be 100 million *more* people in this country.

This will bring our population to 300 million, and if present demographic trends continue, most of those 300 million will be living in metropolitan areas which *already do most of the air and water polluting in our Nation.*

Indeed, 187 million of us will be living in just four huge urban agglomerations. Sixty-eight million will live in Bos-Wash, the same given to the agglomeration extending from Boston to Washington. Another 61 million will live in an agglomeration extending from Utica, New York, along the base of the Great Lakes to Green Bay, Wisconsin. Forty-four million will live on a Pacific strip between San Francisco and the Mexican border, while 14 million will live in the area extending along the Florida East Coast from Jacksonville to Miami and across the peninsula to Tampa and St. Petersburg.

And most of the remaining 40 percent of us will *also* live in urban concentrations, and big concentrations, at that.

In other words, by the year 2000 only 12 percent of our people will be outside urban areas of 100,000 or more people.

Now there is double irony to this demographic pattern. In addition to further concentrating the impact of pollution—which it is certain to do—it also flies in the face of what the American people—young as well as old, educated as well as uneducated—really want.

Poll after poll indicates that no less than two-thirds of the people now living in big cities *do not want to live there!*

They want the clean air, pure water, the natural beauty, the tranquility of rural life and the smaller community. But they'll never get that until our Nation officially adopts a firm policy of balanced rural and urban growth, a policy designed to promote economic opportunity and jobs in the countryside—where most Americans want to live.

Well, I hope all this will give you an in-depth appreciation of the magnitude of the pollution problem—today *and* tomorrow.

In many respects its dimensions are so awesome as to invite surrender. Indeed, some ecologists *have* lost hope that man can save his planet.

But others have not given up hope, and neither have I. Let me tell you why I still have confidence.

First, all signs indicate that the American people are now *aware* of the danger. Awareness triggers concern, and concern triggers action.

Secondly, the Nixon Administration now is moving to meet the challenge to restore the quality of the environment. Some will say it is not moving fast enough with enough, and although I'm inclined to feel that way, too, I nevertheless welcome the President's new leadership—as evidenced in his Environmental Program, announced earlier this month—and in endorsing balanced rural and urban growth, as he did in his State of the Union message.

Finally, and of most importance, I am encouraged because you young people have made anti-pollution *your* issue, just as you made Vietnam *your* issue.

You were able to change the direction of our policy in Southeast Asia. You were able to affect the political destiny of this Nation in 1968.

If you bring to bear on pollution the same intensity, the same determination, the same idealism, you can win that struggle, too.

You can insist that we reorder our priorities, and make it possible for Americans to live *where* they want to live . . . and *how* they want to live.

You can demand a national policy of saving our atmosphere, our land and our water; a national policy of resettling people; economic opportunity and jobs to relieve the pressures on the city, and to ease the pressures in the environment by rejuvenating the countryside . . . a policy, in short, that can create a new land where Americans can live at ease with each other—in harmony with Nature.

It will soon be *your* Nation, *your* world, to make of what you will.

Only *you* can make it a better nation. Only *you* can make it a better world.

I wish you—and our beloved Nation—the very best of luck.

DEATH OF JUDGE THADDEUS M. MACHROWICZ, OF MICHIGAN

Mr. HART. Mr. President, the State of Michigan today mourns Judge Thaddeus M. Machrowicz, a Polish immigrant who achieved success in this Nation but gave America far more than he received.

He served with distinction in Congress for six terms, rightfully earning the reputation of a hard-working and effective legislator.

Judge Machrowicz was an indefatigable champion of the St. Lawrence Seaway. For years, he devoted most of his time to mustering the arguments for the seaway and presenting them with skill and eloquence.

He left Congress for the Federal bench in Detroit and threw himself into that endeavor with the same energy and conscientious attention that characterized his entire career.

He was a fine judge—a credit to President Kennedy, the man who appointed him. His temperament and quick mind were well suited to the bench, where he earned a reputation for sound decisions logically arrived at.

Understandably, Judge Machrowicz was an object of great pride in Michigan Polonia.

He was a born leader who became, in a large sense, a symbol of the tremendous contributions that immigrants—Polish and others—have made to the Nation. His affection for this country was certainly no secret. Its respect for him, and its debt, I rise to voice.

I know my Senate colleagues join me in offering condolences to his widow and two sons, Tod and Don. We all have much to be sad about in the judge's passing. But all of us, most especially his family, to whom he was devoted, are comforted by the great pride and happy memory in which we hold this good and fine man.

HOW NOT TO ELECT A PRESIDENT

Mr. BAYH. Mr. President, the reform of our antiquated electoral college system should be a top priority assignment in this session of Congress.

One of the most vigorous voices to speak out in behalf of this long overdue reform belongs to the junior Senator from Wisconsin (Mr. NELSON).

Senator NELSON is a former LaFollette progressive, and his comments on electoral college reform reflect the basic principles of the progressive tradition—a distrust of bossism, a dedication to the public interest, and a faith in the ability of an informed citizenry to make intelligent decisions.

In a recent article in Playboy magazine discussing the urgent need for electoral college reform, Senator NELSON wrote:

Rightly or wrongly, there are millions of people in this country who no longer believe that they have any significant voice in the destinies of this nation. Obviously, many things must be done to correct this problem, but one dramatic step toward solving it would be to restore the integrity of our Presidential election system . . . What more dramatic way is there to give politics back to the people?

Before coming to the U.S. Senate, Senator NELSON had a long and distinguished record as a State legislator and as a reform-minded Governor. Deeply involved in politics and government ever since returning from overseas service during World War II, Senator NELSON shows his deep faith in the American people when he says:

These reforms will not come easily. But I am convinced they are necessary if the American system of government is to regain the confidence of the people—especially the young people—without which I do not believe the American system can survive . . . The public becomes cynical when candidates cater to power blocs, when they make deals with political bosses, when they seem to rate the favor of interest groups higher than the public interest.

If the American people will demand that this session of Congress set in motion the necessary reforms in the presidential system, I think we can look forward to a future of strong, responsible presidential leadership, and to a united nation ready to build itself a new and better future.

Mr. President, I ask unanimous consent that Senator NELSON's stirring argument in favor of sweeping reform of the presidential election system be printed in the RECORD.

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

HOW NOT TO ELECT A PRESIDENT

Election Night 1968 almost produced the nightmarish spectacle of the most powerful nation on earth on the brink of contitutional chaos. If Illinois, California and Ohio hadn't tipped into the Republican column on the morning of November 6, no one can say with certainty what would have happened to this country.

The best we could have hoped for would have been the triumph of criminal greed among our national leaders. When the members of the Electoral College met on December 16, it seems likely that enough electors would have been influenced to switch their votes through either outright cash bribery or the promise of special political favors—to produce an electoral majority.

Both acts happen to be felonies under Federal law, calling for long prison terms. But a nation without a President-elect, and with no idea as to how one would be chosen, presumably would prefer to have the office filled through the commission of a crime than to have no President at all.

If naked political deals did not resolve the crisis in the Electoral College, the full catastrophe would have been upon us. The election, as the commentators kept saying, would have been "thrown" into the House of Representatives. But few Americans have any idea what that would really have meant.

At best, the President would have been chosen without any regard for the popular will. For the election of President in the House of Representatives, each state has one vote, a complete denial of the "one man, one vote" doctrine that our courts enforce in all other elections. The first candidate to receive 26 votes would have been our new President. Deals and vote trading would certainly have been resorted to by all three contending factions at that point. With the Presidency at stake, who would have failed to use any weapon in the political arsenal? One candidate and his supporters had already spent a reported $20,000,000 in an attempt to win the Presidency on November 5. Is there any reason to assume the spending would not have continued until the battle was won?

And, at worst, after all this sordid chaos, we could still have ended up without a President-elect. The party split in the House is such that it is entirely possible that no candidate could have gotten the necessary majority.

The postelection House line-up was 26 delegations controlled by Democrats, 19 controlled by Republicans and five tied and thus unable to cast a vote. Technically, this could have produced a Democratic victory. But it is very doubtful that the delegations from the five states that supported Wallace would have voted for the Democratic candidate. If one or all of these delegations shifted to the Republican candidate or held out for Wallace, it would have created a stalemate.

With the House stalemated, the Senate would have proceded with the election of a Vice-President. In the Senate, each member's vote is counted; Democrats have a clear majority and would have, presumably, been able to agree on an interim leader. But how much power would he have? Could he expect public support if he had to move quickly to put down some domestic disorder or meet a foreign crisis? Would the new Vice-President be able to prod the House into conferring the Presidency on himself?

Think of the pressures on all concerned: the three principal candidates, the leaders of the Armed Forces, the general public, the incumbent President, who would be properly reluctant to leave the nation without a duly elected commander in chief. Can you imagine the political crisis if we raced from one Presidential term to the beginning of another with no new President elected?

When we were freshly back from the brink of this crisis, public opinion was fired up

with a demand that we reform our Electoral College system—a system that even the conservatively oriented American Bar Association has called "archaic, undemocratic, complex, ambiguous, indirect and dangerous."

The United States Chamber of Commerce called for the abolition of the Electoral College. The polls reported that 81 percent of the public favors abolishing the Electoral College and electing the President by direct popular vote.

Senators and Congressmen saw this trend in their daily mail. A schoolboy from New Richmond, Wisconsin, wrote me, "It's just plain undemocratic." A Racine housewife complained that "it seems very odd that the Electoral College is more important than we, the people." A Milwaukee businessman put his finger on the key issue: "We don't like to be passed on by some nameless individual who does our voting for use. The personal feeling of participation is the important point. Keep our country strong and the faith of the people firm in our Government."

When the 91st Congress convened, I labeled Electoral College reform as one of the hottest political issues; yet experienced Congressional observers viewed the prospect for reform as only fair to poor. It may seem astonishing that any reform supported by 81 percent of the people could fail, but the hard fact is that the public does not have a very good reputation for following through on such things. It would have been far more hopeful if this reform was supported by two or three determined special-interest groups. The professionals stick with a fight to the end. The public, no matter how aroused it may get at a moment of apparent crisis, soon goes back to its normal pursuits.

The worst thing that could happen would be the passage of an Electoral College revision bill that would not correct the problem and might make it worse. This is a distinct possibility. Powerful support exists among conservatives for a proposal that would merely eliminate the "winner take all" feature of Electoral College voting, so that each state's electoral vote would be cast in proportion to the popular vote in that state. The rest of the system would be left as it is. This "solution"—which President Nixon substantively endorsed last February in one of his first messages to Congress—would be most unfortunate. It would doom for a generation any hope of electing the President by a direct, popular vote. It would give inflated power to one-party states, which can deliver most of their electoral votes for a candidate, while the votes in the closely balanced states would be virtually canceled out. And it would perpetuate the scandalous system under which tiny states wield disproportionate influence in electing a President, because each gets two bonus votes to match its two Senate seats, without regard to population.

Insead of hammering out some possible compromise to placate all the contending factions, Congress and the public should take a long, hard look at what is wrong with the whole election system and then correct it.

To do less, it seems to me, is to aggravate the most serious problem facing this country—the increasing alienation of many of our people, especially our young people, from our democratic institutions. Rightly or wrongly, there are millions of people in this country who no longer believe that they have any significant voice in the destinies of this nation. Obviously, many things must be done to correct this problem, but one dramatic step toward solving it would be to restore the integrity of our Presidential-election system.

The President is the one man in our political system who is intended to represent all of the people, yet he is selected by the most restrictive and most undemocratic of methods. A special commission of the American Bar Association, after lengthy study, has listed the following defects in the Electoral College system:

1. It allows a man to become President even though he receives fewer votes than his opponent.

2. Since all the electoral votes of a state go to whichever candidate wins a plurality, the minority votes in that state are nullified—in effect, disfranchising millions of people.

3. Electors in many states are not required by law to vote for the candidate who carries their state. They can utterly defy the popular will.

4. The electoral vote that decides the election does not depend in any way on the turnout state by state—a situation that encourages voter apathy and fails to reward voter enthusiasm. (If you are a minority voter in a one-party state, what's the incentive to vote?)

5. The Electoral College system flagrantly disregards population. States get a minimum of three electoral votes, regardless of their size, and no allowance is made for population changes from election to election (except when a state's Congressional delegation is revised).

6. The system of election in the House, with one vote per state, is disgraceful and un-American.

That is a scorching indictment of an undemocratic system that should be replaced by a new procedure that guarantees the Presidency to the winner of the popular vote. A direct-vote process would put equal weight on every man's vote, thereby encouraging individuals to participate in the election and encouraging the national parties to seek the largest possible voter turnout.

Such a plan has been developed by the American Bar Association and has been introduced in the Congress by Senator Birch Bayh. As a safeguard, it provides that if no candidate received 40 percent of the popular vote, there would be a runoff election between the two highest candidates.

Surprisingly and encouragingly, the House version of Bayh's proposal easily passed its first major test last spring. It was approved in late April by the House Judiciary Committee—the first time since 1949 that the committee had submitted to the House at large a measure calling for the scrapping of the Electoral College system—and appeared to have the required two-thirds backing among House members. President Nixon has also made it clear that he will throw the weight of his office behind the campaign for ratification of a direct-popular-election reform, should one emerge from Congress. Yet many hurdles remain. If the amendment makes its way successfully through the other pertinent committees and is then approved by two-thirds majorities in each branch of Congress, it will still have to be ratified by the legislatures of three-fourths of the states.

In the traditional American way, there will be many attempts to water down, compromise or completely subvert this reform all along the way. The above-mentioned plan of conservative Senators is the most formidable enemy of reform. But let's keep our eye on the ball. The prime failure in the present Electoral College system is its flagrant denial of one man, one vote. The U.S. Supreme Court enunciated this principle in a series of Congressional and legislative reapportionment cases—*Baker* vs. *Carr* (1962); *Wesberry* vs. *Sanders* (1964); *Reynolds* vs. *Sims* (1964); and *Gray* vs. *Sanders* (1963).

In one instance, the Court said:

Once the geographical unit for which a representative is to be chosen is designated, all who participate in the election are to have an equal voice.

Obviously, the geographical constituency of the President is the entire nation, and all the citizens should have an equal voice in his selection. They do not, today.

In another instance, the Court said:

Within a given constituency, there can be room for a single constitutional rule—one voter, one vote.

It is time to apply that "single constitutional rule" to the Presidency.

The one man, one vote principle is a key to understanding Electoral College reform for another reason.

Americans have a reverence for the founding fathers and a reluctance to tinker with their work. Therefore, it is important to understand how public opinion and the weight of constitutional law have developed in this country in the almost 200 years since the Constitution was drafted.

The fact is, the reason we have the Electoral College system today is that the founders plainly and simply did *not* believe in popular elections. They quite literally lived in a different world. The general public was not educated. Communication and transportation systems were very primitive. America was an undeveloped country of 13 lightly populated states, whose leading citizens were anxious for the stability of a national Government controlled by the propertied and educated classes.

The framers of the Constitution had no intention whatsoever that the President be elected by the people. As Professor John D. Hicks says in his American-history textbook, *The Federal Union:*

The creation of an executive department caused the convention a great deal of trouble. Extreme conservatives were in favor of a single executive, chosen by Congress for life, or at least for a very long term. Some, however, felt that such a plan was too closely akin to monarchy. . . . Popular election seemed the natural alternative, but the judgment of the people was sorely distrusted by the great majority of the delegates, and this idea was hastily thrust aside.

If you read the minutes of the Constitutional Convention, you will see the hostility to popular election—completely understandable in those days but almost unbelievable in today's context.

Colonel George Mason of Virginia told the convention that "it would be as unnatural to refer the choice of a popular character for chief magistrate to the people as it would be to refer a trial of colors to a blind man." He utterly rejected popular election, saying: "The extent of the country renders it impossible that the people can have the requisite capacity to judge the respective pretensions of the candidates."

Another convention delegate, Hugh Williamson of North Carolina, put it very simply: "There are at present distinguished characters (prospective Presidents) who are known perhaps to almost every man. This will not always be the case. The people will be sure to vote for some man in their own state, and the largest state will be sure to succeed. This will not be Virginia, however: The state will have no suffrage."

Think how many things have changed in America since Mr. Williamson made those statements! Can we continue to maintain a system that was, at best, a compromise in his day?

The Electoral College system was a kind of last-minute compromise in the Constitutional Convention, designed to end a deadlock that was caused by hostility to the popular vote on the one hand and a sincere belief that Congress should not choose the President on the other. (The fear was that a President elected by Congress would be completely subservient to that body, and hence, a weak executive.)

I doubt, however, that those who are reluctant to tinker with the work of the founding fathers realize what a strange system they devised and how utterly foreign it is to today's beliefs.

As originally established, the electors—"appointed" in whatever manner each state decreed—really would select the President.

There need not have been any popular vote at all. Furthermore, the electors originally were required to vote for two candidates for President. If anyone should receive the votes of a majority of the electors, he was to be declared elected President, while the candidate receiving the next highest number of votes, whether a majority or not, was to become Vice-President.

Again, Professor Hicks offers some insight into what was really intended, when he states, in *The Federal Union:*

It was assumed, however, that unless there were some outstanding candidate, such as in the first election General Washington was sure to be, an election by a majority of the Electoral College would be impossible, and each state delegation would merely cast its voice for some favorite son. [Then the election would go to the House, on a one state, one vote basis.] This involved a subtle compromise. [Since the House would choose from the five candidates with the most votes in the Electoral College], it appeared that the large states would ordinarily nominate the candidates, while the more numerous small states would hold the balance of power in the election to follow.

Obviously, if the Electoral College system were to function today as envisioned by the founding fathers, the nation would rise up in outrage. The Constitutional Convention really intended that the House should pick our President from nominees chosen by the Electoral College, a system that virtually every political observer today sees as chaotic and susceptible to widespread corruption. Remember that fact the next time someone argues against Electoral College reform on the ground that we shouldn't tinker with the work of our founding fathers.

As a matter of fact, the original constitutional plan for picking a President lasted only until 1804, when it was changed by the 12th Amendment. This directed that electors vote separately for President and Vice President, and said that when the Electoral College failed to cast a majority vote for President, the House would make the selection from the top three candidates (originally, from the top five). This amendment also shifted the responsibility for picking the Vice-President from the House to the Senate. In 1933, the 20th Amendment further modified the original plan by providing that the Senate should proceed with the election of a Vice-President if no President is elected, and that he should serve as President until a President is chosen.

The challenge to those who believe in government by the people is to proceed to amend the Constitution to elect the President by direct popular vote. We will hear a lot of reasons why this should not be done. Let's examine them.

"It will weaken the two-party system." It will not. It will save it. The greatest threat to the two-party system now lies in the fact that third- and fourth-party candidates make an Electoral College majority hard to obtain. This gives candidates such as George Wallace, with as few as five states' electoral delegates, enormous bargaining power—either in the Electoral College or in the House. A direct-popular-vote system, with a requirement that one candidate win 40 percent of the vote or face a runoff would greatly discourage the entry of third-party candidates. There would be no point at which they could make a deal. They would work only with the electorate as a whole—which is the way government ought to operate.

"It would end our Federal system of government." It would not. The Federal system is firmly established in the U.S. Senate, where every state has two votes, regardless of its size. The Senate retains great powers, especially in foreign affairs and in confirming Presidential appointments, and continues to be almost universally accepted as an effective government institution. The fact is, the Electoral College system is irrelevant to the institution of Federalism, because its effect is so capricious. No one knows in advance how it is going to work, so governmental decisions cannot be influenced by it. Under the present system, a tiny shift of popular votes could have resulted in the election of Dewey instead of Truman, of Nixon instead of Kennedy and of Humphrey instead of Nixon. Was it a triumph of Federalism that those elections came out the way they did? Would it have been a triumph if they had been reversed? Of course not. It would merely have been a freak accident, as unrelated to Federalism as it would have been to the popular will. The Presidency today is really above the Federal system. The President is the one elected officer of the Federal Government who does *not* represent states or special interests He represents people and the public interest.

"It would delay learning the outcome and would lead to massive recounts, subject to fraud." It might—and, again, it might not. Voting machines, computers and modern communications systems make it possible to tabulate a nationwide popular vote today far more quickly than we were able to compute the likely electoral vote even a decade ago. As for fraud, that is a strange argument from those who stand on the sanctity of the Federal system. Can't our states be trusted to take a fair vote for President, just as they do for Senators, Congressmen, governors, legislators, judges, and so forth? If this really is a problem, Congress might have to enact legislation to guarantee that all qualified citizens are allowed to vote. Personally, I think this whole argument on possible delay and fraud falls flat on its face. I would far rather risk a delay in computing the popular return in a close election than wait until mid-January to see what the House of Representatives might do. Any system runs the risk of delays and recounts. But only a popular-vote system guarantees that the public ultimately will win the election.

"Populous, industrial states would lose some of their present influence." This might prove true, although historically, many have expressed the exact opposite fear—that large industrial states would pile up big margins for their favored candidate and dominate the election. Recently, on the other hand, articles in *The New Republic* and other liberal journals have argued that the present Electoral College system has the desirable effects of forcing Presidential candidates to pay extraordinary attention to big cities and large industrial states, because their large chunks of electoral votes could easily decide an election. This argument contends that this helps offset the domination of the legislative branch by small states and rural areas. One obvious answer to this argument is that two wrongs do not make a right. Neither large nor small states should have extraordinary influence in choosing a President. A vote in Iowa should mean just as much as a vote in New York. The choice should be by people, regardless of where they live. By shifting to a popular-vote system, the small states would give up their unjustified bonus of two electoral votes (representing their two Senate seats) and the large states would give up the special attention they have received from candidates during campaigns.

"It would force democracy down the throats of the American people." That is an actual complaint, voiced by Lloyd Wright of Los Angeles, former president of the American Bar Association, during a 1967 A.B.A. debate. This is the one criticism of Electoral College reform that makes sense. If you really are of that strange breed that hates democracy, you should oppose Electoral College reform. If you really believe (as Colonel Mason and Mr. Williamson did at the Constitutional Convention) that the people should not have a voice in picking the President, then you are on solid ground in opposing Electoral College reform.

Reform of the Electoral College system would be a great step forward for our developing American democracy. It would enable our President—whatever his party—to come out from the shadow of the political bosses and the state machines and walk the streets again as the chosen candidate of all the people.

But if reforming the election system is attainable, why stop there? Why not reform the nominating system as well, so that the people have a really meaningful choice between candidates who stir the imagination of the electorate and generate a strong personal following?

After the Republican and Democratic nominating conventions of 1968, which alternately bored and horrified the public, the Gallup Poll found 76 percent of the people in favor of junking the convention system.

The most logical substitute is a nationwide primary system. But a nationwide primary presents serious technical problems. The biggest single problem lies in narrowing the field of prospects, so that the top candidates would have hope of polling something near a majority of the votes cast in each party. There also is the problem of how candidates would finance nationwide primary campaigning without the support of the party organization that a candidate acquires along with a convention nomination. (This problem could be solved, I believe, through strict new controls on political spending, coupled with a requirement that television stations—which operate under a public franchise—be required to give free time to Presidential candidates.)

At the very least, Congress should set up some rules for the selection of convention delegates. The present system is a disgrace.

In Wisconsin, partly because of the La Follette heritage, we have a tradition of making the public a full partner in government. Our convention delegates are selected in an open Presidential primary in which all of the major candidates are on the ballot and a citizen may choose to vote in either the Republican or the Democratic column. Delegates are elected from the state at large, as well as from individual Congressional districts. At the convention, delegates must vote for the candidate who won the primary, as long as he receives one third of the total convention vote or until he releases them.

Procedures followed in other states are, at the worst, scandalous and, at the very best, arbitrary and nonuniform. In Georgia, the governor appoints the state chairman of the party and he, in turn, chooses all of the convention delegates. Obviously, they are mere pawns of the governor: In Louisiana, the party's state central committee, elected four years earlier, when they don't even know who the candidates might be, picks the delegates with no participation by the public. In Texas (delegates are chosen at a state party convention that operates under the unit rule. Dozens of smaller units, presumably subservient to top party leaders, wield disproportionate influence in such convention. I am informed that in Oklahoma and Missouri, at least some delegates were selected at local party conventions that were held in secret. In Indiana, I am informed, some delegates were selected in a district caucus at which the district party leader announced his choices and rammed them through in a total of 22 seconds.

Obviously, the public is not given any consideration when delegates are selected in this manner, and we at least open the door to the suspicion of bossism and possible corruption.

Following the 1968 conventions, I introduced a resolution to set up a 30-member blue-ribbon commission to propose to the Congress a new and better nominating system.

It might be that the best solution to the Presidential nominating dilemma would be this: Let primaries in each state pick convention delegates on a popular-vote basis and, at the same time, register the public's feelings toward the leading Presidential candidates. Then let the conventions meet—with their honestly elected delegates—and make the final choice of their candidates.

The 18-year-old vote would be the final stage in making the President of the United States a truly popular leader who can reunite this country and guide it through the perils of the future. We saw in the primaries of 1968 how young people can be turned on by Presidential politics. And we saw at the two conventions how they can be turned off again. As my colleague from New York, Senator Jacob Javits, argued in *Lower the Voting Age* (Playboy, February 1968), if we are really sincere in deploring the dropping out of young people from society, why not bring them back in again by making them full partners in the American system? Youthful interest in government invariably begins with the Presidency. Let's give them a piece of the action the minute they turn 18, and give them a real stake in the future.

These reforms, as I said at the outset, will not come easily. But I am convinced that they are necessary if the American system of government is to regain the confidence of the people—specially the young people—without which I do not believe the system can survive.

These reforms also are necessary if we are to get what I think the people crave but are failing to receive—strong, personalized Presidential leadership. The public becomes cynical when candidates cater to power blocs, when they make deals with political bosses, when they seem to rate the favor of interest groups higher than the public interest. Yet the public desperately wants to be led—by a man who has earned their confidence and fired their imagination.

If the American people will demand that this session of Congress set in motion the necessary reforms in the Presidential system, I think we can look forward to a future of strong, responsible Presidential leadership, and to a united nation ready to build itself a new and better future.

THE NADER STORY

Mr. NELSON. Mr. President, consumerism has come a long way since the time Congress first recognized the need for consumer protection in 1872 with the passage of the criminal fraud statute.

In 1887, the Interstate Commerce Commission was created to regulate the railroads. In 1906, Upton Sinclair's novel "The Jungle" brought public attention to the need for regulation of packing plants and led to the Federal Meat Inspection Act. The Food and Drug Administration was created the same year, and the Federal Trade Commission was set up in 1915 to maintain "free competitive enterprise" and to prevent "unfair or deceptive trade practices." Following the stock market crash in the late 1920's, the Securities and Exchange Commission was founded to regulate the securities market.

There are now about 40 Government departments and bureaus, hundreds of laws, a Special Assistant to the President for Consumer Affairs, advisory commissions, and a consumer counsel in the Justice Department—all pledged to the consumers' interests. There is, as yet, no Department of Consumer Affairs.

But there is Ralph Nader, who, some say, heads the unofficial department of consumer affairs. Officers in the unofficial cabinet are the crusading students called Nader's raiders. When they first came to Washington 3 years ago, they numbered 12. This summer they will number 250—out of more than 2,000 applicants.

I ask unanimous consent to have printed in the RECORD an article about Mr. Nader, published in the January 1970 issue of the Progressive.

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

THE NADER STORY: WHAT MAKES RALPH RUN?

(By Paul Dickson)

The term "household word" is not one to be used with abandon. It is safe to say, however, that at thirty-five years of age Ralph Nader has become a household word. He is better known than many United States Senators, and is unquestionably the most prominent of all Washington lobbyists or lawyers. What is more, he is generating new household words and terms that are serving to further awareness of his unique mission and talents. *Life* magazine, among others, now uses the word Naderism without enclosing it in quotation marks.

In the four years since Nader first came into national prominence with his hard-hitting criticism of automobile safety, *Unsafe at Any Speed*, he has discovered and effectively played the role of the outspoken advocate of consumerism in the nation. To the dismay of old-line lobbyists, Nader has beaten them at their own game, but he has chosen the public interest rather than the special interest in his advocacy.

Nader has carved out a niche for himself in Washington while possessing none of the usual prerequisites. He is not salaried, appointed, elected, or employed by any client or organization. He is bound to no predetermined issues, as demonstrated by the ever-growing assortment of topics in which he has involved himself since he began with the issue of automobile safety. Pollution, pipeline safety, radiation, the American Indian, industrial safety, law schools and law firms, food, medicine, regulatory agencies, secrecy in government, and the effects of noise—these are just some of the issues now associated with him. Moreover, he still keeps a close eye on the automobile industry. From time to time somebody predicts that Nader will spread himself too thin and subsequently flounder when he chooses an issue on which he can neither substantiate his charges nor muster public indignation. Though conceivable, such a tactical error is not likely: Two traits which those around him most often ascribe to Nader are his thoroughness and his uncanny sense of timing.

Judged in terms of a one-man operation, he has been a phenomenal success: Nader's power has grown apace with his diversification. Despite periodic predictions by his detractors or by skeptics to the effect that Nader's influence must soon wane, it shows no signs of doing so. He has achieved in four years the kind of momentum that politicians dream of but seldom attain.

Nader got his start while working as an attorney in a Connecticut law office where he was handling a large share of its automobile accident cases. The idea for his book on automobile safety came because he was disturbed that the driver was almost always blamed for accidents while the vehicle itself was seldom singled out. Nader set out to prove the vehicle was often at fault. He was an immediate success with his first consumer issue; the book has sold almost a half million copies. In early 1966, when the furor over the book was still high, he mentioned, in an interview in *Saturday Review*, that the automobile safety issue had been so successful because Americans are ". . . starved for acts of the individual in a conflict situation outside the sports arena."

Now, many consumer issues later, he is still receiving the attention of students, journalists, members of Congress, and just plain consumers. He has remained controversial, and enjoys wide respect—along with some disdain. He has been a prime mover in making the consumer stand up and make himself heard. He has had an enormous impact on legislation, a feat he has accomplished as a witness in the hearing room, by working directly (often behind the scenes) with members of Congress, and by the timely introduction of new information or allegations in the press. Nader is in constant communication with the sympathetic Congressional members of Washington's "consumer establishment."

It could easily be argued that Nader's impressive record as an effective gadfly and everyman's lawyer has fulfilled his obligation to what he started out to do and that it might be time for him to start thinking about a more stable future. Nader does not have a Swiss bank account, a side business in accident referral, a subsidy from labor unions, nor any of the other covert sources of income that crop up in nasty rumors about him. He leads a frugal existence. His income is limited; he lives in a drab furnished room in an area of Washington known more for burglaries than cocktail parties, and he shuns all luxuries. His income is from magazine articles, lectures, an occasional quick course taught at a university, and the royalties from his book. He could easily work himself into a lucrative position in a law firm or take a fat job on Capitol Hill. This is just what his adversaries would love to see. According to Ralph Nader, nothing could be further from his mind.

Nader told me that there is no end to the specific areas he would like to explore, and he is not planning to drop the ones he is already working on. Beyond his interest in specific issues, Nader has tied himself to a grand plan which could ultimately have a far greater impact than all that he has done thus far. The three elements in the plan are young people who will work with him, an organization, and money—the last not for Nader but to keep the other two elements going.

The most important element in the plan is finding and cultivating other bright, dedicated young people who are of a similar mind. Over the last four years Nader has been in almost constant communication with students. He has found time to advise them individually, and he is one of the most sought after speakers on the college lecture circuit; he has also given "short" courses in consumerism, including a two week course at Princeton, his alma mater. His delivery and content are as strong on campus as they are in the Congressional hearing room; for example, he told a student group in Michigan last year that the United States ". . . will see consumer demonstrations someday that will make civil rights demonstrations look small by comparison." Nader says that he likes to talk with students because he feels their energies can be channeled into public service investigation. His interest in students has begun to pay off as a young force quickly lines up behind him.

There are now four facets to the Nader organization.

The first and perhaps least known of the Nader operations is one which at this point has no name (they answer the telephone with the words "Auto Safety"). According to Lowell Dodge, who works for Nader as head of "Auto Safety," the organization is one which is setting out to pick up where *Unsafe at Any Speed* left off. Says Dodge, "We're working on a lot of things—car and tire safety, a guide to auto repairs for consumers, and surveys." He adds, "In general,

we will act as a watchdog over the National Highway Safety Bureau and we intend to keep the pressure on Detroit."

Dodge, a recent graduate of Harvard Law School, is paid under a fellowship from the Consumer's Union of the United States, of which Nader is a director. He considers his new job to be permanent. The three others working with him are volunteers. "Auto Safety" is both a testament to and a lobby for Nader's large constituency of irate automobile owners. The office now handles the thirty to forty letters on automobile safety that are sent to Nader each day.

The second and best known of Nader's operations is Nader's Raiders. The first group of nine Raiders was assembled in the summer of 1968. Nader explained the rationale: "Students have long come to Washington to work *in* Federal agencies for the summer. My idea is to have them come down and work *on* the agencies: to come and study relentlessly on a daily basis what an agency is doing—this has never been done before." The students were assigned to two agencies: Seven zeroed in on the Federal Trade Commission and two probed the Food and Drug Administration. The investigations were not authorized by the two agencies.

Last summer the Raiders returned. There were more than 100 of them from all over the country with varied credentials: More than a score were women, a half dozen were engineering students, and several were medical students. Under the direction of Robert Fellmeth, Harvard Law student and alumnus of the first summer, the number of targets increased. Teams were assigned to the Interstate Commerce Commission, the Department of Agriculture, the Food and Drug Administration, safety agencies of the Department of Health, Education and Welfare, the health and safety activities of the Labor Department, and the Department of the Interior.

Also included in a significant new step was the influential Washington law firm of Covington and Burling. The law firm study, conducted by a team of law students, will be published shortly and will be a profile of the power and influence of large Washington law offices. Covington and Burling, one of Washington's oldest and most prestigious firms, has represented tobacco companies and drug manufacturers in Washington.

The major product of the first summer's activity, in 1968, was a stinging 185-page critique of the Federal Trade Commission, which has recently been released as a book. Strong, documented charges were made against the Commission. Among the conclusions and recommendations of the report was the Raiders' request that the Commission's Chairman, Paul Rand Dixon, resign. A typical charge appearing in the report stated that the Commission masks its failures with secrecy, misrepresentation, and "collusion with business interests." The FTC report received plenty of news coverage, touched off charges and counter-charges, and precipitated a Presidential study of the FTC. The Presidential study, conducted by the American Bar Association, came up with similarly stinging charges and cited the Raiders' report with approval.

While the report was an important product of that summer, the original Raiders felt that what they learned from Nader was even more significant. John Schulz, team leader for the FTC study and assistant professor of law at the University of Southern California, says that the invaluable part of the summer was learning Nader's investigative style. This is how he explained it to me:

"Typically, a member would do his homework on an area of the Commission's activities by reading public documents. Then meetings would be arranged on an off-the-record basis with people who were in a position to know about that area of the FTC's operation. Finally, an interview would be set up with the FTC officials in the particular area of interest. In the interview a response which was not in line with what had been learned in the off-the-record interviews would be pressed and the responses recorded."

Schulz points out that the pursuit of facts which were in disagreement between the outside sources and the FTC yielded some of the best leads. One key element in the group's information gathering process was Nader's inexhaustible list of contacts. Says Schulz, "Nader has a working relationship with a great number of people in and out of the Government. He protects these relationships by assuring them that the confidentiality won't be violated."

The results of the efforts of the class of the summer of 1969 are not yet available. The reports of the various teams will start coming in shortly, to be released at times Nader deems appropriate. Eventually the reports will be published in book form, with the royalties earmarked to field future teams of Raiders.

Meanwhile, individual Raiders are taking independent action. James Williams, one of last summer's Raiders and a Princeton engineering student, was the author of an amendment to the Motor Vehicle Safety Act passed by Congress in September. The amendment, based on summer investigation, is aimed at the study and prevention of farm tractor accidents. There are many other examples of efforts by last summer's group, especially on the state and local level. Plans now call for another large team next summer and serious thought is being given to deploying some teams to state capitals and city halls.

The third and undoubtedly the most important facet of Nader's organization is one which began early last summer with the somewhat drab tile of The Center for the Study of Responsive Law (where they answer the telephone with, "*The* Center"). Quartered in a brick row-house near Washington's Dupont Circle, the Center staff includes seven professionals—six lawyers and a political scientist. These men are full-time workers who will help the summer Raiders.

The Center is the basis for what may emerge as one of Nader's most cherished concepts. As Nadar explained it to me: "I think there is a need for what might be termed a public interest law firm, composed of lawyers, economists, accountants, scientists, technical specialists, and physicians who will engage in a vigorous pursuit of the public interest in Washington, whether it deals with air pollution, water pollution, pesticides, product safety, or any of a whole range of issues that come up for Congressional decisions and administrative implementation." Nader believes that government reacts to pressure, and in Washington only special interests are in active operation exerting their power on a government which is more likely than not to bend to that pressure. "What is needed," says Nader, "is a counterbalancing force, so that the broader public issues receive a systematic and highly professional airing in our councils of government."

The fledgling Center has Nader as its board chairman and employs Harrison Wellford, a candidate for a doctorate in political science, as its executive director. The Center is now compiling a "citizens handbook" outlining ways in which a citizen can participate in government proceedings to secure his rights.

The fourth and remaining facet of the emerging Nader organization is the least organized and one which those who work with him call his "amorphous and largely secret network." Nader has followers all over the nation on whom he can call to ferret out special information. Says Lowell Dodge: "Nader produces from time to time detailed and comprehensive reports which come from these people in the field. We know very little about them except that they are specialists who come up with significant information."

Crucial to all of the new activity is the fact that Nader is starting to attract money. His early efforts were made possible by the estimated $60,000 in royalties from his book, but a year or so ago he realized he would need more to finance his expanding operation. The first group of Raiders were, for the most part, unpaid, although Schulz received a grant of $500 from the *Yale Law Journal*. Nader started looking for funds anywhere he thought he could find them, including the Ford Foundation. The money is now coming in. Some of the 1969 Raiders were given individual stipends of between $500 and $1,000 from the New World, New York, and Taconic Foundations. Those who could paid their own way, and others were paid small amounts by Nader and other individuals. The plan now calls for using royalties from the publication of reports from the summer of 1969 to help finance the Raiders of 1970. The Center is currently operating on a $55,000 Carnegie Foundation grant, two $10,000 grants from the Aaron Norman and Jerome Levy Foundations, and $18,000 from a wealthy Massachusetts lawyer who admires Nader.

Nader and those close to him feel they can continue to raise the money they will need to grow. Nader has considered "a consumer dues system" for the law firm and has not ruled out Federal support. He reasons: "If [the] Government can give subsidies by the hundreds of millions to private industry, which are special interests, I don't see why the Government shouldn't begin to support consumer protection activities which, of course, are designed to protect us all."

Ralph Nader's ultimate goal is reform: His ism is based on saving man from himself and his products. His goal transcends a variety of labels which are attached to him. He is more than a muckraker, a lobbyist, a lawyer, or an investigative reporter; he is also a reformer who plays these roles to achieve his desired end. He has set out to change the scheme of things with the single-mindedness and dedication of a devout populist, a sincere evangelist.

The public side of Ralph Nader is easy to find—ask him about Washington law firms or hazardous radiation from television sets and he will pause for a moment and then respond with a long, carefully thought-out, and factual response. Ask Ralph Nader about Ralph Nader and one gets terse, self-effacing answers.

Contrary to many portraits of the man that have described him as dour, one-dimenisonal character, he is a personable, enormously energetic, wide-ranging young man. At the person to person level, he is relaxed, courteous, patient, and devoid of his public cynicism. His most striking characteristic is his sincerity. His lieutenants have personal opinions of Nader that come close to pure testimonial. After a summer working with him, Schulz saw him as "witty," "possessed of entirely genuine and seemingly endless outrage and indignation," "a great motivator and a wellspring of ideas," "having tremendous intellectual charisma," and "gracious." Schulz was most impressed with Nader's dedication: "He accomplishes the work of three or four people and works unbelievably long hours. This man is at it seven days a week and some days puts in as much as eighteen to twenty hours."

There are aspects to Nader's background which suggest the shaping of this dedicated and uncompromising personality. His parents emigrated from Lebanon in 1925 and settled in Winsted, Connecticut. His father, who owns a restaurant, was soon active in local issues such as helping to create a community college. Ralph Nader credits his parents with giving him a strong sense of the individual's duty to contribute to the improvement of society. Ralph's older brother, Shaffack, who helps run the family restaurant, is, like his father, constantly involved in local campaigns and crusades.

Ralph entered Princeton in 1951 and graduated with a degree in Oriental studies, *magna cum laude*, a Phi Beta Kappa key, and a developing sense of anger over the lack of interest in the public interest. In the apathetic 1950s, Nader was far from the stereotyped Princeton clubman in white bucks and blazer, He was convinced that the use of DDT on the campus was killing off the songbirds, which in those pre-*Silent Spring* days was considered the notion of a crank. His classmates refused to become involved in his DDT crusade and the campus paper refused to publish an article he had written on the use of pesticides on campus.

During his Princeton years he also became interested in, and then outraged by, the plight of the American Indian. He spent vacation time on Indian reservations and produced a paper condemning those who were exploiting and dehumanizing the Indian. The silent, satisfied status quoism on campus was a source of frustration for Nader.

He also found fault with his next stop, Harvard Law School. He later described the curriculum at Harvard Law as one with "a great overemphasis on the kinds of subjects in law practice which the wealthy are primarily concerned with, and not very much emphasis on the kinds of practice which deal with the mass of the public." A telling incident occurred while he was at Harvard: He disposed of the only car he ever owned when he became convinced of its safety defects.

After law school it was six months in the Army, a grand tour of Europe and South America, and employment with a Hartford law firm where he began to develop his concern about auto safety. Along the way he mastered five languages—Chinese, Russian, Arabic, Spanish, and Portuguese.

Nader is not without quirks, the most notable of which is his penchant for privacy, which often assumes the proportions of a cloak and dagger operation or comic opera. He has a topsecret office that is occasionally relocated for security reasons. According to Lowell Dodge, nobody working with Nader has access to the office or knowledge of where it is. It is used for outgoing calls of an important nature, as a repository for projects in progress, and a place for Nader to work and think alone. He has a secret telephone line for his most important conversations, a slightly less secure line for secondary calls, and he makes it a policy of not having a line where he can be reached on a regular basis. If you want to talk with Nader, you leave word around: at the Center, at Auto Safety, with the newsdealer on the ground floor of the National Press Building, or with one of Nader's staff. Once contact is made, it's your place, not his, for an interview. Nader sees his privacy as an essential resource. He feels that memos, meetings, and unsolicited telephone calls would severely hamper him. It is also clear that the notorious incident when General Motors' sleuths tried to get something on Nader has influenced his current mode of operation. The G.M. incident made it obvious that Nader was no longer a crank out to get DDT off campus, but a serious threat to the image of an industry. Secrecy would seem to be a proper defense against venal snooping. Nader wishes to keep his next move or campaign secret; this gives him the advantage of surprise. Some have suggested that his secrecy is also "good drama," which enhances his role.

Nader has little time for anything outside of his mission. If he had the time, he says, he would play basketball, chess, squash, and do some hiking. He adds: "There isn't time for that anymore." Nader told me his relaxation comes from working hard. This dedication brings up the frequently asked question of what makes him do it—or, on another level, what's in it for him? Nader believes that such questions are in themselves an indictment of things as they are, for they suggest that people find it hard to believe that a person can put all his energy into public interest issues.

His aides say that nobody would be asking these questions if Nader were pouring his energies into religious evangelism, antivivisection, a Hollywood career, or getting elected to public office. As a matter of fact, there are those who view Nader's activities as planned prelude to getting himself elected to public office. From time to time, the rumor crops up that he will seek a Senate seat from Connecticut. Those close to him say that election is only a long-term option and not a motive. In reality, he already has the fame, visibility, and power that many Senators are still seeking.

It is becoming clearer that his motive lies deceptively on the surface: Ralph Nader is simply amassing the clout he needs to fight for what he believes in.

ESTONIAN INDEPENDENCE

Mr. ALLOTT. Mr. President, it is a pleasure to join with all Americans of Estonian descent in celebrating the 52d anniversary of the declaration of independence of the Republic of Estonia.

For two decades the Estonian people enjoyed independence and political freedom. Then during World War II, while we fought against National Socialist imperialism, Estonia fell victim to Soviet imperialism. Soviet armies occupied Estonia, and have never left.

For 30 years now Estonia has suffered from cruel despotism. For 30 years the United States has steadfastly stood by the principle that Soviet domination of Estonia is illegitimate. We have never recognized the incorporation of Estonia into the Soviet empire and we are glad that Estonia continues to maintain diplomatic and consular representation here.

Mr. President, we wish all Estonians the very best on this Independence Day. We fervently hope the future will bring a second Independence Day, and lasting independence.

INDIAN HEALTH CRISIS

Mr. CRANSTON. Mr. President, in January I joined with more than 90 Members of the House and Senate in writing to the President, asking that the administration immediately release $3,000,000 of the funds appropriated by Congress for Indian health programs.

Congress in the supplemental appropriation act, Public Law 91–166, had appropriated $2,048,000, of which $1 million was intended for contract medical services, and $1,048,000 for staff, supplies, and equipment for Indian Health Service programs. A total of $957,000 of the original appropriation bill intended for this same purposes had also been withheld.

Until mid-February, the administration had taken no steps to release these funds. Finally, at that time, $1 million was released for contract medical care. In addition, the $957,000 in the original appropriation bill was also released, but its use was restricted to supplies and equipment, and any expenditure for staff was prohibited. The remaining unallocated $1,048,000 was then transferred from the staff, supply, and equipment account, to be used to defray the increased costs to the Indian Health Service resulting from the Pay Act increase which became effective last year.

While I am gratified that some of these funds were released for the purposes for which they were appropriated, I am still distressed by the apparent lack of recognition by the administration of the dire circumstances under which the Indian Health Service operates.

One of the situations which prompted my support of the letter to the President was a description of the effects of budget limitations on the ability of the dedicated staff members to deliver day to day services in one of our Indian hospitals at a performance level in which they could take pride.

The first inadequacy they must face is the hospital building itself. The building dates from 1934 and is so inadequate that hospital accreditation has been withheld. The staff has been told that accreditation will never be granted so long as the hospital remains in the present building. The laboratory space, the size of the waiting room, and the outpatient clinic are all too small for the number of patients served. Doctors and patients are constantly tripping over each other. There are no adequate isolation facilities in the inpatient wings. This situation is particularly grievous at this hospital since over 50 percent of the admissions are for infectious diseases.

The second inadequacy is the lack of personnel. During a recent 6-month period there was a ratio of one staff member for 206 inpatient hospital days and one staff member for 305 outpatient visits. Included in these staff figures are doctors, nurses, and all supporting personnel, including janitors.

The third inadequacy is in the area of equipment. In the medically sophisticated era in which we live, equipment undergoes significant changes frequently, as new techniques are developed. This hospital has been unable for the last several years either to buy new equipment or to replace the antiquated, outdated, and wornout machines already on hand.

Indeed, the supervising unit director, after waiting many months while a request for an excess property transfer of three dictating machines, urgently needed to expedite the enormous paper backlog, finally attempted to purchase the dictaphones with his own money through his father, 2,500 miles across the country. Eventually, arrangements were made for a private person in Philadelphia to donate to the hospital three machines he had purchased for a fraction of their value when they were declared surplus by the Navy Department. What can I say to add to the ludicrousness of this situation?

A part of the services provided by this Indian health unit is a field health program which consists of three clinics at distances of 40, 60, and 80 miles from the central hospital. Here again, the program is severely handicapped by shortages in manpower, facilities, and equipment. One of the clinics is a converted trailer which is wholly inadequate for its purpose; the other clinics badly need repair and enlargement. There are two public health nurses for 15,000 people, which translates to a ratio of 1 to 7,500, an incredible situation, and a tragic one. It is unrealistic to expect any degree of

success from a preventive health program operated under these conditions.

There is one clinic vehicle available to transport the doctor to these field clinics. The vehicle is in the same state of disrepair as the bulk of the equipment at the hospital station. There is no personnel slot for a driver; thus the physicians drive themselves and patients to or from the field stations. The physicians are becoming quite adept at making emergency repairs along the road, often under extremely adverse weather conditions. One doctor suffered frost bite; and a patient was critically endangered when their vehicle broke down in a heavy snowstorm.

Mr. President, this state of affairs is not limited to this one facility. A congressional investigation conducted by members of the House Committee on Interior and Insular Affairs, Subcommittee on Indian Affairs, has documented the critical needs of the Indian health program. Yet the administration still refuses to utilize all the funds appropriated. These funds must be released immediately. As a member of the Health Subcommittee of the Committee on Labor and Public Welfare, I again call upon the administration to remove the freeze, and to make the $1,000,000 available for the staffing purposes for which it was appropriated.

PROPOSED NATIONAL ECONOMIC EQUITY BOARD

Mr. HARRIS. Mr. President, recently, in Oklahoma, I made a statement calling for the establishment of a National Economic Equity Board to set voluntary guidelines on wages and prices, with the power, if necessary, to institute freezes for up to 6 months.

It is incredible that in this, the richest, best educated, and most skilled Nation in the world, officials should announce zero economic growth, rising unemployment, and idle productive capacity as major governmental accomplishments. This is wrong.

In the hope my statement may be of interest or use to Senators, I ask unanimous consent that it be printed in the RECORD.

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

STATEMENT OF U.S. SENATOR FRED R. HARRIS AT A PRESS CONFERENCE AT OKLAHOMA CITY, OKLA., FEBRUARY 20, 1970

The economic policies of this Administration are terribly out of kilter.

Inflation is at its worst since 1951, interest rates are at their highest level since the Civil War and people are being laid off their jobs in alarming numbers.

The Administration deplores inflation but has mistakenly refused to even speak out against wage and price increases, even in the basic industries, or to set up voluntary guidelines.

The Administration has also been dreadfully mistaken in its high interest rate policy.

The result of these policies is that, while there are huge and growing backlogs in housing needs, home construction has been drastically slowed.

While there is tremendous demand for goods and products, idle plant capacity is purposely forced upward.

While hundreds of thousands are already looking for work, the unemployment rate is deliberately pushed higher.

I say it is a wretched and heartless policy that makes men go jobless in order to slow down the economy.

By refusing to take the steps which it should have taken, this Administration has brought us to the point where more drastic measures are now necessary.

I propose the creation of a National Economic Equity Board to set up voluntary guidelines on prices and wages.

The Board, which should be composed of representatives of both management and labor, would hold hearings and issue findings and focus the spotlight of public opinion on wage and price decisions.

The Board should have the power if necessary to institute wage and price freezes for up to six months in order to give the economy time to cool off and get back to normal.

I do not like the idea of wage and price controls any more than the next person. But I think the system I propose would be far preferable to the misguided economic policies of this Administration which deliberately drive interest rates up out of sight and send hundreds of thousands into the jobless lines.

ADVANCE PAYMENT REFUSAL HURTS FARM PROGRAM

Mr. NELSON. Mr. President, the future of the Government's feed grain program is being jeopardized by the Agriculture Department's refusal to make advance payments to participating farmers this year.

Twenty-three percent fewer farmers than last year have signed up for the feed grain program so far this year because farmers have no incentive to enter the program.

Farmers participating in the feed grain program have received advance payments every spring for the past 7 years. Now, without the early incentive, only 331,000 farmers have agreed to divert crop acreage this year, more than 100,000 less than last year.

The decline in participation thus far represents 3 million fewer acres diverted from crop production in the feed grain program which stabilizes farm income and crop supplies by encouraging farmers to limit production. In Wisconsin, only 15,277 farmers have signed up for the program as compared with 18,741 during the same period in 1969.

With less than a month left before the signup deadline, the Agriculture Department should reverse its earlier decision and immediately authorize advance payments to all farmers who wish to join the program.

Otherwise, sufficient acreage might not be diverted from production over the coming year and the resulting oversupply on the market will force farm income down to disastrous levels.

Nearly 53,000 Wisconsin farmers received $12,768,722 in advance payments last year for diverting more than 1.5 million acres.

Now, these farmers are being forced to borrow funds at outrageous interest rates, often upward of 12 percent. In the past, they have received the money that they needed for planting and other operating expenses from the advance payments.

The Department's apparent reason for denying advance payments this year is to shift the expenditure of funds to the next budget year, which begins on July 1.

The Agriculture Department is trying to balance its own budget at the expense of hundreds of thousands of family farmers who now have to turn to banks and other lending agencies to obtain the funds they need to keep their farms operating.

Proposed legislation is now pending to require the Agriculture Department to make at least 50 percent of farm program payments to participating farmers in the spring. Unless the Department acts soon, Congress should act to require payment of these funds.

FINANCIAL STATEMENT OF SENATOR ALLEN

Mr. ALLEN. Mr. President, before coming to the U.S. Senate on January 3, 1969, I had filed with the Secretary of the U.S. Senate, the secretary of the State of Alabama, and the probate judge of Etowah County, Ala.—my home county—a statement of my assets and liabilities as of December 20, 1968. Then in January 1970, I filed with said officials a statement of my assets and liabilities as of December 31, 1969.

I ask unanimous consent that there be printed in the RECORD a copy of each of said financial statements so filed by me.

The statements themselves contain a declaration of my purpose in filing the statements.

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

FINANCIAL STATEMENT

STATE OF ALABAMA, *County of Etowah.*

I, James B. Allen, Gadsden, Alabama, do hereby certify that the following is a true and correct statement of my financial condition as of December 20, 1968:

ASSETS

Home at No. 1321 Bellevue Drive, Gadsden, Ala	$32,500.00
Furniture, furnishings, books	5,000.00
Automobile	3,500.00
State of Alabama bonds, at cost	21,000.00
U.S. savings bonds, at cost	7,500.00
City of Mobile bonds, at cost	4,200.00
Bank certificates of deposit	15,000.00
Note, receivable	1,500.00
Bank accounts	8,284.01
Stocks and corporation bonds	None
Total	98,484.81

LIABILITIES

Reserve for balance of 1968 Federal and State income taxes	5,000.00
Estimated unpaid and unbilled personal and household bills	500.00
Other liabilities	None
Total	5,500.00
Net worth	92,984.81

I am not an Officer, Director, Stockholder, or Attorney for any Firm, Company, or Corporation, nor am I a member of any law firm, nor am I now engaged in the practice of law.

This statement is made pursuant to a declared policy of filing annually with the Secretary of the U.S. Senate, the Secretary of the State of Alabama, the Probate Judge of Etowah County, Alabama, a statement of my

assets and liabilities. A similar statement will be filed each year during my service in the Senate.

The purpose of this statement is two-fold:

1. To show the absence of any conflict of interest between my ownership of assets and my service in the Senate in the public interest.

2. To keep the public advised as to my financial status, and to disclose the extent to which I have benefited financially during my public service.

I believe that the public is entitled to this information from me as a United States Senator in the discharge of this public trust.

This December 20, 1968.

JAMES B. ALLEN.

Sworn to and subscribed before me on this 20th day of December, 1968.

LUCILLE G. YEAGER,
Notary Public.

FINANCIAL STATEMENT

STATE OF ALABAMA, *County of Etowah:*

I, James B. Allen, Gadsden, Alabama, do hereby certify that the following is a true and correct statement of my financial condition as of December 31, 1969:

ASSETS

Home at 1321 Bellevue Drive, Gadsden, Ala	$32,500.00
Furniture, furnishings, books	5,000.00
Automobile	3,500.00
State of Alabama; city of Huntsville, Ala., bonds at market	19,000.00
U.S. savings bonds, at cost	1,500.00
U.S. Treasury notes	20,000.00
Note, receivable	1,500.00
Bank accounts, estimate	2,250.00
Payments into civil service retirement account, estimate	3,000.00
Stocks and corporation bonds	None
Total	88,250.00

LIABILITIES

Estimated unpaid and unbilled personal and household bills	500.00
Other liabilities	None
Total	500.00
Net Worth	87,750.00

I am not an Officer, Director, stockholder, employee or Attorney for any person, firm, company, or corporation, nor am I a member of any law firm, nor am I engaged in the practice of law in any form.

My income is limited to my Congessional salary and interest on assets listed above. During 1969 I received no honoraria or expense payments or reimbursements of any sort; nor do I have a committee or person designated to receive contributions, political or otherwise.

This statement is made pursuant to a declared policy of filing annually with the Secretary of the U.S. Senate, the Secretary of State of the State of Alabama, the Probate Judge of Etowah County, Alabama, a statement of my assets and liabilities. A similar statement will be filed each year during my service in the Senate.

The purpose of this statement is two-fold:

1. To show the absence of any conflict of interest between my ownership of assets and my service in the Senate in the public interest.

2. To keep the public advised as to my financial status, and to disclose the extent to which I have benefited financially during my public service.

I believe that the public is entitled to this information from me as a United States Senator in the discharge of this public trust.

This December 31, 1969.

JAMES B. ALLEN.

Sworn to and subscribed before me on this 31st day of December, 1969.

LUCILLE G. YEAGER,
Notary Public.

HENRY GIBSON SPEAKS OUT FOR THE ENVIRONMENT

Mr. NELSON. Mr. President, a significant portion of the state of the Union address was devoted to the issue of the crisis that we are headed for if we continue to contribute to the deterioration of our Nation's natural resources. I commend the President on taking a public stand for a clean environment, for I can think of no other issue that deserves our attention in this decade more than the issue of how we can make peace with our environment. Many of our citizens are enraged, and we are witnessing an unprecedented interest in the quality of the environment from people from all walks of life—people who are concerned about making this globe a livable place for our children.

Recently, a leading entertainer and lifelong conservationist addressed himself to this subject when he spoke before the annual Keep America Beautiful meeting in New York. Henry Gibson, sometimes poet and sometimes priest in NBC's popular "Laugh-In," vividly demonstrates in his brief remarks a sensitive awareness of the crisis. Mr. Gibson's declaration of dependence is a startling example of the attitude which our citizens, industries, and government must adopt if we are to learn to live in peace with nature.

I ask unanimous consent that Mr. Gibson's remarks be printed in the RECORD.

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

REMARKS BY MR. GIBSON

Everyone is protesting violence these days. But what can be worse than the violence we inflict every minute of every day upon our own environment?

Litter is violence. Noise is violence. Smog is violence. We worry about our children's exposure to violence on TV . . . but what about the violence done to them?

It has been only two years since I became associated with Keep America Beautiful, but I'm glad I did . . . for Keep America Beautiful has instilled in me a growing concern for our weak and wounded environment.

We here in this room know the statistics better than most. Each of us can recite figures about the tons of pollutants and poisons and wastes accumulating daily in this country. We know the effects of pollution on our health, on our homes, on our pocketbooks, and on the lives of those who will come after us.

And, yes, our message is getting through slowly to some who never stopped to think about such things before. But, in the single day it takes us to make one convert to this cause, there is a net gain throughout the world of three hundred thousand babies. And each is Technology's child.

If he's born in this country, chances are he'll be nursed on mother's milk containing DDT at three to seven times the FDA danger level.

He carries strontium 90 in his bones . . . asbestos in his lungs . . . consumes three pounds of additive chemicals per year . . . inhales three quarters of a ton of toxic air each year . . . drinks water half of which is either below Federal drinkability standards or of unknown quality . . . lives against a background radiation that has increased five per cent from fallout . . . amid a constant barrage of noise so intense, no one has yet been able to estimate its national level.

But Technology's children are *our* children—my three boys, your sons and daughters. Is there no hope for them?

Yes, there is hope, but time is running out.

There is hope in each of you here today, being honored for your achievements. But time is running out.

There is hope in your communities, in your families, in your children, in all the children reached by your individual efforts. But time is running out.

There is hope in the magnificent service being rendered by our heroic national and local conservation groups, by our Boy Scouts, our Girl Scouts, our 4–H Clubs. But time is running out.

There is hope in the enlightened press and TV coverage being given the subject of environment by our greatest newspapers, magazines and networks. But time is running out.

There is hope in the inspired national leadership of such environmental champions as Senators Nelson, Muskie and Jackson. But time is running out.

There is hope in your efforts to turn your enlightened technology to the task of saving our race and our environment.

But time is running out.

All our children learn the Declaration of Independence. But, in these times of environmental crisis, perhaps they should also learn a Declaration of Dependence—a declaration of our dependence on Nature. Here's the one I taught my sons:

"I am a part of Nature.
I am a part of everything that lives.
I am bound together with all living things
in air, in land, in water.
My life depends upon Nature—
Upon its balance, upon its resources, and
upon the continuity of both.
To destroy them is to destroy myself.
As a member of the human race
I am responsible for its survival.
I am a part of Nature.
I will not destroy it."

I promised you I'd recite a poem, and I will, but it's one of the saddest poems I've ever written. I hope I'll never have to recite it again.

"ELEMENTS

(By Henry Gibson)

"I used to like fresh air
When it was there.
And water—I enjoyed it
Till we destroyed it.
Each day the land's diminished.
I think I'm finished."

ON GRAZING FEES

Mr. McGEE. Mr. President, if we believe all of what we read in the newspapers we inevitably are going to be misled at times. So it is with a column written by Jack Anderson which appeared in the Saturday Washington Post and a large number of other newspapers across this country. It would have us believe that Western ranchmen are out to ambush the Public Land Law Review Commission, Congress, the Treasury, and the public. The issue he writes of is grazing fees for use of the public domain.

Mr. President, I am not an apologist for Western ranchers; not even Wyoming ranchers. I happen, however, to know them well and to know the problems they have with the currently suspended proposals to raise annual grazing fees both on public lands administered by the Interior Department and on forest lands. Frankly, they have a strong case; and are not out to freeload on Uncle Sam. For example, Mr. President, I know from many sessions with cattlemen and with wool growers who use public lands for grazing that these livestock producers are willing to pay a fair con-

sideration for their use of these lands, and further know that they realize this will be required of them. Fair is fair, however, and these men also want assurances that the grazing fee schedule they are subject to is equitable and does not simply represent another increase in cost with no corresponding opportunity for increased income. Already, the livestock producer is up against the wall because of a cost-price squeeze. As it happens, Wyoming livestock operators are using 13.1 percent of the total 21,440,031 animal-unit-months provided by the public lands in the United States. This is the largest percentage of AUM's allocated to permittees in any State. Thus, my State is the most affected by this question. And that, Mr. President, is why I speak today.

When, in 1968, a 10-year program of staged increases in grazing fees was announced, the Wyoming Stock Growers and Wool Growers Associations, among many other interested parties, sought to have the new fee schedule, incorporating increases of up to 400 percent over a decade, held in abeyance until the report of the Public Land Law Review Commission was filed—as it is scheduled to be later this year. In view of the situation with regard to public lands, this seemed reasonable. Yet Mr. Anderson's column makes it sound as if the Secretary of the Interior buckled under to a power play when he announced a moratorium on further grazing fee increases. I would remind him that many Members of this body and of the House had the same request.

For my own part, I protested the announced increase in grazing fees because it was an action taken in isolation from the many other issues involved in the Public Land Law Review Commission's study—issues Mr. Anderson mentioned, though he chose to focus his spotlight only on the question of grazing fees. The question of land management involves watershed protection, recreation and public access, wildlife protection and management, mining, and many other issues aside from grazing.

Our public lands are a precious heritage which must be safeguarded. And they must be looked upon as a whole, with all questions affecting their future reasonably and intelligently considered. Indeed, in the long run, it will be of greater importance that we have managed these lands well and fostered their maintenance rather than that we have managed them for the purpose of producing the greatest income to the U.S. Treasury. And it is about as important, in my judgment, that we also foster a healthy livestock industry as well. That need was recognized in the Taylor Grazing Act, which states that its purpose is to provide for "stabilization of the livestock industry," and which calls for "reasonable fees."

Reasonable fees, Mr. President, will not find many opponents on the range. Indeed, I have letters in my files from graziers who readily concede that some increase in their own fees would be reasonable. That is not exactly the image of an industry out to ambush the taxpayer.

Mr. President, my own proposal, in which the Senator from Utah (Mr. Moss) has joined, is embodied in S. 716, introduced last year and now pending before the Interior Committee. That bill would permit the cost of a grazing fee to be taken into consideration by the Federal departments in the formulas used by them to establish fees for grazing permittees.

I have no quarrel with the concept of reasonable return, and no quarrel with the concept of comparability between private and public land grazing costs. But I have suggested before, Mr. President, and I repeat today, that we cannot be fair or reasonable if we are to be selective and arbitrary in selecting those particular cost factors which we are willing to consider in determining fees. If comparability is our goal, then certainly few reasonable persons would object to the proposition that all cost factors should be considered. And among those costs is the price of acquiring a grazing permit in the first instance. My bill would see that it is a relevant factor.

Now, I am aware of the objections against this approach; namely, that it would constitute recognition of a permit as a property right instead of a privilege. While, in theory, the argument has some merit, in practice everyone familiar with the situation recognizes that Taylor grazing rights have been sold, transferred and otherwise alienated with the exchange of valuable consideration. It is unreasonable to pretend otherwise, and it is time we faced life like it is on the range.

That, I believe, is what the western livestock industry is trying to say.

ESTONIAN INDEPENDENCE

Mr. SMITH of Illinois. Mr. President, today is the 52d anniversary of the Declaration of the Independence of the Republic of Estonia, yet another Baltic state like Latvia and Lithuania, cruelly stripped of her freedom by the force of Communist aggression and violence.

Hardly an American Estonian has been spared personal suffering from the terror of Russian domination of his homeland. Friends and relatives trapped by the seizure of Estonia in 1940 have been subjected to Soviet Russification programs of expropriation, pauperization, deportation, and, the ruthless suppression of all basic human rights.

The United States has steadfastly refused to recognize any legality in the Russian control of the Baltic States. We continue to recognize the legitimate representatives of Estonia, Latvia, and Lithuania. Congress has reaffirmed American support of the right of the captive Baltic peoples to restoration of freedom and liberty in their lands by the adoption of House Concurrent Resolution 416, which I ask unanimous consent to have printed in the RECORD.

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

H. CON. RES. 416

Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and

Whereas all peoples have the right to self-determination, by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and

Whereas the Government of the Soviet Union, through a program of deportations and resettlement of peoples, continues in its effort to change the ethnic character of the populations of the Baltic States; and

Whereas it has been the firm and consistent policy of the Government of the United States to support the aspiration of the Baltic peoples of self-determination and national independence; and

Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people: Be it

Resolved by the House of Representatives (the Senate concurring), That the House of Representatives of the United States urge the President of the United States—

(a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the people of Estonia, Latvia, and Lithuania, and

(b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

NUCLEAR POWER PLANT ON MISSISSIPPI NEAR TWIN CITIES

Mr. NELSON. Mr. President, the Joint Committee on Atomic Energy this week reopened hearings on the environmental effects of producing electric power. One of the issues being considered is the location of a nuclear power plant on the Mississippi River near the metropolitan area of Minneapolis and St. Paul.

The Senator from Minnesota (Mr. MONDALE) has prepared a statement for the Joint Committee in connection with this case. In his statement, Senator MONDALE points out the discrepancy between allocations for promotion of atomic power and for the regulation of this power. He also questions current AEC policy.

I ask unanimous consent that the Senator's statement be printed in the RECORD.

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

STATEMENT BY SENATOR WALTER F. MONDALE

A controversy has developed in Minnesota over the installation of atomic power plants in the Twin Cities area.

Rising concern with the threat to the environment and to the health of residents in this area has prompted the Minnesota Pollution Control Agency to increase limitations on radioactive effluents beyond the standards set by the Atomic Energy Commission.

I am disturbed by the potential danger of these effluents, and I am concerned that the Federal agency charged with regulating these installations is the agency also responsible for promoting them.

Strong evidence suggests that while the Atomic Energy Commission is doing an excellent job of promoting peaceful uses of atomic energy, it is not doing nearly enough to regulate nuclear power in behalf of the public and our environment.

This apparent conflict of interest is revealed in the budget allocations to regulatory activities. From an AEC budget of just

under $2½ billion, only about one-half of one per cent is earmarked for its regulatory functions.

The reliability of the AEC's regulatory program is surely open to question when provided with such a minuscule portion of its total resources. As the atomic energy field expands, it is important that the regulatory effort is also expanded and strengthened. In addition, I think we need to take a hard look at this odd coupling of regulatory with promotional activities.

The Minnesota Pollution Control Agency felt that the AEC regulations were too permissive. In the absence of effective regulation from the AEC, the Minnesota agency employed expert counsel and devised its own limits to assure adequate protection for the people of the State.

The operation of a nuclear power plant within forty miles of Minneapolis and St. Paul poses at least three possible problems.

A malfunction similar to those experienced at nuclear installations in the past could be calamitous in a metropolitan area. Hopefully, this prospect is very remote.

Yet at the same time, the routine operation of this proposed plant would create thermal pollution and cause the discharge of radioactive material into an adjacent waterway. In this Minnesota case, the waterway happens to be the Mississippi River—a major source of water for the Twin Cities and its one million residents.

There is evidence that waste heat can alter the ecological balance of a body of water. The peril of a nuclear power plant's apparatus to marine life was dramatically illustrated this month by the fish kill in New York State.

Any deterioration of the Mississippi River will be damaging, particularly with the added uncertain dangers of radioactive materials.

In an effort to protect its citizens, the State of Minnesota has moved to impose tight restrictions regarding radioactive discharge in its permit to the Northern States Power Co. They were set to lower the amount of radioactivity to which the people of Minnesota would be exposed.

I find it surprising that guardians of the public interest object to the imposition of additional safeguards.

Let me emphasize that I do not object to the concept of nuclear power or the peaceful use of the atom. But I feel that both public agencies and private enterprise have a duty to build in every protective device available.

I am opposed to the dumping of radioactive materials into the Mississippi River for any reason.

I support the State of Minnesota's position in this matter and believe that the State should have the prerogative to maintain its own restrictions as long as they are tighter than those imposed by the AEC.

In another case involving pollution and states rights, the State of California has been permitted to establish its own, more stringent, standards relating to automobile exhaust control. With proliferation of nuclear power installations, it is clear that extra effort must be made to shield our people and environment.

This is no time for an exercise in the arrogance of nuclear power. The nuclear field remains a relatively new and hazardous one. There is still so much unknown that caution would appear to be a more prudent course than fixed policy. The AEC standards should not be sacrosanct. I see no reason why the State of Minnesota should not be allowed to strengthen the standards of the AEC for the security of its people.

AN LSD TRAGEDY

Mr. MOSS. Mr. President, on February 14, Valentine Day, a tragic series of events took place in and near my home State of Utah. On that day, a young man, aged 19, a victim of LSD, drove to a rest stop near Little America, Wyo., and took his own life.

Before doing so, he left a message on a tape recorder. His parents, in the hope that his final words would help other youngsters avoid the same mistake, have released the contents of a portion of that taped message.

On Saturday, February 21, the Salt Lake Tribune printed an article which includes the recorded message. So that others may have an opportunity to read this important message, I ask unanimous consent that the article be printed in the RECORD.

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

YOUTH'S LAST WORDS TELL TRAGEDY: HOOKED ON ACID: A TESTAMENT

(By Clark Lobb)

Last Saturday—Valentine's Day—Craig D. Gardner, handsome 19-year-old postal worker, got up early.

He went to his job at the Midvale Post Office from 5 to 9 a.m.

About 9:30 that morning he visited briefly with his mother, Mrs. William J. (Mary) Blain, 4445 W. 4805 South in Kearns.

Then he went to his apartment of one week at 2174-3rd East and made a tape recording.

After that he drove to a rest stop a mile out of Little America, Wyo., and shot himself.

LEFT RECORDING BEHIND

But he left a message behind—the tape recording.

His friend and roommate, Dave, found it Saturday about 12:30 p.m.

And Friday his mother, his father, Don R. Gardner, St. George, and Mr. Blain, released the contents of a portion of that tape—a dramatic account of what it means to get "hooked" on LSD.

They said they wanted to make the contents of the tape public to help others who are or might be considering "fooling with drugs."

"We just hope to God it will help somebody else," Mr. Blain said.

BEQUEATHS WORLDLY GOODS

The tape, played at the boy's funeral, first outlines his will. He methodically listed his worldly goods—car, clothing, stereo, skis—everything—and listed the names of those to whom they should go.

There was a pause.

Then he turned to his dealings with LSD. Here, word for word, is what he had to say:

"I can't think . . . can't think . . . can't think.

"Well, about all I have to say is—actually, the real reason is that I really don't know—(pause) I'll tell you one thing, Dave, and anybody else who's listening, you can really get messed up on that stuff. (pause) You might hear it sooner or later, Mom—I'm sorry, Mom, Dad and Bill—I'm sorry that your little boy has turned into an LSD addict.

"'DON'T KNOW WHAT'S REAL'

"It's bad news—it really is. I didn't think it was when I was first taking it, but I've been getting pretty stoned lately and you just don't know what's real and what isn't real. You really don't.

"All I can say is, I had to find out by myself—kind of a poor excuse, you know—but I really shouldn't have taken any dope at all—any acid (LSD)—and I shouldn't really have started off with any grass (marijuana) either. Of course, grass isn't bad—it's the acid that got to me.

"But (pause) some things arise in every day living that you just don't know if it's real or really what's happening and you're lost.

"'YOU DON'T KNOW WHERE'

"Tell you one thing—after you take so much of that stuff, you just really don't know where you're at sometimes. You don't know where you're at. You don't know if your reasoning is correct. Because I'm no doctor—I really don't know if I'm nuts or what. I mean, I don't think I am, but what I've heard is that a person who thinks he's insane or even screwed up or something would never admit it to himself. That's what I've heard.

"Of course, this factor lies closely with the idea I might be. It's possible—it really is possible.

"I don't know myself. I wish I did. I could go get some medical help but—I mean mental health, excuse me—but I don't think that would really change things—not really. (pause) It's tough. I don't know. I just don't know if you do the right things or the wrong things. It's hard to distinguish between right and wrong. It's hard to distinguish between real and unreal and whether you're actually going nuts or it's just the drug (pause) or what.

PONDERED QUESTION

"I've pondered many nights on this thought. I really don't know. (Laugh). I really don't know what to say actually. I don't have much to say other than (pause)—oh, I don't know, I just don't feel like moving on. (Pause).

"I have enough problems of my own without even taking LSD to keep my mind bent. Well, actually what acid does is it intensifies everything to a great extent. This probably is what it did to me. I really don't know—I really don't. You think I'm kidding you, but I really don't. Sometimes I'm not sure even what I'm saying. (Pause).

"What'd I say? Yeah. Acid might have intensified my feelings about myself. I was screwed up enough without taking acid. Probably just buried me more deeper in my hole than I was before I started 'tripping out.'

"I wish I could have come out all the way. I did poke my head out once in awhile, but just . . . my mind's not ready—I don't know—maybe I'm to take what my body has to offer.

"I don't think I've lived with my physical condition. For awhile—but I really can't cope with it. I've lived with it, but I can't cope with it. (He had polio as a youngster and it left one arm partially paralyzed.)

CAN'T FACE THINGS

"I don't know if this is right or wrong or if people ever do cope with it. I don't know. There are so many things I don't know, that I'm not sure of—a lot of things I can't face. It's kind of a cowardly idea, isn't it? Yeah, well that's what I've heard before—it's kind of a cowardly idea.

"My feelings are that what I want to do at the time I do. It's just what I feel like at the time.

"If you're listening to this, Dave, when you get home—I don't know if I'm going to leave it here or not—but don't try to do anything about it, because by the time you hear this, I'll already be 'wrote off.'

"So just take it in stride and pull through with what I've had to say.

"I really don't want to elaborate very much on different subjects because I don't know if I'm going to be revealing that I'm nuts or what. I really wouldn't want anybody to think more than they have to about me.

"All I know is I'm going to be in one hell of a fix when I have to face the Big Man Up in Heaven. I'm not saying that with disrespect—the Big Man. I'm just saying it because I felt like saying it. And it says in the Bible that he who kills himself will not be resurrected. Well, this is the great punishment that I'm bestowing upon myself not only physically, but, from what I've read, I'm going to be suffering eternally for this.

SO LONG TO WAIT

"But—actually, I thought I could sit it out through this short life span, you know, and maybe just have enough courage to stay alive until something bestows upon me that I will die and that I will go up to Heaven . . . well, in one of the kingdoms, anyway. And wait for the big day. When the big day comes, maybe I could have made a little bit better of myself than if I had just copped out and pulled the trigger. (pause)

"But life sometimes seems so long to wait. All I'm actually doing is existing now. I'm not trying to feel sorry for myself, but maybe you talk to a psychological doctor, maybe I am. I don't know.

"I have thought it over many times and there really isn't anything to live for. I don't think there is. And I really don't think anyone could convince me that there is—not me anyway. We're talking about individual feelings.

"Wow! I got my words all twisted up here. I can hardly talk sometimes.

(long pause)

NO MORE TALKING

"I could actually sit here and jabber on and jabber on about my troubles, but I'm not going to because I just don't feel like it. Everybody has problems you know. So I won't talk any more about my problems.

"All I have to say is I'm not going to give any sentimental speech here, if you know what I mean.

"So I think I'll just close with a blank statement—maybe kind of an idiotic statement, but a lot of things are crazy.

"So I'll close with the statement that this is Dexter Gardner speaking.

"I am signing off. Thank you."

The name "Dexter" was one the youth had adopted himself. His middle initial, D, was just that—a middle initial. He had no middle name, family members explained.

SENATOR LEN JORDAN ON THE RESPONSIBILITY OF STEWARDSHIP

Mr. HANSEN. Mr. President, the distinguished Senator from Idaho (Mr. JORDAN) made some excellent remarks recently at a breakfast meeting. I was privileged to be present.

The Senator spoke on the subject "The Responsibility of Stewardship" and presented some highly interesting views concerning a subject most of us have recognized as one requiring immediate attention—the pollution of the environment of the United States and of the world by man.

The Senator covered in his remarks some pertinent examples of how man's world has arrived at its present state of pollution and urged that all of us face the responsibility of our stewardship to protect those areas as yet unspoiled by the advance of technology, and to improve those already damaged.

I am certain that Senators will find Senator JORDAN's remarks well worth reading.

I ask unanimous consent that they be printed in the RECORD.

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

THE RESPONSIBILITY OF STEWARDSHIP

(By Senator LEN B. JORDAN)

Man's recent success in reaching the moon—thus escaping for the first time the confines of the planet earth—has, I am sure, given all of us a new perspective on man and the universe. To begin with, it is a marvelous tribute to our nation's technology. The achievement of launching a vehicle from a moving earth, plotting its course over millions of miles to a target which is also moving, the moon, and landing within a few hundred yards of a specified point is awe-inspiring, particularly to those of us who do not have a full understanding of the techniques involved. Our awe has led many of us to say, or at least to think, "If we can do this, surely we can conquer the difficult problems we face here on earth."

Yet our success in landing on the moon is a tribute to more than man's ability. It is striking evidence of the precise order which characterizes the universe in which we live. Space travel is possible only because man has discovered some of the laws governing the universe, which is a system so precisely engineered as to make even the most skeptical admit that it must be traceable to a Creator. The wonders of the system are apparent, of course, not only in space, but here on earth, where a remarkable system of life and balance was long ago established. Man's wonder at the rhythmic cycles of this system is aptly expressed in Ecclesiastes:

One generation passeth away, and another generation cometh: but the earth abideth for ever.

The sun also ariseth, and the sun goeth down, and hasteth to his place where he arose.

The wind goeth toward the south and turneth about unto the north; it whirleth about continually, and the wind returneth again according to his circuits.

All the rivers run into the sea; yet the sea is not full; unto the place from whence the rivers come, thither they return again.—Ecclesiastes I:4

The last lines of this passage, charming in their rhetoric and their economy of words, describe beautifully the hydrologic cycle which has sustained life through all of history.

Yet it is only recently that man has begun to fully appreciate just how complex, and how delicately balanced, is God's design. We are only now awakening to the incredible complexity of the earth's ecology, the system by which living organisms and the nonliving environment function together as a whole. In the past man has been blind to his own utter dependency on the oceans, forests and grasslands. He has not realized that he is only a part of a vast web of interacting organisms and processes, those processes which allow the rivers to flow into the seas and yet the seas not to be full.

Four hundred million years ago, our earth's atmosphere was enriched to its life-supporting mixture of oxygen and other gases. With uncanny precision, this mixture was then maintained by plants, animals and bacteria, which used and returned the gases at equal rates. The process is governed by distinct laws of life and balance which assure that no single type of animal or plant will proliferate and dominate the community. By adding just one alien component to this delicate balance, man can quite unknowingly trigger a series of dangerous changes.

An interesting example of the dangers of man's tampering with the system is the campaign waged in South Africa against hippopotamuses. Deemed useless beasts, they were shot on sight. Sometime later, an agonizing liver and intestinal disease swept the country. Though these two events were on the surface entirely unrelated, it was finally discovered that they were in fact tied together by one of nature's intricate chains. It seemed that without the hippos to keep river silt in motion as they bathed and to make natural irrigation channels, the rivers silted up and periodic floods swept lower adjacent lands. The altered conditions favored the proliferation of disease-carrying snails, which in turn were responsible for the epidemic.

We are learning more every day about man's assaults upon the system created to sustain him. Scientists have reported that just as people get hooked on drugs, so the soil seems to become addicted to chemical additives and loses its ability to fix its own nitrogen. A respected geo-physicist has concluded that man's activities have even upset the interior condtions of the earth's crust. It appears that wherever huge dams are built, the earth starts shuddering, due to the enormous weight of the water in the reservoirs behind the dam.

The earth has a truly marvelous built-in waste-disposal system, but man's activities are now taxing the system's limits. Modern technology is pressuring nature with tens of thousands of synthetic substances, many of which almost totally resist decay—thus poisoning man's fellow creatures, to say nothing of himself. The burden includes smog fumes, aluminum cans that do not rust, inorganic plastics that may last for decades, floating oil that can change the thermal reflectivity of oceans, and radioactive wastes whose toxicity lingers for literally hundreds of years. Most pollutants probably end up in the oceans, and some fear that the oceans will become so burdened with noxious wastes that they will lose their vast power of self-purification.

Some scientists are predicting that man's activities have already doomed life on earth. We are warned that the earth is warming up and that we can look forward to a melting of the icecaps and drowning of the world's coastal cities; or that the planet is cooling and we are headed for another ice age; or that nitrogen build-up will eventually cause light to be completely filtered out of the atmosphere. But it is not only these science-fiction type predictions that are frightening. Some of the results of man's carelessness are all too real and visible today. We feel shaken when we read that several times each week public schools in some of our major cities forbid children to exercise lest they breathe too deeply of the polluted air.

We can trace this environmental crisis to a few deeply ingrained assumptions. We have dedicated ourselves to the idea of infinite growth, though we live on a finite planet. We have assumed that nature is endlessly bountiful, that economic growth is worth any effort. There is also the even more fundamental belief that nature exists primarily for man to conquer. Many thinkers trace this idea back to the passage in Genesis in which God gave man "dominion over the fish of the sea, and over the birds of the air, and over the cattle, and over all the earth." But I believe we are now coming to understand, if we have not in the past, that our dominion over nature involves not only the exercise of power, but a tremendous responsibility as well.

And yet, there is more: man is also abusing nature through his sheer numbers. Unprecedented population growth during the past few centuries is a key factor in today's environmental crisis. For human population growth has suddenly become cancerous.

The following lines, written by a demographer about the life of Wolfgang Amadeus Mozart, point out the revolution that has caused this tremendous growth:

One of seven children, five of whom died within six months of birth; Father of six children, only two of whom lived six months. Himself a survivor of scarlet fever, smallpox, and lesser diseases. Only to die at the age of 35 years and ten months. From a cause not diagnosable by the medical knowledge of his time; Thus making his life demographically *typical of most of man's history.*

The fact that this account startles us today is evidence of the revolution that rising health standards and resulting low-level death rates have brought about. The low-level death rates which Europe required a century and a half to achieve are now being accomplished in the emerging nations in a fifth of that time.

The human population in 6000 B.C. was

about five million people. It had taken perhaps one million years to get there from two and a half million. Then the population began doubling every thousand years or so, reaching 500 million about 1650 A.D. Then it doubled in some 200 years, reaching one billion around 1850. The next doubling took only 80 years or so, with the population reaching two billion around 1930. And in just 40 years we have almost completed the next doubling, to four billion people on the face of the earth. The reduction in doubling times is startling: 1,000,000 years, 1,000 years, 200 years, 80 years, 40 years.

To project the totals beyond the year 2000 becomes so demanding on the imagination as to make the statistics almost incomprehensible. A child born today, living on into his 70's, would know a world of 15 billion. His grandson would share the planet with 60 billion. In six and a half centuries there would be one human being standing on every square foot of land on earth. But such projections, are, of course, unreal. They will not come to pass because events will not permit them to come to pass. And some are predicting that these events will be dismal: mass starvation, mass death due to lack of oxygen, political chaos.

One of the laws of life and balance has always been that predators are required to hold the population within the limits of its food supply. In the case of man, war, pestilence, disease and famine have served this function for millions of years. Now, however, man has tipped the balance in his battle against these predators. We are, quite naturally, not willing to forgo the blessings of medical science for the sake of allowing the natural order to prevail. Nor are we willing to promote war as a means of keeping population down. Committed as we are to the value of the individual life, we must reject these means and somehow find others. I regret that I can offer no easy answers or solutions. I can only say that we must face our dilemma squarely and be prepared to make some difficult decisions, if we are to avert the catastrophe that will otherwise result.

Colman McCarthy, in a recent article in the Washington Post entitled "The Lack of Reverence for Nature," made the following comments on man's relationship to the earth:

Man is only a recent visitor to the planet earth. Compared to the billions of years that the primordial forces worked in silence in the vast canyons of cosmic space, he has been here only an infinitesimal moment. The prospect that he will pollute his species back to oblivion is a huge tragedy, but perhaps it is only part of a cycle, a ripple in the contour of evolution, part of the pilgrimage of living things that began with cells and plants and only lately has included man.

The philosopher Whitehead saw the earth as a "second-rate planet revolving around a second-rate sun." Despite this, the earth has been a gracious host for the few moments its most recent visitor—man—has been here. But it has never guaranteed this species a permanent place; and because man is doing what no other species has ever done—quarreling with Nature—it appears that his presence on earth will be nothing more than a brief guest appearance.

As I looked at the basketball-sized earth through the TV cameras of the astronauts, I was struck by how small the earth is, how limited its precious resources, and how crucial it is that man exercise his authority over this pinpoint in space wisely and well. We cannot, of course, fathom God's intentions in allowing man to develop a technology that threatens the existence of life on earth. In our zeal for progress we have even gone so far as to split the atom, which surely is the ultimate form of pollution. Maybe we have already gone too far. But I would like to believe that the success of our space ventures is an omen—that we will continue discovering the laws of nature which sustain our marvelous planet, and that we will learn to live in harmony with them. Man's dominion over the earth is truly a marvelous challenge—to use the earth's resources to provide the best possible life for all its inhabitants, and at the same time to insure that the system may endure.

If we are not to be the victims of our own inventiveness in our "quarrel with nature," we must delay no longer in facing the responsibilities of our stewardship. Our generation must commit itself to using the earth's resources wisely, so that they may be passed on to the next generation undiminished and unspoiled.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

NATIONAL SCHOOL LUNCH AND CHILD NUTRITION ACTS AMENDMENTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The BILL CLERK. A bill (S. 2548) to amend the National School Lunch Act and Child Nutrition Act of 1966 to strengthen and improve the food service programs provided for children under such acts.

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. TALMADGE. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. TALMADGE. 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. STEVENS. Mr. President, I ask unanimous consent that I be permitted to withdraw my amendment No. 514 at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AMENDMENT NO. 508

Mr. JAVITS. Mr. President, I call up my amendment No. 508 and ask that it be reported in a slightly revised form.

The PRESIDING OFFICER. The clerk will report the amendment in the slightly revised form.

The legislative clerk read as follows:

On page 21, beginning with line 9, strike out all down through line 18, and insert in lieu thereof the following:

"SEC. 6. (a) The second sentence of section 9 of the National School Lunch Act (42 U.S.C. 1751) is amended by inserting 'not exceeding 20 cents per meal' immediately after 'or at a reduced cost.'

"(b) Section 9 of the National School Lunch Act is further amended by inserting after the second sentence thereof two new sentences as follows: 'Such determinations shall be made by local school authorities in accordance with a publicly announced policy and plan applied equitably on the basis of critieria which, as a minimum, shall include the level of family income, including welfare grants, the number in the family unit, and the number of children in the family unit attending school or service institutions; but any child who is a member of a household which (1) is eligible to participate in a Federal food stamp program or commodity distribution program or (2) has an annual income equivalent to $4,000 or less for a household of four persons shall be served meals without cost. Determination with respect to the annual income any household shall be made solely on the basis of an affidavit executed in such form as the Secretary may prescribe by an adult member of such household.'"

On page 21, line 19, strike out "(b)" and insert in lieu thereof "(c)".

On page 22, line 3, strike out "(c)" and insert in lieu thereof "(d)".

On page 22, line 12, strike out "(d)" and insert in lieu thereof "(e)".

On page 22, line 20, immediately after the period insert the following: "The requirements of this section relating to the service of meals without cost or at a reduced cost shall apply to the lunch program of any school utilizing commodities donated under any of the provisions of law referred to in the preceding sentence."

The PRESIDING OFFICER. Who yields time?

Mr. JAVITS. I yield myself 10 minutes.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. I gather that there is an hour and a half on the amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. JAVITS. Three-quarters of an hour to be controlled by me.

GENERAL EXPLANATION OF AMENDMENT

Mr. President, I introduce at this time an amendment to the Agriculture Committee's bill, which would specify that the price to the child of a "reduced price" lunch could not exceed 20 cents and, second, would establish uniform eligibility standards under the National School Lunch Act to assure that all children from poor families receive free lunches.

All pupils from households eligible to receive Food Stamps or commodities under Federal programs or from families with an equivalent annual income of $4,000 or less for a family of four would be eligible for free lunches.

This amendment differs from amendment No. 508, which I filed last Friday, only in that the eligibility requirement applies solely to lunches and not, as in the case of No. 508, to breakfasts as well. This modification takes into account the action by the Senate yesterday on the amendment proposed by Senator KENNEDY, which sought to establish eligibility standards for free breakfasts.

My amendment would implement the important recommendation of the recent White House Conference on Food, Nutrition and Health, which called for a "nationally determined standard of eligibility for free and reduced price meals."

Mr. President, under present law, which would be unchanged by the committee, the determination of eligibility for free lunches is left by statute and by U.S. Department of Agriculture regulations solely to the discretion of individual schools. Testimony before the Select Committee on Nutrition and Human Needs—of which I am the ranking minority member—has clearly underscored the need for a national standard.

One witness, Miss Jean Fairfax, who formerly was chairman of the interfaith committee on school lunch participation, which published "Their Daily Bread," a study of the school lunch program, stated that the lack of uniform procedures for determining eligibility for free meals was one of the main problems affecting the rights and dignity of poor children. Information which she received from 40 State school lunch directors and community groups indicated wide variances among the State definitions of eligibility for free lunches. For example, some States indicated that being on welfare was sufficient evidence of need; others indicated that it only made a child eligible for consideration, while still others provided no guidance at all. Another witness stated there was arbitrary administration of the free lunch program on the part of principals resulting in a variance from school to school as to who is eligible depending upon the principal's interpretation of school board policy.

My amendment would establish a national eligibility standard to assure that all children from families with equivalent income of $4,000 or less for a family of four, or from households eligible to receive food stamps or commodities under federal programs, would receive free lunches.

Mr. President, $4,000 is substantially below the $6,000 level which the Bureau of Labor Statistics has estimated is necessary for a family of four to maintain a "low standard of living," and it is slightly above the poverty index based on an economy food plan, which even the Department of Agriculture has acknowledged is inadequate to provide a proper diet. $4,000 was the eligibility level adopted by the Senate last year in the Senate-passed food stamp program.

As I noted, this amendment provides that free lunches shall be made available to those eligible under the food stamp or commodity program. The alternative of participation in food stamp or commodity programs is necessary because there could be instances where a family of four has an annual income which exceeds $4,000 but is still eligible to participate in the food stamp program or commodity program.

For example, in my State of New York, a family of four will qualify for food stamps if the annual income is less than $4,200. This figure is above $4,000, but family eligibility for the stamp program would still allow their children to receive free meals. Furthermore, the Department of Agricuture's new food-stamp program includes provisions for a stamp allotment for a family of four with a monthly income of up to $359.99, or over $4,300 per year. Therefore even under the Department's schedule, there could be instances in which a family's annual income would exceed $4,000 and yet the family still would be entitled to receive an allotment of stamps.

This amendment would require all schools which receive commodities for lunch programs, but which do not participate in the school lunch program, to meet requirements set forth above. For example, there are approximately 14,000 schools in the United States that do not participate in the national school lunch program but receive section 32 and 416 donated foods and special milk reimbursement. No requirement is imposed on these schools for meal standards or for providing meals to needy children attending such schools. This provision would require these 14,000 schools to meet the same program requirements for standards as national school lunch schools.

For example, at the Los Angeles hearings of the Select Committee on Nutrition and Human Needs, which I chaired, the director of the Los Angeles school lunch program stated in his testimony:

> Until passage of the Child Nutrition Act of 1966, no provision had been made to provide free or reduced-price meals to pupils on a district-wide basis with district funds—a private organization assumed that responsibility.

The district did, however, receive commodities for its own lunch program. My amendment would require schools in a similar situation to meet the eligibility requirement of free and reduced-price lunches above if they were to receive any commodities at all for their program under the School Lunch Act.

The Department of Agriculture has indicated in regulations issued on October 23, 1968, that free or reduced-price meals should be provided to children from any family certified as eligible for assistance under the food stamp program or the commodity distribution program. My amendment seeks to firmly establish the policy that any children from families that qualify for food stamp programs or commodity distribution programs shall be eligible for free lunches.

Office of Education figures indicate that there would be 9 million children eligible at the $4,000 level. Based upon a study by Rodney Leonard, former Administrator of the Consumer and Marketing Service of the Department of Agriculture, and now a consultant to the Children's Foundation, only 3 million children are receiving free or reduced-cost lunches.

Mr. President, members of the Agriculture Committee may have different estimates of the number of children who would be entitled to free lunches under the standard, but none I think would question the ultimate goal of providing free lunches to such persons. As Senator DOLE stated yesterday, we first should establish a priority of feeding children under the school lunch program.

My amendment also would specify that the price to the child of a "reduced price" meal could not exceed 20 cents. Children from families above the $4,000 level, but with insufficient resources to pay the full 35 cents or 40 cents usually charged, would still have a right to receive such reduced-price lunches under criteria established by the States and schools. At present, no regulation or statute governs the price of such a lunch.

The purpose of a reduced-price lunch is to bring a meal to a child who could not afford a meal at the regular price. The current lack of a definition thwarts this purpose and penalizes school districts that provide meals at a truly reduced price. Under the present system, districts that served reduced-price meals at only a trivial reduction—equal to the cost of a regular-price meal in other districts—are permitted to claim the larger reimbursement for a free or reduced-price meal. Thus, the money reserve for free and reduced-price meals is unfairly depleted at the expense of schools doing the best job. It is apparent that a uniform definition is needed.

The respected study, "Their Daily Bread," has shown that the lower the price, the higher the number of pupils who buy the school lunch. In two schools where the price was 20 cents, participation was 100 percent. At 25 cents, participation drops to near 80 percent, and at 30 cents, it falls sharply to between 27 percent and 37 percent. Although this study was conducted over 2 years ago, it is even more valid today since the price of school lunches has increased since then.

Finally, my amendment also first, would require—permit—a sworn affidavit, in such form as the Secretary prescribed, to be the sole basis upon which income is determined for eligibility for free lunches; and, second, would make the requirements of above-stated standards apply to those schools which do not participate in the school lunch program but receive Federal commodities.

The record is clear that the use of an affidavit is needed and worthwhile: The White House Conference on Food, Nutrition, and Health recommended the use of "a simple self-certification process free from any humiliating or discriminatory practices," for child feeding programs; the Senate recognized this principle by including a provision for certification by affidavit for the food stamp program in its food stamp bill; the President proposed that applicants for welfare assistance be certified by simple personal self-declaration, and the fact that the city of New York is already using the affidavit for over 100,000 welfare recipients in the aged category and hopes to expand this method of eligibility determination to other public-assistance categories.

The Senate will be interested to know that a demonstration project administering AFDC at social service centers to test the use of formal declaration statements showed that there was no significant difference in eligibility findings between the declaration cases and the nondeclaration cases. I think that the case for implementing such an affidavit system for determination of income or food stamp or commodity participation for receipt of free lunches is very sound based upon the above data alone.

It has often been stated that a hungry child cannot learn. Let us act today to put an end to the problem of hunger

among our children. Let us act to feed the millions of hungry children in this Nation so that all of them will be able to have full stomachs leading to full and healthy minds. I feel that this amendment will go a long way toward meeting that objective.

Mr. President, I ask unanimous consent that the various parts of this amendment may be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

COMMITTEE ACTION ON S. 2548 COMMENDABLE

Mr. JAVITS. Mr. President, this is, really, a sequel to the work which was done yesterday. I would be remiss in my duty to the Senate if I did not say again—as a number of Senators said yesterday—that the bill of the Senator from Georgia (Mr. TALMADGE), of which a good deal is incorporated in S. 2548, is itself a massive and major improvement in respect to the school lunch program.

Mr. TALMADGE. Mr. President, will the Senator from New York yield at that point?

Mr. JAVITS. I yield.

Mr. TALMADGE. I desire to express my deep appreciation to the distinguished senior Senator from New York for his generous personal reference to me. The Senator, as I recall, testified before the committee when we held hearings on the matter on behalf of his own and on behalf of other bills pending relating to the amendment. I am grateful to the Senator for his comments.

Mr. JAVITS. I thank the Senator. I would not wish to detract from the Senator's fine efforts, but we think his efforts are improved by the amendment—and when I say "we," I refer to the group of Senators who have sponsored the amendments. I would not wish to detract one whit from the sterling job done by the Senator from Georgia in committee or in the remotest way to imply our unhappiness with it. On the contrary, it is a fine job and materially improves the program.

I consider Senator MCGOVERN's amendment, considered and adopted yesterday, to be a material improvement in S. 2548, He, too, tried in committee. I would like to say that the committee has performed most laudably; namely, it analyzed in its report the amendments of the Senator from South Dakota (Mr. MCGOVERN), and my own bill, S. 2982. That was commendable in that it actually put forth the reasons why it did not include certain aspects of these provisions in the bill.

Mr. TALMADGE. If the Senator will yield at that point, I should like to point out that in executive session not only did it take testimony in all the areas from interested Senators and others, and from the Senator from New York and the Senator from South Dakota and myself and various other Senators, but also every suggestion that was made by any Senator and any other witness, was considered in detail in executive session. The department's views were requested and the matter was voted on by the committee in executive session.

Mr. JAVITS. I thank my colleague. I might point out, too, that a good deal of what was asked by those measures got into the bill, which I think is also laudable. For example, the committee set aside 1 percent of the funds which are available, to deal with something very close to my heart; namely, the problem of using the private enterprise system.

Mr. TALMADGE. I might point out, if the Senator will yield, that I know he was interested, in certain instances, in private food vendors or caterers serving food in schools that do not have facilities for breakfast programs and school lunchroom facilities. I think, as a result of the legislation proposed by the Senator, and as a result of the committee hearings and inquiries, that the Department has issued its order, that effective April 1, private caterers will be able to serve schools that do not have facilities now.

Mr. JAVITS. The Senator is exactly right. That is contained in the report, and will figure in the discussion of the next amendment which I have.

I also note with great approval the following committee actions; the requirement for the development of uniform standards and procedures in respect to school allocations, which was also dealt with by the McGovern amendment yesterday; funds for training and education; prohibiting overt identification of children who are associated with the program; recognition of the fact that low-income individuals are available who can be trained to administer and supervise programs. I am pleased that the committee directs attention to the fact that that should be done even if not exactly as I proposed in my own lunch bill S. 2982.

Therefore, I certainly think that none of us can complain on the one side, on the part of those of us proposing amendments to the bill, that they were not considered and, on the other side, as sometimes happens, there can be no complaint that what we had in mind was not fully submitted to and exposed to the Committee on Agriculture and Forestry, for approval or disapproval.

This has shown, in my judgment, the very best of the Senate. What does remain, however, are honest differences of opinion with respect to what should be done.

My amendment, which I feel is key, relates to the desirability of a national standard—that is, a national minimum standard. I hasten to point out that the committee itself provided a sort of compromise on this subject. What it did was to provide that determinations should be made public.

The bill provides, on page 21, line 14:

> Such determinations shall be made by local school authorities in accordance with a publicly announced policy and plan applied equitably on the basis of criteria which, as a minimum, shall include the level of family income, including welfare grants, the number in the family unit, and the number of children in the family unit attending school or service institutions.

FURTHER AND SPECIFIC REASONS FOR A NATIONAL STANDARD OF $4,000

As I have stated, what my amendment adds is essentially a basic national income standard which shall not be less than the $4,000 level.

The reason for the advantages and desirabilities of a national standard are attributable to the fact that we have had considerable testimony, and the testimony of a very considered report by the interfaith group called the Committee on School Lunch Participation in a publication called, Our Daily Bread, which indicated that one of the three problems with respect to the school lunch program was the absence of a national standard.

There were wide variances in the States' definition of eligibility for free or reduced price lunches. That was not only true of the States, but the amendment of the committee will precisely make it true by districts as well. It seems to me and my associates in this amendment—the same group that sponsored the amendments of yesterday—Senators COOK, HART, KENNEDY, MCGOVERN, MONDALE, PELL, PERCY, and YARBOROUGH—that a national standard is essential if we are to put the school lunch program on a basis of national fairness. A national standard is also essential to realize the objectives which have now been, in my judgment, etched on the conscience of the people of the United States, based upon the findings of the Select Committee on Nutrition and Human Needs chaired by the Senator from South Dakota (Mr. MCGOVERN), of which I am the ranking minority member.

The PRESIDING OFFICER (Mr. MCGOVERN in the chair). The time of the Senator has expired.

Mr. JAVITS. Mr. President, I yield myself an additional 10 minutes.

The PRESIDING OFFICER. The Senator is recognized for an additional 10 minutes.

Mr. JAVITS. Mr. President, as to the propriety of the $4,000 minimum standard, I call the attention of the Senate to the figures from the cost of living index for the spring of 1969, which were published recently, by the Bureau of Labor Statistics.

I ask unanimous consent that the table attached to that study together with the material issued by the Bureau of Labor Statistics, dated December 1969, be printed at this point in the RECORD.

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

THREE BUDGETS FOR AN URBAN FAMILY OF FOUR PERSONS; PRELIMINARY SPRING 1969 COST ESTIMATES

The Bureau of Labor Statistics has developed a set of budgets which describes a specified manner of living at three levels for an urban family of four persons—husband, wife, 13-year-old boy, and 8-year-old girl. These budgets, described as Lower, Intermediate and Higher, were first published in the report. Three Standards of Living for an Urban Family of Four Persons, Spring 1967 (Bulletin 1570–5), and in the April 1969 issue of the *Monthly Labor Review*, Reprint No. 2611. Preliminary estimates of the budget costs in 39 metropolitan areas, 4 regional classes of nonmetropolitan areas, and urban U.S. are now available for spring 1909.

The "food at home" costs in these budgets are final estimates. For other consumption costs, preliminary estimates were derived by applying price changes between spring 1967 and spring 1969, reported in the Consumer Price Index, to the appropriate spring 1967 cost of each budget class of goods and services. These estimates are preliminary because the Consumer Price Index reflects prices paid for commodities and services pur-

chased by urban wage earners and clerical workers generally, without regard to their family type and level of living. The final estimates will utilize specific price data considered more appropriate to each budget level than is the Consumer Price Index.

Other costs and OASDHI were also updated to 1969, but personal taxes were computed from tax rates in effect for 1968. Final detailed estimates based on the complete repricing of the budgets in spring 1969 will be published in mid-1970.

Bulletin 1570–5 can be purchased from the regional offices of the Bureau of Labor Statistics and the Superintendent of Documents, Washington, D.C. 20402. Price $1. *Monthly Labor Review* Reprint No. 2611 is available upon request.

TABLE 1.—ANNUAL COSTS OF A LOWER BUDGET FOR A 4-PERSON FAMILY,[1] SPRING 1969

Area	Total budget [2]	Cost of family consumption							
		Total	Food	Housing [3]	Transportation [4]	Clothing and personal care	Medical care [5]	Other family consumption	Personal taxes
Urban United States	$6,567	$5,285	$1,778	$1,384	$484	$780	$539	$320	$619
Metropolitan areas [6]	6,673	5,364	1,803	1,418	457	796	557	333	638
Nonmetropolitan areas [7]	6,092	4,935	1,663	1,235	603	713	460	261	536
Northeast:									
Boston, Mass	7,035	5,593	1,867	1,583	475	776	556	336	759
Buffalo, N.Y	6,791	5,412	1,849	1,384	489	851	507	332	698
Hartford, Conn	7,163	5,804	1,927	1,631	498	842	566	340	664
Lancaster, Pa	6,445	5,185	1,842	1,303	434	791	479	336	618
New York-Northeastern New Jersey	6,771	5,410	1,913	1,324	408	827	598	340	679
Philadelphia, Pa.-N.J	6,628	5,279	1,902	1,271	442	794	542	328	692
Pittsburgh, Pa	6,487	5,200	1,819	1,267	475	789	511	339	643
Portland, Maine	6,567	5,352	1,809	1,413	433	798	542	357	562
Nonmetropolitan areas [7]	6,290	5,073	1,779	1,186	617	732	502	257	572
North Central:									
Cedar Rapids, Iowa	6,653	5,342	1,687	1,579	446	808	496	326	655
Champaign-Urbana, Ill	6,857	5,570	1,754	1,711	453	774	554	324	614
Chicago, Ill.-Northwestern Indiana	6,799	5,512	1,848	1,519	464	794	557	330	619
Cincinnati, Ohio-Ky.-Ind	6,278	5,079	1,758	1,260	478	778	471	334	568
Cleveland, Ohio	6,651	5,368	1,786	1,411	491	802	536	342	626
Dayton, Ohio	6,513	5,293	1,739	1,471	446	785	461	337	627
Detroit, Mich	6,543	5,268	1,817	1,310	480	788	538	335	626
Green Bay, Wis	6,255	4,952	1,680	1,334	436	748	448	306	677
Indianapolis, Ind	6,706	5,396	1,782	1,561	468	777	476	332	649
Kansas City, Mo.-Kans	6,550	5,282	1,799	1,376	469	818	500	320	619
Milwaukee, Wis	6,721	5,275	1,726	1,483	455	784	511	316	788
Minneapolis-St. Paul, Minn	6,714	5,267	1,725	1,458	476	787	488	333	790
St. Louis, Mo.-Ill	6,572	5,297	1,832	1,381	488	790	489	317	624
Wichita, Kans	6,537	5,269	1,755	1,444	464	789	501	316	619
Nonmetropolitan areas [7]	6,408	5,152	1,686	1,421	589	740	456	260	616
South:									
Atlanta, Ga	6,201	5,048	$1,651	1,334	452	750	514	347	527
Austin, Tex	5,812	4,776	1,663	1,116	436	720	530	311	437
Baltimore, Md	6,491	5,176	1,678	1,420	492	746	509	331	671
Baton Rouge, La	5,997	4,911	1,672	1,210	477	727	505	320	474
Dallas, Tex	6,214	5,077	1,633	1,346	449	738	583	328	510
Durham, N.C	6,196	4,983	1,617	1,346	428	749	524	319	590
Houston, Tex	6,130	5,017	1,692	1,233	492	723	556	321	491
Nashville, Tenn	6,151	5,037	1,622	1,386	451	744	488	346	491
Orlando, Fla	6,033	4,944	1,606	1,323	440	727	514	334	474
Washington, D.C.-Md.-Va	6,907	5,501	1,781	1,567	488	780	549	336	732
Nonmetropolitan areas [7]	5,712	4,680	1,583	1,128	597	671	438	263	439
West:									
Bakersfield, Calif	6,424	5,176	1,784	1,193	479	815	584	321	544
Denver, Colo	6,425	5,206	1,705	1,409	450	802	533	307	579
Los Angeles-Long Beach, Calif	7,030	5,628	1,787	1,509	467	817	709	339	648
San Diego, Calif	6,792	5,444	1,750	1,461	484	783	630	336	614
San Francisco-Oakland, Calif	7,309	5,832	1,850	1,676	491	866	602	347	701
Seattle-Everett, Wash	7,197	5,817	1,935	1,662	486	837	564	333	683
Honolulu, Hawaii	8,168	6,347	2,162	2,013	541	750	534	347	1,080
Nonmetropolitan areas [7]	6,561	5,230	1,728	1,359	618	789	477	259	682
Anchorage, Alaska	9,913	7,673	2,289	2,661	806	882	719	316	1,416

[1] The family consists of an employed husband, age 38, a wife not employed outside the home, an 8-year-old girl, and a 13-year-old boy.

[2] In addition to family consumption and personal taxes shown separately in the table, the total cost of the budget includes allowances for gifts and contributions, life insurance, occupational expenses, and social security, disability, and unemployment compensation taxes.

[3] Housing includes shelter, household operations, and housefurnishings. All families with the lower budget are assumed to be renters.

[4] The average costs of automobile owners and nonowners are weighted by the following proportions of families: Boston, Chicago, New York, and Philadelphia, 50 percent for both automobile owners and nonowners; all other metropolitan areas, 65 percent for automobile owners, 35 percent for nonowners; nonmetropolitan areas, 100 percent for automobile owners.

[5] In total medical care, the average costs of medical insurance were weighted by the following proportions: 30 percent for families paying full cost of insurance; 26 percent for families paying half cost; 44 percent for families covered by noncontributory insurance plans (paid by employer).

[6] For a detailed description see the 1967 edition of the Standard Metropolitan Statistical Areas, prepared by the Bureau of the Budget.

[7] Places with populations of 2,500 to 50,000.

Note: Because of rounding, sums of individual items may not equal totals.

TABLE 2.—ANNUAL COSTS OF AN INTERMEDIATE BUDGET FOR A 4-PERSON FAMILY,[1] SPRING 1969

Area	Total budget [2]	Cost of family consumption							
		Total	Food	Housing [3]	Transportation [4]	Clothing and personal care	Medical care [5]	Other family consumption	Personal taxes
Urban United States	$10,077	$7,818	$2,288	$2,351	$940	$1,095	$543	$601	$1,348
Metropolitan areas [6]	10,273	7,968	2,322	2,426	925	1,113	561	621	1,387
Nonmetropolitan areas [7]	9,204	7,151	2,135	2,012	1,006	1,023	464	511	1,176
Northeast:									
Boston, Mass	11,108	8,534	2,465	2,866	944	1,078	559	622	1,651
Buffalo, N.Y	10,801	8,250	2,400	2,530	993	1,190	512	625	1,622
Hartford, Conn	10,934	8,632	2,551	2,691	1,037	1,162	571	620	1,376
Lancaster, Pa	9,932	7,743	2,438	2,178	906	1,089	482	650	1,294
New York-northeastern New Jersey	11,236	8,589	2,541	2,796	855	1,158	600	639	1,703
Philadelphia, Pa.-N.J	10,160	7,859	2,486	2,246	869	1,096	547	615	1,398
Pittsburgh, Pa	9,757	7,601	2,377	2,077	916	1,097	514	620	1,266
Portland, Maine	10,117	7,992	2,430	2,315	944	1,119	545	639	1,221
Nonmetropolitan areas [7]	9,952	7,720	2,334	2,309	1,027	1,033	506	511	1,324

See footnotes at end of table.

Area	Total budget [2]	Cost of family consumption							
		Total	Food	Housing [3]	Transportation [4]	Clothing and personal care	Medical care	Other family consumption	Personal taxes
North Central:									
Cedar Rapids, Iowa	$10,143	$7,814	$2,127	$2,486	$957	$1,127	$498	$619	$1,432
Champaign-Urbana, Ill	10,200	8,059	2,239	2,626	921	1,092	558	623	1,235
Chicago, Ill.-northwestern Indiana	10,332	8,154	2,325	2,651	892	1,105	562	619	1,269
Cincinnati, Ohio-Ky.-Ind	9,783	7,631	2,221	2,290	944	1,087	477	612	1,261
Cleveland, Ohio	10,453	8,182	2,252	2,697	930	1,135	541	627	1,361
Dayton, Ohio	9,604	7,498	2,191	2,200	916	1,102	467	622	1,220
Detroit, Mich	9,972	7,745	2,334	2,226	923	1,100	543	619	1,332
Green Bay, Wis	9,825	7,400	2,123	2,270	912	1,056	452	587	1,542
Indianapolis, Ind	10,139	7,902	2,257	2,491	978	1,078	481	617	1,336
Kansas City, Mo.-Kans	9,943	7,732	2,277	2,210	991	1,145	503	606	1,316
Milwaukee, Wis	10,586	7,942	2,201	2,616	918	1,096	515	596	1,742
Minneapolis-St. Paul, Minn	10,369	7,773	2,187	2,420	955	1,096	492	623	1,700
St. Louis, Mo.-Ill	10,065	7,834	2,330	2,353	952	1,109	494	596	1,333
Wichita, Kans	9,763	7,598	2,179	2,224	989	1,099	505	602	1,275
Nonmetropolitan areas [7]	9,425	7,304	2,111	2,169	982	1,064	461	517	1,241
South:									
Atlanta, Ga	9,233	7,218	2,140	1,957	917	1,059	517	628	1,138
Austin, Tex	8,832	6,986	2,137	1,815	907	1,014	534	579	977
Baltimore, Md	9,735	7,391	2,202	2,088	921	1,062	512	606	1,461
Baton Rouge, La	9,260	7,292	2,189	1,988	989	1,027	506	593	1,089
Dallas, Tex	9,265	7,329	2,120	2,050	921	1,049	586	603	1,055
Durham, N.C	9,592	7,363	2,099	2,163	915	1,051	527	608	1,347
Houston, Tex	9,212	7,287	2,180	1,959	974	1,022	559	593	1,046
Nashville, Tenn	9,295	7,354	2,085	2,145	943	1,053	494	634	1,060
Orlando, Fla	9,162	7,252	2,069	2,092	933	1,023	519	616	1,032
Washington, D.C.-Md.-Va	10,503	8,032	2,343	2,463	936	1,122	552	616	1,566
Nonmetropolitan areas [7]	8,641	6,760	2,061	1,779	1,002	971	441	506	1,019
West:									
Bakersfield, Calif	9,728	7,562	2,221	2,035	988	1,128	586	604	1,203
Denver, Colo	9,790	7,613	2,133	2,300	945	1,113	537	585	1,287
Los Angeles-Long Beach, Calif	10,285	7,986	2,240	2,328	934	1,141	714	629	1,321
San Diego, Calif	10,127	7,866	2,187	2,364	969	1,093	634	619	1,288
San Francisco-Oakland, Calif	10,865	8,412	2,332	2,611	1,000	1,214	607	648	1,461
Seattle-Everett, Wash	10,485	8,276	2,434	2,474	1,009	1,167	568	624	1,295
Honolulu, Hawaii	12,064	9,009	2,699	2,959	1,138	1,036	537	640	2,116
Nonmetropolitan areas [7]	9,662	7,393	2,133	2,125	1,017	1,124	481	513	1,386
Anchorage, Alaska	14,017	10,494	2,796	3,820	1,279	1,262	723	614	2,489

[1] The family consists of an employed husband, age 38, a wife not employed outside the home an 8-year-old girl, and a 13-year-old boy.

[2] In addition to family consumption and personal taxes shown separately in the table, the total cost of the budget includes allowances for gifts and contributions, life insurance, occupational expenses, and social security, disability, and unemployment compensation taxes.

[3] Housing includes shelter, household operations, and housefurnishings. The average costs of shelter are weighted by the following proportions: 25 percent for rental costs, 75 percent for homeowner costs.

[4] The average costs of automobile owners and nonowners are weighted by the following proportions: Boston, Chicago, New York, and Philadelphia, 80 percent for owners, 20 percent for nonowners; Baltimore, Cleveland, Detroit, Los Angeles, Pittsburgh, San Francisco, St. Louis, and Washington, with 1.4 million of population or more in 1960, 95 percent for automobile owners, and 5 percent for nonowners; all other areas, 100 percent for automobile owners.

[5] In total medical care, the average costs of medical insurance are weighted by the following proportions: 30 percent for families paying full cost of insurance; 26 percent for families paying half cost; 44 percent for families covered by noncontributory insurance plans (paid by employer).

[6] For a detailed description see the 1967 edition of the "Standard Metropolitan Statistical Areas," prepared by the Bureau of the Budget.

[7] Places with populations of 2,500 to 50,000.

Note: Because of rounding, sums of individual items may not equal totals.

TABLE 3.—ANNUAL COSTS OF A HIGHER BUDGET FOR A 4-PERSON FAMILY,[1] SPRING 1969

Area	Total budget [2]	Cost of family consumption							
		Total	Food	Housing [3]	Transportation [4]	Clothing and personal care	Medical care [5]	Other family consumption	Personal taxes
Urban United States	$14,589	$10,804	$2,821	$3,544	$1,215	$1,609	$565	$1,050	$2,523
Metropolitan areas [6]	14,959	11,064	2,876	3,677	1,214	1,628	584	1,085	2,618
Nonmetropolitan areas [7]	12,942	9,645	2,572	2,954	1,217	1,527	482	893	2,101
Northeast:									
Boston, Mass	16,341	11,944	2,998	4,355	1,342	1,570	583	1,096	3,091
Buffalo, N.Y	15,505	11,182	2,909	3,695	1,199	1,744	531	1,014	3,039
Hartford, Conn	15,424	11,700	3,155	3,902	1,250	1,696	592	1,105	2,430
Lancaster, Pa	14,096	10,585	2,982	3,234	1,122	1,602	502	1,143	2,273
New York-northeastern New Jersey	16,914	12,147	3,112	4,328	1,250	1,704	523	1,130	3,432
Philadelphia, Pa.-N.J	14,782	10,992	3,034	3,448	1,236	1,609	568	1,097	2,527
Pittsburgh, Pa	14,061	10,558	2,907	3,250	1,166	1,600	537	1,098	2,266
Portland, Maine	14,005	10,665	2,922	3,270	1,165	1,637	565	1,106	2,098
Nonmetropolitan areas [7]	13,879	10,311	2,797	3,309	1,225	1,541	526	913	2,329
North Central:									
Cedar Rapids, Iowa	14,544	10,697	2,651	3,657	1,168	1,635	518	1,068	2,603
Champaign-Urbana, Ill	14,621	11,116	2,795	3,928	1,153	1,588	578	1,074	2,240
Chicago, Ill.-Northwestern Indiana	14,814	11,234	2,897	3,828	1,264	1,600	582	1,063	2,309
Cincinnati, Ohio-Ky.-Ind	13,730	10,303	2,782	3,249	1,140	1,588	497	1,047	2,203
Cleveland, Ohio	14,749	11,117	2,802	3,852	1,175	1,664	565	1,059	2,367
Dayton, Ohio	13,842	10,423	2,724	3,436	1,108	1,608	487	1,060	2,189
Detroit, Mich	14,464	10,745	2,931	3,401	1,180	1,591	567	1,075	2,473
Green Bay, Wis	14,348	10,207	2,655	3,427	1,116	1,526	472	1,011	2,922
Indianapolis, Ind	14,506	10,830	2,823	3,690	1,182	1,557	502	1,076	2,425
Kansas City, Mo.-Kans	14,228	10,594	2,831	3,378	1,200	1,613	527	1,045	2,395
Milwaukee, Wis	15,211	10,742	2,780	3,676	1,119	1,601	535	1,031	3,223
Minneapolis-St. Paul, Minn	14,803	10,537	2,729	3,491	1,156	1,580	513	1,068	3,030
St. Louis, Mo.-Ill	14,229	10,616	2,932	3,335	1,207	1,614	512	1,016	2,373
Wichita, Kans	13,912	10,363	2,706	3,286	1,224	1,599	526	1,022	2,322
Nonmetropolitan areas [7]	13,382	9,936	2,577	3,182	1,186	1,603	480	908	2,240
South:									
Atlanta, Ga	13,269	9,888	2,655	2,885	1,150	1,604	538	1,056	2,178
Austin, Tex	12,618	9,659	2,617	2,819	1,158	1,494	555	1,016	1,767
Baltimore, Md	14,350	10,314	2,764	3,155	1,169	1,620	533	1,073	2,811
Baton Rouge, La	13,754	10,400	2,711	3,302	1,252	1,548	527	1,060	2,125
Dallas, Tex	13,565	10,358	2,658	3,261	1,167	1,591	609	1,072	1,980
Durham, N.C	13,910	10,126	2,589	3,167	1,170	1,587	544	1,069	2,569
Houston, Tex	13,306	10,156	2,711	3,032	1,243	1,548	584	1,038	1,933
Nashville, Tenn	13,413	10,235	2,546	3,320	1,180	1,594	511	1,084	1,957
Orlando, Fla	13,452	10,272	2,563	3,343	1,191	1,557	537	1,081	1,957
Washington, D.C.-Maryland-Virginia	15,350	11,127	2,906	3,683	1,174	1,716	571	1,077	2,958
Nonmetropolitan areas [7]	12,146	9,143	2,466	2,656	1,217	1,470	459	875	1,836

Area	Total budget [2]	Cost of family consumption							Personal taxes
		Total	Food	Housing [3]	Transportation [4]	Clothing and personal care	Medical care [5]	Other family consumption	
West:									
Bakersfield, Calif.	$14,059	$10,451	$2,748	$3,125	$1,284	$1,613	$613	$1,068	$2,302
Denver, Colo.	14,122	10,457	2,721	3,413	1,142	1,590	557	1,034	2,433
Los Angeles-Long Beach, Calif.	15,137	11,187	2,815	3,673	1,223	1,639	743	1,094	2,608
San Diego, Calif.	14,862	11,005	2,728	3,729	1,221	1,570	678	1,079	2,524
San Francisco-Oakland, Calif.	15,752	11,600	2,937	3,882	1,285	1,743	634	1,119	2,789
Seattle-Everett, Wash.	14,861	11,299	3,038	3,701	1,230	1,665	592	1,073	2,288
Honolulu, Hawaii	17,823	12,462	3,410	4,533	1,321	1,491	559	1,148	4,029
Nonmetropolitan areas [7]	13,591	9,930	2,596	3,097	1,247	1,585	500	905	2,455
Anchorage, Alaska	19,035	13,579	3,389	5,168	1,461	1,775	754	1,032	4,025

[1] The family consists of an employed husband, age 38, a wife not employed outside the home an 8-year-old girl, a 13-year-old boy.

[2] In addition to family consumption and personal taxes shown separately in the table, the total cost of the budget includes allowances for gifts and contributions, life insurance, occupational expenses, and social security, disability, and unemployment compensation taxes.

[3] Housing includes shelter, household operations, housefurnishings and lodging out of home city. The average costs of shelter are weighted by the following proportions: 15 percent for rental costs, 85 percent for homeowner costs.

[4] All families were assumed to be automobile owners.

[5] In total medical care, the average costs of medical insurance were weighted by the following proportions: 30 percent for families paying full cost of insurance; 26 percent for families paying half cost; 44 percent for families covered by noncontributory insurance plan (paid by employer).

[6] For a detailed description see the 1967 edition of the "Standard Metropolitan Statistical Area," prepared by the Bureau of the Budget.

[7] Places with populations of 2,500 to 50,000.

Note: Because of rounding, sums of individual items may not equal totals.

TABLE 4.—INDEXES OF COMPARATIVE COSTS BASED ON A LOWER BUDGET FOR A 4-PERSON FAMILY,[1] SPRING 1969

[U.S. urban average cost=100]

Area	Total budget [2]	Cost of family consumption							Personal taxes
		Total	Food	Housing [3]	Transportation [4]	Clothing and personal care	Medical care [5]	Other family consumption	
Urban United States	100	100	100	100	100	100	100	100	100
Metropolitan areas [6]	102	101	101	102	94	102	103	104	103
Nonmetropolitan areas [7]	93	93	94	89	126	91	85	82	87
Northeast:									
Boston, Mass.	107	106	105	114	98	99	103	105	123
Buffalo, N.Y.	103	102	104	100	101	109	94	104	113
Hartford, Conn.	109	110	108	118	103	108	105	106	107
Lancaster, Pa.	98	98	104	94	90	101	89	105	100
New York-Northeastern New Jersey	103	102	108	96	84	106	111	106	110
Philadelphia, Pa.-New Jersey	101	100	107	92	91	102	101	103	112
Pittsburgh, Pa.	99	98	102	92	98	101	95	106	104
Portland, Maine	100	101	102	102	89	102	101	112	91
Nonmetropolitan areas [7]	96	96	100	86	127	94	93	80	92
North Central:									
Cedar Rapids, Iowa	101	101	95	114	92	104	92	102	106
Champaign-Urbana, Ill.	104	105	99	124	94	99	103	101	99
Chicago, Ill.-Northwestern Indiana	104	104	104	110	96	102	103	103	100
Cincinnati, Ohio-Kentucky-Indiana	96	96	99	91	99	100	87	104	92
Cleveland, Ohio	101	102	100	102	101	103	99	107	101
Dayton, Ohio	99	99	98	106	92	101	86	105	101
Detroit, Mich.	100	100	102	95	99	101	100	105	101
Green Bay, Wis.	95	94	94	96	90	96	83	96	109
Indianapolis, Ind.	102	102	100	113	97	100	98	104	105
Kansas City, Mo.-Kans.	100	100	101	99	97	105	93	100	100
Milwaukee, Wis.	102	100	97	107	94	101	95	99	127
Minneapolis-St. Paul, Minn.	102	100	97	105	98	101	91	104	128
St. Louis, Mo.-Ill.	100	100	103	100	101	101	91	99	101
Wichita, Kans.	100	100	99	104	96	101	93	99	100
Nonmetropolitan areas [7]	98	97	95	103	122	95	85	81	100
South:									
Atlanta, Ga.	94	96	93	96	93	96	95	108	85
Austin, Tex.	89	90	94	81	90	92	98	97	71
Baltimore, Md.	99	98	94	103	102	96	94	103	108
Baton Rouge, La.	91	93	94	87	99	93	94	100	77
Dallas, Tex.	95	96	92	97	93	95	108	103	82
Durham, N.C.	94	94	91	97	88	96	97	100	95
Houston, Tex.	93	95	95	89	102	93	103	100	79
Nashville, Tenn.	94	95	91	100	93	95	91	108	77
Orlando, Fla.	92	94	90	96	91	93	95	104	78
Washington, D.C.-Md.-Va.	105	104	100	113	101	100	102	105	119
Nonmetropolitan areas [7]	87	89	89	82	123	86	81	82	71
West:									
Bakersfield, Calif.	98	98	100	86	99	104	108	100	88
Denver, Colo.	98	99	96	102	93	103	99	96	94
Los Angeles-Long Beach, Calif.	107	106	101	109	96	105	132	106	105
San Diego, Calif.	103	103	98	106	100	100	117	105	99
San Francisco-Oakland, Calif.	111	110	104	121	101	111	112	108	113
Seattle-Everett, Wash.	110	110	109	120	100	107	105	104	110
Honolulu, Hawaii	124	120	122	145	112	96	99	108	174
Nonmetropolitan areas [7]	100	99	97	98	128	101	88	81	110
Anchorage, Alaska	151	145	129	192	167	113	133	99	229

[1] The family consists of an employed husband, age 38, a wife not employed outside the home, an 8-year-old girl, and a 13-year-old boy.

[2] In addition to family consumption and personal taxes shown separately in the table, the total cost of the budget includes allowances for gifts and contributions, life insurance, occupational expenses, and social security, disability, and unemployment compensation taxes.

[3] Housing includes shelter, household operations, and housefurnishings. All families with the lower budget are assumed to be renters.

[4] The average costs of automobile owners and nonowners are weighted by the following proportions of families: Boston, Chicago, New York, and Philadelphia, 50 percent for both automobile owners and nonowners; all other metropolitan areas, 65 percent for automobile owners, 35 percent for nonowners; nonmetropolitan areas, 100 percent for automobile owners.

[5] In total medical care, the average costs of medical insurance were weighted by the following proportions: 30 percent for families paying full cost of insurance; 26 percent for families paying half cost; 44 percent for families covered by noncontributory insurance plans (paid by employer).

[6] For a detailed description see the 1967 edition of the "Standard Metropolitan Statistical Areas," prepared by the Bureau of the Budget.

[7] Places with populations of 2,500 to 50,000.

TABLE 5.—INDEXES OF COMPARATIVE COSTS BASED ON AN INTERMEDIATE BUDGET FOR A 4-PERSON FAMILY,[1] SPRING 1969

[U.S. urban average cost=100]

Area	Total budget [2]	Cost of family consumption							Personal taxes
		Total	Food	Housing [3]	Transportation [4]	Clothing and personal care	Medical care [5]	Other family consumption	
Urban United States	100	100	100	100	100	100	100	100	100
Metropolitan areas [6]	102	102	101	103	98	102	103	103	10
Nonmetropolitan areas [7]	91	92	93	86	107	93	85	85	87
Northeast:									
Boston, Mass	110	109	108	122	100	98	103	103	122
Buffalo, N.Y	107	106	105	108	106	109	94	104	120
Hartford, Conn	109	110	111	114	110	106	105	103	102
Lancaster, Pa	99	99	107	93	96	99	89	108	96
New York-northeastern New Jersey	112	110	111	119	91	106	110	106	126
Philadelphia, Pa.-New Jersey	101	101	109	96	92	100	101	102	104
Pittsburgh, Pa	97	97	104	88	97	100	95	103	94
Portland, Maine	100	102	106	98	100	102	100	106	91
Nonmetropolitan areas [7]	99	99	102	98	109	94	93	85	98
North Central:									
Cedar Rapids, Iowa	101	100	93	106	102	103	92	103	106
Champaign-Urbana, Ill	101	103	98	112	98	100	103	104	92
Chicago, Ill.-northwestern Indiana	103	104	102	113	95	101	103	103	94
Cincinnati, Ohio-Kentucky-Indiana	97	98	97	97	100	99	88	102	94
Cleveland, Ohio	104	105	98	115	99	104	100	104	101
Dayton, Ohio	95	96	96	94	97	101	86	103	91
Detroit, Mich	99	99	102	95	98	100	100	103	99
Green Bay, Wis	98	95	93	97	97	96	93	98	114
Indianapolis, Ind	101	101	99	106	104	98	89	103	99
Kansas City, Mo.-Kansas	99	99	100	94	105	105	93	101	98
Milwaukee, Wis	105	102	96	111	98	100	95	99	129
Minneapolis-St. Paul, Minn	103	99	96	104	102	100	91	104	126
St. Louis, Mo.-Illinois	100	100	102	100	101	101	91	99	99
Wichita, Kans	97	97	95	95	105	100	93	100	95
Nonmetropolitan areas [7]	94	93	92	92	104	97	85	86	92
South:									
Atlanta, Ga	92	92	94	83	98	97	95	104	84
Austin, Tex	88	89	93	77	96	93	98	96	72
Baltimore, Md	97	95	96	89	98	97	94	101	108
Baton Rouge, La	92	93	96	85	105	94	93	99	81
Dallas, Tex	92	94	93	87	98	96	108	100	78
Durham, N.C	95	94	92	92	97	96	97	101	100
Houston, Tex	91	93	95	83	104	93	103	99	78
Nashville, Tenn	92	94	91	91	100	96	91	105	79
Orlando, Fla	91	93	90	89	99	93	96	102	77
Washington, D.C.-Maryland-Virginia	104	103	102	105	100	102	102	102	116
Nonmetropolitan areas [7]	86	87	90	76	107	89	81	84	76
West:									
Bakersfield, Calif	97	97	97	87	105	103	108	100	89
Denver, Colo	97	97	93	98	101	102	99	97	95
Los Angeles-Long Beach, Calif	102	102	98	99	99	104	131	105	98
San Diego, Calif	101	101	96	101	103	100	117	103	96
San Francisco-Oakland, Calif	108	108	102	111	106	111	112	108	108
Seattle-Everett, Wash	104	106	105	105	107	107	105	104	96
Honolulu, Hawaii	120	115	118	126	121	95	99	106	157
Nonmetropolitan areas [7]	96	95	93	91	108	103	89	85	103
Anchorage, Alaska	139	134	122	162	136	115	133	102	185

[1] The family consists of an employed husband, age 38, a wife not employed outside the home, an 8-year-old girl, and a 13-year-old boy.

[2] In addition to family consumption and personal taxes shown separately in the table, the total cost of the budget includes allowances for gifts and contributions, life insurance, occupational expenses, and social security, disability, and unemployment compensation taxes.

[3] Housing includes shelter, household operations, and housefurnishings. The average costs of shelter are weighted by the following proportions: 25 percent for rental costs, 75 percent for homeowner costs.

[4] The average costs of automobile owners and nonowners are weighted by the following proportions: Boston, Chicago, New York, and Philadelphia, 80 percent for owners, 20 percent for nonowners; Baltimore, Cleveland, Detroit, Los Angeles, Pittsburgh, San Francisco, St. Louis, and Washington, with 1,400,000 of population or more in 1960, 95 percent for automobile owners, and 5 percent for nonowners; all other areas, 100 percent for automobile owners.

[5] In total medical care, the average costs of medical insurance are weighted by the following proportions: 30 percent for families paying full cost of insurance; 26 percent for families paying ½ cost; 44 percent for families covered by noncontributory insurance plans (paid by employer).

[6] For a detailed description see the 1967 edition of the "Standard Metropolitan Statistical Areas," prepared by the Bureau of the Budget.

[7] Places with populations of 2,500 to 50,000.

TABLE 6.—INDEXES OF COMPARATIVE COSTS BASED ON A HIGHER BUDGET FOR A 4-PERSON FAMILY,[1] SPRING 1969

Area	Total budget [2]	Cost of family consumption							Personal taxes
		Total	Food	Housing [3]	Transportation [4]	Clothing and personal care	Medical care [5]	Other family consumption	
Urban United States	100	100	100	100	100	100	100	100	100
Metropolitan areas [6]	103	102	102	104	100	101	103	103	104
Nonmetropolitan areas [7]	89	89	91	83	100	95	85	85	83
Northeast:									
Boston, Mass	112	111	106	123	110	98	103	104	123
Buffalo, N.Y	106	103	103	104	99	108	94	105	120
Hartford, Conn	106	108	112	110	103	105	105	105	96
Lancaster, Pa	97	98	106	91	92	100	89	109	90
New York-northeastern New Jersey	116	112	110	122	103	106	110	108	136
Philadelphia, Pa.-New Jersey	101	102	180	97	102	100	101	104	100
Pittsburgh, Pa	96	98	103	92	96	99	95	105	90
Portland, Maine	96	99	104	92	96	102	100	105	83
Nonmetropolitan areas [7]	95	95	99	93	101	96	93	87	92
North Central:									
Cedar Rapids, Iowa	100	99	94	103	96	102	92	102	103
Champaign-Urbana, Ill	100	103	99	111	95	99	102	102	89
Chicago, Ill.-northwestern Indiana	102	104	103	108	104	99	103	101	92
Cincinnati, Ohio-Kentucky-Indiana	94	95	99	92	94	99	88	100	87
Cleveland, Ohio	101	103	99	109	97	103	100	101	94
Dayton, Ohio	95	96	96	97	91	100	86	101	87
Detroit, Mich	99	99	104	96	97	99	100	102	98
Green Bay, Wis	98	94	94	97	92	95	84	96	116
Indianapolis, Ind	99	100	100	104	97	97	89	102	96
Kansas City, Mo.-Kansas	97	98	100	95	99	100	93	100	95
Milwaukee, Wis	104	99	99	104	92	100	95	98	128
Minneapolis-St. Paul, Minn	101	97	97	99	95	98	91	102	120
St. Louis, Mo.-Illinois	98	98	104	94	99	100	91	97	94
Wichita, Kans	95	96	96	93	101	99	93	97	92
Nonmetropolitan areas [7]	92	92	91	90	98	100	85	86	89

Area	Total budget [2]	Cost of family consumption							
		Total	Food	Housing [3]	Transportation [4]	Clothing and personal care	Medical care [5]	Other family consumption	Personal taxes
South:									
Atlanta, Ga.	91	92	94	81	95	100	95	101	86
Austin, Tex.	86	89	93	80	95	93	98	97	70
Baltimore, Md.	98	95	98	89	96	101	94	120	111
Baton Rouge, La.	94	96	96	93	103	96	93	101	84
Dallas, Tex.	93	96	94	92	96	99	108	102	78
Durham, N.C.	95	94	92	89	96	99	96	102	102
Houston, Tex.	91	94	96	86	102	96	103	99	77
Nashville, Tenn.	92	95	90	94	97	99	90	103	78
Orlando, Fla.	92	95	91	94	98	97	95	103	78
Washington, D.C.-Maryland-Virginia	105	103	103	104	97	107	101	103	117
Nonmetropolitan areas [7]	83	85	87	75	100	91	81	83	73
West:									
Bakersfield, Calif.	96	97	97	88	106	100	108	102	91
Denver, Colo.	97	97	96	96	94	99	99	98	96
Los Angeles-Long Beach, Calif.	104	104	100	104	101	102	132	104	103
San Diego, Calif.	102	102	97	105	100	98	120	103	100
San Francisco-Oakland, Calif.	108	107	104	110	106	108	112	107	111
Seattle-Everett, Wash.	102	105	108	104	101	103	105	102	91
Honolulu, Hawaii	122	115	121	128	109	93	99	109	160
Nonmetropolitan area [7]	93	92	92	87	103	99	88	86	97
Anchorage, Alaska	130	126	120	146	120	110	133	98	160

[1] The family consists of an employed husband, age 38, a wife not employed outside the home, an 8-year-old girl, and a 13-year-old boy.
[2] In addition to family consumption and personal taxes shown separately in the table, the total cost of the budget includes allowances for gifts and contributions, life insurance, occupational expenses, and social security, disability, and unemployment compensation taxes.
[3] Housing includes shelter, household operations, house furnishings, and lodging out of home city. The average costs of shelter, are weighted by the following proportions: 15 percent for rental costs, 85 percent for homeowner costs.
[4] All families were assumed to be automobile owners.
[5] In total medical care, the average costs of medical insurance were weighted by the following proportions: 30 percent for families paying full cost of insurance; 26 percent for families paying ½ cost; 44 percent for families covered by noncontributory insurance plan (paid by employer).
[6] For a detailed description see the 1967 edition of the "Standard Metropolitan Statistical Areas," prepared by the Bureau of the Budget.
[7] Places with populations of 2,500 to 50,000.

Mr. JAVITS. Mr. President, this deals with the annual cost of a minimal budget for a four-person family in the spring of 1969. And since then we have had an increase in living cost of about 6 percent. This shows that at a minimum, everywhere in the Nation—rural and city alike—we have a basic living cost which runs at the very minimum 25 percent plus above the $4,000 standard.

For example, in nonmetropolitan areas, the total cost, the very basic figure—and it is the lowest cost in the chart—is $4,935 a year for this type family. It is well above the $4,000 standard.

Mr. President, as I stated before, this also costs out on the basis of the figures used by the Department of Agriculture on a low food budget, really the minimum for decent existence, of $1,200 a year. And using the multiplying factor of 3, which is applied in these cases, for total cost, the very minimum comes to $3,600 a year without using the increased costs which have been an incident of the last year. That is the very basic human living standard.

The argument is made that there are different situations existing throughout the country. I am the first to grant that there are. However, I point out also that none of them comes anywhere near the $4,000 level, for which we contend. We also have the recommendations with respect to the school lunch program of the Department of Agriculture and its recommendations—and I will read from their statement—for determining eligibility for free and reduced-price lunches and other meals.

Mr. President, it will be recalled that we ourselves wrote the minimal $4,000 standard into the food stamp program before it left the Senate.

We have now written a $4,000 figure into the aid to education, the elementary and secondary education bill, which passed here after a very considerable struggle last week.

Mr. President, it seems to me, therefore, that the evidence is overwhelming that, at long last, we seek some underpining, some concrete base, with respect to eligibility throughout the country. And this is in the very proper exercise of Federal authority.

Mr. President, as to the impact of such a standard at this time on the standard which is generally used—roughly $3,000—there are some 6.9 million children in the country who ought to have the benefit of free lunch. But only about 3 million are being reached. We need to set our sites at a realistic figure—namely, the $4,000 figure which would increase eligibility by at least 5 million children.

Mr. President, it does not seem to me that we are doing anything but what we ought to do. In raising our sites, even though we cannot by appropriations meet the goal, at least it gives us a real aspiration, instead of being limited in both aspiration and reality to the exigencies which we find in respect of appropriations. In short, we are just kidding ourselves when we provide free lunch for half the children. They are not the only ones who need free lunch. We are merely providing free lunch for one-third of the children who need it.

It seems to me that the one thing that the Committee on Agriculture would have done would have been to at least set a criteria for the country which would satisfy the country and give them a realistic approach, instead of an artificial approach as we are doing today. There is an absence of a national standard.

Finally, with respect to the matter of the affidavit, we show, that by the adoption by the committee of the amendment which is intended to prevent overt identification, it seems to me that we obtain consistency. As I stated in my preceding remarks we need the use of the affidavit technique. It is just as invidious to have identification of the family as it is to have identification of the child. If we are inhibiting identification for the child, then it seems to me to be correlative that we inhibit identification through the case worker technique.

We know how this has been used to discourage families from seeking free and reduced-price lunches. In many instances, the only way to get it was to submit to this kind of an investigation.

The criteria I have outlined in this amendment gives us a floor which befits the national dignity and the national intention.

The general drift of the amendments which have been proposed here has been directed toward the end of maintaining a floor upon which the program can then rest—with plenty of room for innovation above that. It seems to me that this amendment is absolutely essential.

Before I conclude my remarks I would like to make one other point about my own State because so often when we debate things here, because New York is a most vital and active State, the question is asked, "What is New York doing?"

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

Mr. JAVITS. Mr. President, I yield myself 5 additional minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

NEW YORK STATE PERFORMANCE COMMENDED

Mr. JAVITS. Mr. President, I would like to indicate for the record what we are doing. In New York, the proportion of children getting free or reduced-price meals comes very close to the optimum figure for the Nation. It is estimated that in the Nation 15 percent of the children in schools in densely populated areas should be eligible for free or reduced price meals. New York attained 13 percent in the last school year. Also, New York serves thousands of children more than the number of children who get the benefits of title I of the Elementary and Secondary Education Act.

We serve 417,000 free lunches against 405,000 of the children who benefit from the Elementary and Secondary Education Act; and serve free lunches to 85 percent of those eligible under AFDC. In New York City, very few schools lack food service. We do not do as well in Buffalo, however, and that is one of the reasons for my very great interest in using food purveyors because the situation can be materially improved in that regard. In addition, I am pleased to say that New York contributes more at the State level than would be required by the bill—$19 million more—and New York City contributes $10 million locally for free and reduced-price meals. I say that about New York because we must first look at ourselves in the mirror before we try to bring about higher standards for all.

NATIONAL AWARENESS

I conclude my argument for the amendment as follows: The amendment is really directed toward acceptance by the Nation of its responsibility and whether we can meet that responsibility in respect of the actual money appropriated. I was very interested to note yesterday that relatively conservative members who serve on the Committee on Appropriations felt we should have an open-ended appropriation in respect of the school lunch program rather than to fix any figure, even a good figure such as the Senator from Michigan (Mr. HART) proposed.

We made that proposal because we believe it is necessary to fix an optimum objective. We can only hope that those who argued against it for the reason they felt we should not limit ourselves will have the same feeling when we come to the appropriations and remember the arguments they made which induced the Senate by such a narrow margin to turn down the Hart amendment. However, it does indicate a disposition.

Again, I wish to pay tribute to the Senator from South Dakota (Mr. MCGOVERN) who chairs the "Hunger Committee," for having done what is probably the most effective thing which can be done in a democracy: Arousing the people to a great national deficiency, thus animating currents designed to deal with that deficiency. This is only one area but the people of the United States were appalled by the finding that there was hunger and deprivation and much more appalled to find that it was more prevalent among children than among adults. This is the area in which we are legislating today. They were appalled and they have taken many measures, including revision of the food stamp program in this body, in order to show their sentiments and views.

This is but a part of the whole reform in these programs dealing with the most basic of all approaches to problems. It should be a matter of deep satisfaction to our country that it knows how to respond to a call of conscience. That is what this is. The amendment which I have proposed, along with colleagues, is to add another aspect of implementation to the weight of national conscience, which is represented by the findings of the Committee on Nutrition and Human Needs.

Mr. President, I reserve the remainder of my time.

Mr. TALMADGE. Mr. President, I yield myself such time as I may need.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. TALMADGE. Mr. President, the amendment offered by the Senator from New York would in effect make three amendments which by unanimous consent we would vote upon en bloc.

The principal change the Senator's amendment would make is that a reduced-price lunch must not exceed 20 cents per child. The second amendment would set up national standards which would provide that a family of four earning $4,000 or less would be entitled to meals without cost. The third principal provision is that requirements of this section relating to service of meals at reduced cost shall apply to the school lunch program of any school utilizing commodities donated under any provisions of law referred to in the preceding sentence. That refers to private schools to a great degree.

I will deal with the first amendment first, which is that the cost of meals should not exceed 20 cents per meal for the cost of food. As the Senator pointed out in his remarks, I had that in my bill that the committee considered but they decided by an overwhelming vote that it should not be retained in the bill. The reason therefor was that the Department, in its report on the bill, advised the committee that this provision "imposes a restriction that many schools may not be able to meet it until the time comes that fully adequate funding from Federal, State, and local sources is assured."

The amendment—the McGovern amendment—would impose a restriction even more difficult to meet since the 20 percent restriction would be considerably lower than the 20-cent restriction. The committee amendment seeks to improve the program and provide better funding from Federal and State sources so that the objective of this amendment can be met. The committee did not want to impose a restriction which could not be met. Attempted enforcement of such a restriction could result in the dropping of the program in some areas, with the consequent loss of its benefits.

I would point out also that if we have a substantial number of meals served with inadequate funding at not to exceed 20 cents, it would mean a much larger percentage of the students who may be entitled to a free lunch could not get it at all.

The committee is opposed to the amendment offered by the Senator from New York. I regard it as another attempt that would seriously and adversely affect the bill reported by the committee by establishing a nationwide eligibility standard of $4,000 and by imposing impossible requirements on State governments and local school districts. The amendment would transform the school lunch program into a Washington welfare handout.

The present amendment would ignore all of the principles of Federal, State, and local cooperation which have worked so well in the school lunch program.

The junior Senator from South Dakota stated yesterday that the school lunch program has worked well, that it has worked better than most Federal programs. Yet, the Senator from South Dakota joins in the support of this amendment which, together with amendment numbered 512 approved yesterday, would destroy the kind of school lunch program that has been so successful.

The supporters of this amendment propose to ignore the experience of more than 20 years of operating the national school lunch program—they propose to ignore the judgment of the members of the Senate Agriculture Committee, which gave thorough consideration to this amendment—they propose to completely rewrite the school lunch program and change the basic philosophy of the program on the floor of the Senate.

Mr. President, it is regrettable that every time the Senate considers any legislation dealing with the problem of hunger in this country, we always get involved in a contest to see who can offer the most. No matter how generous the Senate Agriculture Committee might be, we are always faced with a number of amendments which would sacrifice sound administrative and legislative experience for unlimited promises of "pie in the sky."

Need I remind the Senate of our experience with the food stamp legislation last year? The Senate overrode its Committee on Agriculture and approved a tremendously expensive giveaway program that has not a prayer of receiving the approval of the House of Representatives.

The folly of attempting to write complex legislation on the Senate floor is illustrated by the fact that not even the sponsors of amendment 511, to change the breakfast program, knew what the amendment said after the Senate had finished with it yesterday.

The provision of amendment 508 which establishes a nationwide eligibility standard of $4,000 is the most objectionable feature of all the amendments. This provision requires that lunches be served free to all children in all families with incomes of less than $4,000 rather than at a reduced price.

In a country as vast and individualistic as ours, it seems foolish to impose uniform eligibility standards over the whole Nation. Cost of living varies greatly according to the region of the country and depending on whether the family is urban or rural.

There is a similar discrepancy in the level of income. For example, 26.2 percent of the families living in the Northeast have incomes of less than $4,000. In the South, 46.5 percent of all families have incomes of less than $4,000. In the Nation as a whole, 36.3 percent of all

families have incomes of less than $4,000 per year.

If this amendment becomes law, about one-third of the families in the United States will be authorized free food at Government expense.

Mr. AIKEN. Will the Senator yield?

Mr. TALMADGE. I yield to my colleague from Vermont.

Mr. AIKEN. The Senator has pointed to the distinction between rural areas and the larger cities of this country. Can the Senator give us an estimate as to how many children in the large cities of this country might be deprived of school lunches if this $4,000 limitation remains?

Mr. TALMADGE. I believe it would be quite a number, because I do not think Congress would authorize and appropriate sufficient funds to take care of the entire needs, and there would be so many eligible for free lunches that those in the direst need would be severely restricted. So I think the Senator's amendment would have an effect opposite to what he seeks, which is to provide free lunch to children who are in real need.

To show Senators something of the diversity of the program, I would assume that a family living in a tall building in New York City or Chicago or San Francisco or Philadelphia and which has a $6,000 income would have an income that would be extremely modest and the family could be classified as poor; but a family that lives on a dairy farm in Vermont or in Georgia or in the Midwest, where they raise hogs and chickens and have cows and gardens and have an income of $4,000, might be considered in their neighborhood as being affluent.

That is the reason why it is wise policy, in my judgment, to leave it to the discretion of local officials to prescribe standards and conditions. Then when funds are appropriated by Congress and they are allocated to the States and various school districts, the money can be directed to those who are in need, rather than to try to paint a pie in the sky for everybody.

Mr. AIKEN. Would the Senator say that adoption of the amendment would mean the penalty would fall on children in large cities and upon the taxpayers of the Nation?

Mr. TALMADGE. I think that is correct.

Mr. AIKEN. We are used to having a penalty on the taxpayers.

Mr. TALMADGE. That is true.

Mr. AIKEN. But with this limitation, it would conceivably prevent many thousands of deserving youngsters in our cities from receiving a free school lunch.

Mr. TALMADGE. I agree with the Senator. The Senator's criterion is based solely on income, and not assets. So if a man owned 300,000 shares of IBM stock, for example, from which the dividend is less than 1 percent, he would be entitled to send his children to school and then would be authorized, under this amendment, to have them receive free lunches, despite the fact that he had a net worth of $300,000 or more.

Mr. AIKEN. Let me ask the Senator another question. Does he think it necessary to have a new school lunch bill this year, or should we let it go on the same basis as the food stamp program is going now?

Mr. TALMADGE. I would hope we could get a bill passed without cluttering it up, as we did the food stamp bill last year, where it would get bogged down in the House of Representatives. As the Senator knows, we held hearings and considered in detail all the amendments in the committee bill. The people who handle the school lunch programs in the various States testified, and virtually all they suggested was written into the committee bill. If the bill becomes law, if it passes the Senate and passes the House of Representatives, and is signed by the President, and if the Congress appropriates the money, every child who is economically deprived in this country will have adequate food. It was the desire of the community to see that no child who went to school hungry would go home hungry.

Mr. AIKEN. The Senator from Georgia is aware of the fact that the Committee on Agriculture and Forestry brought out a food stamp bill which increased the food stamp program approximately 400 percent over what is authorized today, and yet there were those who preferred to kill it, and conceivably have done so.

Can the Senator tell us how much the bill on the school lunch program which was brought out from the committee increases the school lunch program over the present provisions?

Mr. TALMADGE. According to the best estimates the committee had, approximately 3½ million needy children are being served under the nutrition programs in the schools at the present time. According to our best estimates, about 6,600,000 children come from needy families. In other words, we aimed at a bill that would double the existing programs. That is the bill pending before the Senate at the present time.

As the Senator pointed out so effectively, when the food stamp bill came before the Senate, by an overwhelming vote the Senate overloaded the committee bill, and it has been buried in the House of Representatives ever since. I hope that does not happen to the school lunch program.

Mr. AIKEN. There is no indication that the food stamp bill will come out of the House in the near future, is there?

Mr. TALMADGE. I have heard of no such indications.

Mr. AIKEN. Does the Senator believe the same would happen to the school lunch program if we adopted all of the pending amendments to the bill?

Mr. TALMADGE. I certainly believe that is what the House would do. I believe the experience of the food stamp bill is the best guide.

Mr. AIKEN. Has the Senator from Georgia any idea why Members of this body who profess to be strong for feeding poor children insist on provisions that would kill the bill?

Mr. TALMADGE. I do not. I wish I could answer the question, but I think we ought to try to take a step toward a bill that we hope can become law.

I thank the Senator for his contribution and his very effective work, over the years, in the Committee on Agriculture and Forestry, on the programs that are now law.

A family which lives on a small farm in the South and has no more than $4,000 of monetary income may consider itself to be fairly well off. The same applies for a small farmer in New England. In many cases, these farm families produce most of their own food. Housing is less expensive than in our giant cities, and taxes are low. On the other hand, a family living in New York City with an income of $6,000 might be considered poor. The Senator from Alaska has an amendment pending in which he asks for a 25-percent bonus simply because Alaska has a very high cost of living. That shows how diverse cost-of-living standards are in this country; and I do not think we ought to attempt to enact one standard nationally that would be a guide for all of the 50 States, for all families, regardless of where they dwell, regardless of whether they are urban or rural, and regardless of whether they make most of their living on the farm or whether they dwell in giant apartment houses.

The cost of providing free lunches to all children in families having incomes of less than $4,000 would be fantastic. By the Nutrition Committee's estimate, there are 8.4 million children in families with annual incomes of less than $4,000.

The sponsors of this amendment estimate that it would cost $817 million to foot the bill. When you consider the amount budgeted for free school lunches under all Federal sources and all State sources, there is still a tremendous funding gap. The sponsors of the amendment estimate that the cost funding gap would be $419.4 million.

The administration has not indicated a willingness to spend this kind of money on child nutrition. The agricultural budget for 1971 includes an increase of $133.3 million for child nutrition programs. However, the increase is a false one, for the administration proposes to eliminate the special milk program and thus save $104 million. Therefore, the real increase is only $29 million.

If the Senator from New York and the Senator from South Dakota could guarantee that the additional $419 million will become available, then it would not deprive the children who are really poor and undernourished of the meals that they seek. If they cannot guarantee that we are going to get this extra $419 million, they ought to withdraw the amendment, because it is going to make the burden much greater on the children who come from homes that need the extra money, and will also drive many States and districts out of the school lunch program.

The Agriculture Committee gave thorough consideration to amendments providing a national eligibility standard when it considered the present bill. It

rejected this amendment for reasons that are aptly described in the committee report. I read from page 5 of the report:

The objective of the Committee is to expand the school lunch program so that free or reduced price lunches will be available to all needy children. To accomplish this objective, it will be necessary to secure maximum cooperation on the state and local levels. Many school districts do not participate in the school lunch program at all. Many states contribute no state revenues to the school lunch program.

If the states and the local school districts are required to meet the eligibility standards of the McGovern amendment, and they are not given the funding to do so, they will be faced with tremendous administrative problems and a large funding gap. It is highly likely that many states would choose not to participate in the school lunch program at all. Such problems would certainly discourage those large municipalities who do not now participate from coming into the school lunch program. Thus, the McGovern amendment would have the result of denying access to the school lunch programs to thousands of needy children.

The last provision of the pending amendment is a requirement that any school which does not participate in the regular school lunch program, which utilizes donated commodities, be required to provide free and reduced-cost lunches in the same manner as any school which participates in programs under the National School Lunch Act and the Child Nutrition Act.

The Department of Agriculture estimates that there are about 400,000 needy children in schools which utilize donated commodities without participating in the regular school lunch program. Of course, it will be necessary to bring all school districts into the regular school lunch program if we are to provide free and reduced price lunches for all needy children.

The pending bill, S. 2548, already gives the Secretary of Agriculture authority to prescribe terms and conditions for the utilization of donated commodities. If Senators will turn to page 32 of the committee report, they will find the language at the bottom of the page there, where it is included in section 10. This provides for flexible approach to those school districts that are using donated commodities without placing an immediate requirement on them. The practical effect of amendment 508 would be to deny many school districts any financial aid for their school lunch programs. Rather than immediately assume the burden of providing free lunches for all children from families with incomes of less than $4,000, these schools might prefer not to participate in any kind of Federal school lunch program.

The funding gap would be especially harmful to private schools. Many of these schools are in financial trouble already. They would be required under amendment 508 to immediately assume the burden of providing free meals to all children from families whose incomes are less than $4,000, and if they were not given enough Federal money to do so, most of these schools would have nowhere else to turn. Their only alternative would be to withdraw from any kind of Federal lunch assistance program.

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

Mr. TALMADGE. I yield to the Senator from New York.

PRIVATE SCHOOLS

Mr. JAVITS. The question of private schools has been put up to me, also, and to Senator McGOVERN and the other members of the bipartisan coalition which sponsored this amendment.

We are rather of a mind to amend our proposal to deal with the nonprofit private school question, and I am at liberty to do it, because the yeas and nays have not been ordered, but I did want the Senator's advice on the matter.

To be very frank with the Senator, I am cognizant of the fact that this affects a good many religious schools, and we certainly want them to have the benefit of school lunches. However, I am also cognizant of the fact that it would affect contrived private schools to avoid desegregation, but of course there are other ways of reaching the latter.

Because we wish to be as collaborative as we can about what we can agree on, if the Senator feels—and I again presume the Senator's good will in all of this, because he is the man who has brought about such great changes himself in this bill—that on the private school question it would be better to accommodate them—and I would greatly appreciate his opinion on that point—having consulted with the Senator from South Dakota (Mr. McGOVERN), I would be prepared to modify my amendment in order to accommodate the nonprofit private school problem.

Mr. TALMADGE. What does the Senator propose to do—to strike out the last part of the amendment?

Mr. JAVITS. No, I propose to add a proviso, as follows:

Provided, That none of the requirements of this section shall apply to nonprofit private schools which participate in the school lunch program under the provisions of section 10 until such time as the Secretary certifies that sufficient funds from sources other than children's payments are available to enable such schools to meet these requirements.

Mr. TALMADGE. I have not had an opportunity to study the Senator's proposal, but I would point out to the Senator that I hold in my hand a letter dated February 24, 1970, addressed to me from the Office of Government Liaison, U.S. Catholic Conference, in which they strenuously object to the Senator's amendment, and point out that something like 2,871 Catholic schools would be affected by his amendment.

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

The PRESIDING OFFICER (Mr. GURNEY in the chair). Is there objection?

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

U.S. CATHOLIC CONFERENCE,
OFFICE OF GOVERNMENT LIAISON,
Washington, D.C., February 24, 1970.

Hon. HERMAN E. TALMADGE,
Select Committee on Nutrition and Human Needs, Washington, D.C.

DEAR SENATOR TALMADGE: Senate Amendment No. 508, by Senator Javits and others, offered as an amendment to your school lunch bill, S. 2548, seeks to impose a maximum price of 20 cents per meal for reduced cost lunches and to require provision of free lunches to all children in families with an income equivalent to $4,000 or less for a household of four persons as a condition for schools to participate in the national school lunch program. Unfortunately, Senator Javits' amendment fails to make adequate provision for the special circumstances faced by 2,871 private non-profit schools with lunch programs in 26 states where the state is not authorized by law to administer the lunch program in non-public schools. As you are aware, the school lunch program since its inception has made special provisions for these schools under Section 10. This section authorizes the Secretary to administer the program for these schools and to disburse Federal funds withheld from the State allocations directly to the participating private non-profit schools. These schools must meet the State matching requirements from sources other than State and local tax revenue.

Your bill, S. 2548, and H.R. 515, by Representative Perkins, will require, over a period of years, that State revenues other than children's payments must be provided in increasing amounts to pay a portion of the cost of the school lunch program, including the cost of providing free and reduced price lunches. The same State legal prohibitions which require Federal administration of the program for non-public schools in 26 states also prevent use of State and local public funds to pay a portion of the cost of the lunch program in these non-public schools. Thus, the non-public schools have had to turn to the only source of non-Federal funds available to them—that is the revenue collected from children who are able to pay for their lunches. The rise in price of school lunches in recent years has prompted many children to drop out of the program and has forced some non-public schools to discontinue the service. Unless some special provisions is made, it is to be expected that the additional financial requirements which would be imposed by the Javits amendment would accelerate this undesirable trend. The non-public schools do not wish to leave the program. They want to stay in and improve their service. They agree with the objective shared by yourself and Senator Javits to provide free and reduced price lunches for all needy children. But, if they are to continue in the program, they must have some assurance that Federal funds will be forthcoming to pay the additional cost which the requirements of Amendment No. 508 will impose. Without such protection, the Javits amendment could force these particular schools to price themselves and their children out of the national school lunch programs. All children would suffer—the poor as well as those fortunate enough to be able to pay for their lunches.

In view of the serious nature of the threat posed for these 2,871 schools, I would urge the Senate to reject the Javits amendment in its present form. I respectfully request that you call this situation to the attention of the Senate and that this letter be entered in the Congressional Record in an appropriate place.

Should the Senate decide to adopt the Javits amendment to your bill, I would hope

that a special provision could be included to insure that the new requirements for free and reduced price lunches would not apply to those private non-profit schools in those 26 States covered by Section 10 of the School Lunch Act until such time as the Secretary of Agriculture is able to certify that sufficient funds from sources other than children's payments are available to enable such schools to meet the new requirements.

In closing, I would like to take this opportunity to commend you and those Senators who have assisted you in the development of S. 2548. The bill represents a commendable advance toward a national goal of an adequate diet for all children.

Respectfully,

JAMES L. ROBINSON,
Director.

Private school programs administered by USDA

State:	Number of schools
Delaware	2
Maine	44
Maryland	42
New Jersey	150
Pennsylvania	379
West Virginia	27
Alabama	46
Florida	58
South Carolina	16
Tennessee	52
Virginia	37
Iowa	208
Michigan	239
Minnesota	310
Nebraska	107
North Dakota	48
Ohio	314
Wisconsin	408
Arkansas	43
Colorado	58
Texas	187
Hawaii	19
Idaho	17
Montana	21
Nevada	1
Washington	38
Total	2,871

Mr. TALMADGE. Mr. President, they object to it very strenuously. There is no way of telling how many other private schools in existence—Protestant, Jewish, Catholic, nondenominational, and so forth—are involved. I think it is bad practice for the Government to try to intrude in their affairs and tell them what they ought to do in their own lunch program.

Mr. JAVITS. I will say to the Senator that I believe they had a hand in the drawing of this particular provision. It will enable the Senator to study it.

Mr. TALMADGE. May I look at it?

Mr. JAVITS. Yes.

Mr. TALMADGE. Has the Senator submitted it?

Mr. JAVITS. I am prepared to modify my amendment accordingly, but I think it would be desirable, before I actually do so, to have the Senator's staff look at it.

Mr. TALMADGE. I will have the staff look at it.

I ask the Senator to turn to page 32 of the committee report, section 9, and refer to the last paragraph thereof, in italics:

The Secretary is authorized to prescribe terms and conditions respecting the use of commodities donated under section 32, under section 416 of the Agricultural Act of 1949, as amended, and under section 709 of the Food and Agriculture Act of 1965, as amended, as will maximize the nutritional and financial contributions of such donated commodities in such schools and institutions.

I think that gives the Secretary authority to protect the Government's interest on donated commodities, and I feel that that is as far as the Federal Government ought to intrude in imposing its will on any private school.

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

Mr. TALMADGE. I yield.

Mr. JAVITS. I think that our objective—if that provision looks all right to the staff—would be to limit our desire to the public school systems. There you have taxing authorities and a different situation from the financial pressure upon the private nonprofit schools. That issue, of course, I am prepared to debate with the Senator. But at least it will narrow the issue to that point.

The Senator need be under no pressure about it. I will be speaking again. The Senator may look it over at his leisure. I would understand that no concession is involved in respect of the amendment. Inasmuch as I think we a have common purpose, the idea would be to get the best expertise on how to deal with the private school problem.

Mr. TALMADGE. I think the committee's report, as I read the Senator's proposed modification, is substantially what the Senator proposes for the private schools.

Mr. JAVITS. Exactly.

Mr. TALMADGE. I see no necessity for the Senator proposing this at all. I think he could strike that part in its entirety from his amendment.

Mr. JAVITS. If I struck that part, it would eliminate the requirement upon the public schools. I am not prepared to do that. Therefore, I would have to modify my amendment.

Mr. President, I modify my amendment accordingly.

The PRESIDING OFFICER. Is there objection?

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. Unanimous consent, I understand, is not required, because the yeas and nays have not been ordered.

The PRESIDING OFFICER. The clerk will report the modification.

Mr. JAVITS. Mr. President, I ask unanimous consent that the reading of the modification be dispensed with.

Mr. TALMADGE. This is the proposed modification.

The PRESIDING OFFICER. The clerk will state the modification.

The assistant legislative clerk read as follows:

At the end of the Javits amendment add: "*Provided,* That none of the requirements of this section shall apply to nonprofit private schools which participate in the school lunch program under the provisions of Section 10 until such time as the Secretary certifies that sufficient funds from sources other than children's payments are available to enable such schools to meet these requirements."

Mr. TALMADGE. Mr. President, one final word. If I may sum up the difference between the approach of the committee and the approach of the sponsors of the pending amendment, it is the difference between persuasion and force. It is the difference between our traditional approach of Federal, State, and local cooperation, and the idea that the Federal Government is the great provider.

I appeal to the Senate to reject this attempt to promise more, and I urge that we stick with the committee bill, which offers lunch rather than rhetoric.

I reserve the remainder of my time.

Mr. JAVITS. Mr. President, I yield 5 minutes to the Senator from South Dakota.

Mr. McGOVERN. I thank the Senator from New York for yielding to me and also for the generous remarks he made about me a few moments ago. I wish to reciprocate by commending the Senator for the amendment that he brings before the Senate today.

I regard the amendment offered by the senior Senator from New York as the most important of the five amendments that this bipartisan group of Senators has presented to this bill. It is a matter of great importance in terms of bringing uniformity and some direction to an otherwise good proposal offered by the Senator from Georgia.

In reference to the comments made earlier by the Senator from Vermont and the Senator from Georgia, let me just say that the passage of the food stamp bill by the Senate last September, which has now been tied up in the House for some 6 or 7 months, in no way reflects on the judgment of the U.S. Senate. The truth is that the House had every legislative opportunity available to it that it had before the passage of the Senate food stamp bill. They had the opportunity to modify that bill if they felt the Senate had gone too far. They had the opportunity to act on a bill of their own.

But I think the fact is that a judgment was made by the House Agriculture Committee leadership that they wanted to wait for the passage of the food stamp bill until they could attach it to the extension of a comprehensive agricultural price support bill. That is the real explanation for the failure of the other body to act on food stamp legislation.

I want to lay that concern to rest here and now. Nothing whatever that was done by the Senate last fall has delayed the passage of adequate food stamp legislation, and we cannot use that excuse to fail to do the best possible job of passing a sound school lunch bill and school breakfast bill in the Senate when this matter is before us now.

The measure proposed by the Senator from New York, which I am pleased to cosponsor together with other Senators, would in effect be consistent with the action taken by the Senate with refer-

ence to the food stamp legislation last fall. At that time we said that families with an income of $4,000 or less would be eligible for food stamp assistance. We are now applying the same criteria under the Javits amendment to the school lunch program. We are providing a uniform standard in place of the presently chaotic situation that exists not only between the States but even within certain States. One of the common conclusions that has been reached by just about everyone who has looked carefully and critically at our existing school lunch programs across the country is the need for some definite guidelines to provide a basis for determining who shall get free and reduced price lunches.

More than a year ago, in October of 1968, the Department of Agriculture itself recognized this need, and they suggested certain guidelines to the States, in an effort to assure some kind of uniformity not only between the States but also within the States with reference to the various school districts. But to date little or nothing has been done to bring any degree of order out of the present shambles of guidelines in determining what students will qualify for free or reduced price lunches. That is the reason it is important for the Senate to adopt and write into law guidelines that will determine, once and for all, what children shall be eligible to receive lunches, either on a free basis or on a reduced price basis.

Second, it is equally important that in this amendment we determine what we mean by reduced price lunches at the present time. I think the Senator from Georgia would be inclined to agree with this, that some of the States are exploiting the opportunity to get additional Federal funding for the reduced price lunches by a nominal reduction of 1 to 3 cents on the price of lunch, and then qualify for an additional Federal subsidy, which penalizes those school districts trying to do an honest and reasonable job of offering a reduced price lunch.

What the Javits amendment proposes is a 20 cent minimum, which was in the original bill as offered by the Senator from Georgia (Mr. TALMADGE).

It seems to me that the amendment is entirely reasonable. It does meet congressional responsibility of providing some guidelines to carry out the program which we are authorizing.

I honestly hope that the amendment, above all others, which have been proposed, will be agreed to by the Senate.

Mr. TALMADGE. Mr. President, I yield 5 minutes to the Senator from Kentucky (Mr. COOPER).

The PRESIDING OFFICER (Mr. HUGHES in the chair). The Senator from Kentucky is recognized for 5 minutes.

Mr. COOPER. Mr. President, I am sure that everyone in this body would like very much to see the school lunch program and the breakfast program extended to every needy child in this country.

That is my position. I understand and I honor the objectives of the Senator from New York. I would like it to be noted that the issue we are talking about—the amendment offered by the Senator from New York and others—is not a question among us as to whether we favor additional free lunches for children, or fewer free lunches, because that would be an easy oversimplification.

We have to ask, What would be the effect of the amendment? Well it actually, if put in operation, provide more help? I do not think so.

I have the appendix which was very generously provided me by my friend from New York, explaining his amendment. As I understand it, the cost of the amendment is based upon a total of 8.4 million needy children, at an average cost of 60 cents a meal, which would total $817 million. Then, subtracting from the $817, the amount provided in the bill—$397.6 million—there is left a total of $419.4 million which would be needed to fund the program, if the amendment of the Senator from New York is agreed to.

My first question is this—Is there a provision in the bill for $419.4 million?

Mr. JAVITS. There is an open-ended provision there for appropriations. That is what the Senate, as I understand it, did yesterday in turning down the Hart amendment which tried to fill up part of the gap. So they have left this open. I think this gap problem is a question of what gap we are willing to show, whether a realistic or an unrealistic gap. We have a gap now, because 3 million children are not under the program at all. Everyone admits they should be on it. The only question is, shall we set the target at 6.9 million, or shall we set the target at 9 million?

Mr. COOPER. My first question has been answered, and properly so. The bill is open ended. If the Committee on Appropriations would appropriate $419.4 million, it would close the gap.

My second question goes to participation by the States. Present law requires, so far as the school lunch program is concerned, for a matching basis of 3 to 1, with the States required to provide three times as much as the Federal Government.

Mr. JAVITS. Right. That is correct, except for the new provision, which will make the States put up 7 percent to 10 percent over a graduated period of that State's contribution.

Mr. COOPER. I should like to direct attention to factors which I believe would make it much more difficult for the poorer States to participate in the program, if the Senator's amendment is adopted.

As we know, the States are permitted to meet their share of the cost either by contributions from State and local revenues or by cost to the schoolchildren according to their ability to pay. As a result of this procedure, States like mine, and others, have been able to charge children able to pay—and why should they not be charged for a nutritious meal if their parents are able to pay? These charges help to fund the cost to children who are unable to pay.

In many cases, children are not required to pay anything. In other cases, they are required to pay as little as 5 cents a meal—or more, based upon ability to pay.

First, I believe that when a parent is able to pay, he should pay the cost of the meal. This may be just a general expression on my part, and without available statistics at hand now, but there are probably two chief areas in the country where unfortunately many needy children live. One area is in the poorer States in the South. My State, for example, has been pointed out for the conditions which exist in eastern Kentucky. Another area is in the great cities of the country with their ghettos and thousands of poor people.

Mr. President, in the poorer States, in many areas of the South or border States, the States have met their responsibilities. Any where from 55 percent to 70 percent of their schoolchildren receive lunches. It is 74 percent in my State.

But States which have other categories of poor, such as in the great cities, in the ghettos, they have not met their responsibilities. The State of New York has done better than most, but States like Illinois and Pennsylvania hardly have any school lunch program at all.

I want all to have the programs but these States should assume their responsibilities in contributing to this program and the children in those States able to pay should do so.

In my judgment, through the pending amendment, the States absolve themselves—the richest States in the country, from bearing a proper share of the burden. Other States, like mine, would be required to provide to well-to-do children a 20-cent meal or less, and this increases the cost to the States and the Federal Government.

Mr. TALMADGE. Mr. President, if I may interject there, if there are not sufficient funds in the program, it is going to mean depriving a great many of the poorer children who are most in need.

Mr. COOPER. The Senator is correct.

I applaud the Senator from New York for his objective. I would like to see all poor children fed without cost. I would like to see the Congress provide money to feed them all and give a good breakfast, too. For, unless a meal is nutritious, it is not the food the children require in years that are formative in mind and body.

I say this with great respect to my friend, that a program, if it is to reach the children, must be looked at very carefully. We must ascertain and provide a way to persuade the States who are able to bear the burden, to help pay the cost of the meals for needy children.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement showing the status of the school lunch and breakfast programs in every State that bears out the facts of the statements I have just made.

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

TABLE PRESENTED BY RODNEY E. LEONARD, WHO WAS ADMINISTRATOR OF CONSUMER AND MARKETING SERVICES, USDA, 1967-69. PRIOR TO THAT, HE HELD OTHER POSTS IN THE DEPARTMENT

School year 1968-69	School lunch									Breakfast			Guideline policy		
	Average daily attendance	Average daily participation	Percent 2:1	Free and reduced price lunches	Percent 4:1	Number AFDC children	Percent 4:6	Number ESEA children, fiscal year 1967	Percent 4:8	Average daily participation	Percent 10:1	Percent free breakfast	Number school districts	Number plans approved, June 30, 1969	Number plans rejected
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)			
Alabama	787,714	510,628	64	101,536	12.0	327,500	31	244,311	41.6	39,415	5.0	46	119	117	0
Alaska	46,437	24,668	53	8,120	17.0	8,187	99	6,974	11.6	633	1.4	100	29	19	0
Arizona	311,477	165,602	53	30,855	9.9	62,264	50	46,633	66.2	33,987	11.0	76	296	117	0
Arkansas	414,173	280,506	68	80,482	19.0	202,135	40	149,658	53.8	5,047	1.3	83	395	385	0
California	2,186,433	827,000	38	75,743	3.5	472,876	16	396,632	19.1	6,000	.3	21	1,109	660	75
Colorado	498,129	222,647	44	13,973	2.0	60,026	23	45,989	30.3	5,172	1.0	6.0	181	181	0
Connecticut	460,041	191,344	42	7,548	1.6	45,085	17	39,361	19.1	18,705	4.1	96	177	188	0
Delaware	108,261	58,464	54	2,548	2.4	12,628	20	10,982	23.2	132	.1	30	48	48	0
District of Columbia	130,605	36,469	28	20,542	15.7	30,320	68	22,896	89.7	8,665	6.7	100			
Florida	1,270,412	774,369	60	81,227	6.0	243,894	33	145,719	55.8	5,052	.5	43	67	72	0
Georgia	1,014,144	790,003	76	158,563	15.0	357,359	44	243,261	65.3	7,572	.5	58	193	181	17
Hawaii	159,819	128,004	80	7,324	4.6	18,423	40	12,460	58.6	284	.2	76	1	1	0
Idaho	252,369	78,735	31	2,652	1.0	24,031	11	14,902	17.7				117	all	0
Illinois	2,392,786	600,000	25	33,933	1.4	290,423	11	254,140	13.4	3,982	.2	7.0	1,279	1,175	few
Indiana	1,124,711	622,014	55.3	20,665	1.8	127,923	16	88,233	23.5	31,212	2.0	81	339	all	0
Iowa	625,474	344,020	55	11,785	1.9	118,709	99	85,169	13.8	3,339	.5	15.3	461	470	0
Kansas	391,266	253,215	65	17,305	4.4	75,287	23	49,671	34.8	405	.1	36	335	380	5
Kentucky	638,818	477,161	74	94,000	14	263,414	35	196,465	47.8	194,930	30	21	195	190	0
Louisiana	913,598	696,747	76	90,933	9.9	294,483	31	205,962	44.2	13,037	1.4	81	70	70	0
Maine	175,000	96,311	55	15,023	8	35,931	41	22,456	66.9	1,120	.7		297	297	0
Maryland	729,995	293,158	40	15,532	2.1	93,802	16	81,246	19.1	3,454	.5	88	24	23	0
Massachusetts	685,175	445,364	65	48,881	7	105,057	46	77,492	63.1	1,927	.2	86	351	558	0
Michigan	1,339,829	554,528	41	27,589	22	231,004	11	167,661	16.4	3,989	.3	62	650	532	0
Minnesota	773,871	457,550	59	18,500	2.4	135,658	13.6	102,145	18.1	2,016	.3	25	1,244	1,244	0
Mississippi	540,000	380,573	70	79,311	14.7	320,750	25	256,196	31.0	6,435	1.2	100	149	130	[1] 50
Missouri	1,017,412	523,787	51	41,396	4	196,430	21	144,612	28.6	1,314	.1	78	729	All	0
Montana	161,559	57,310	35	5,497	3.4	24,602	22	16,978	32.4	815	.5	100	730	220	0
Nebraska	266,313	142,783	54	10,037	3.8	60,088	16.7	37,346	26.9	517	.2	37	1,571	395	0
Nevada	113,468	19,424	17	1,725	1.5	5,718	30	4,688	36.8	485	.6	22	17	13	0
New Hampshire	139,135	71,165	51	[5]	[5]	12,434	[5]	8,385	[5]	600	1.0	16	173	All	0
New Jersey	1,266,524	248,002	19.5	25,327	2	126,334	21	108,767	23.3	4,782	.4	97	573	321	13
New Mexico [1]															
New York	3,160,000	1,413,000	45	417,500	13	489,281	85	405,584	103	4,800	.2	98	747	974	0
North Carolina	984,946	776,198	78	155,893	15	456,019	34	334,527	46.6	10,640	1.0	79	157	157	0
North Dakota	130,046	89,097	68	N.A.		39,332		26,325		290	.2	8.3	474	354	0
Ohio	1,511,727	779,635	52	56,601	3.7	257,320	22	194,251	29.1	36,549	2.4	100	640	all	0
Oklahoma	391,471	257,000	65.5	39,227	10	135,770	29	101,346	38.7	4,970	1.3	65	694	740	0
Oregon	430,401	191,486	44	8,033	1.5	44,075	18	33,832	23.7	646	.1	71	356	[3]	2
Pennsylvania	2,125,071	830,961	39	58,558	2.0	334,387	17	255,396	22.9	3,640	.2	80	699	547	0
Rhode Island	107,840	41,577	38	6,484	6	24,291	26	18,883	34.3	41,577	38	72	39	32	0
South Carolina	603,387	458,865	76	142,248	23	278,491	51	208,329	68.3	5,250	.9	81	93	92	0
South Dakota [2]															
Tennessee	678,509	529,546	78	72,299	13	314,191	29	222,959	32.4	11,654	1.7	82	150	145	3
Texas	2,395,000	967,112	40	122,000	5	617,085	19	403,275	30.3	92,558	3.8	80	1,244	1,106	0
Utah	251,361	162,220	65	15,866	6.3	21,478	74	15,395	103	325	.1	3.2	40	40	0
Vermont	85,461	40,598	47	4,200	10.3	14,723	28.6	8,945	47.2	753	.8	24	235	248	0
Virginia	1,018,000	[5]	[4] 41	64,630	6.3	256,421	25	179,409	35.5	47,111	4.6	47	134	132	0
Washington	753,460	777,076	37	15,350	2	67,200	23	49,358	31.1	1,822	.2	13.6	326	224	16
West Virginia	320,628	181,724	56	35,600	11	141,566	25	109,083	32.6	51,905	16	95	55	55	0
Wisconsin	721,329	351,095	49	10,739	15	112,011	9.6	78,593	13.6	1,859	2.6	47	459	431	0
Wyoming	80,362	35,922	44	2,065	2.0	9,273	22	6,585	31.4	744	.9	100	161	110	0

[1] Percent.
[2] No date supplied.
[3] All but.
[4] Estimated.
[5] Not available.

Note: In the case of columns 3, 5, 7, 9, and 11, percentages were figured by the simple division indicated.

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

Mr. JAVITS. Mr. President, I yield myself 5 minutes. I am desirous of bringing about a vote at the earliest possible time. As soon as we get enough Senators present to get the yeas and nays, I think we can proceed to vote.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

STATES' PRIORITIES

Mr. JAVITS. Mr. President, I have heard with deep interest the views of the Senator from Georgia and the Senator from Kentucky. And I respect them both fully. I should like to deal with those views very briefly.

First, as to the views of the Senator from Kentucky, I thoroughly agree with him that people who can afford to pay should pay. But I cannot agree with the argument of the poor States because it is a question of priorities in those States.

Unless the Senator from Kentucky can produce a chart for me, or produce it for the Senate—he does not have to do it for me—which shows that Kentucky is striving to its maximum, based upon intelligent priorities of which hungry children would be the top, it seems to me, and is doing its utmost in respect of this program, I do not think that the argument that remaining static at present is the best they can do is a valid argument.

Certainly we have seen it time and again. If the carrot is big enough, they will do a little more themselves and will give higher priorities than otherwise.

I do not know exactly what Kentucky is doing about its own tax system. It is none of my business. But I would hazard a guess that on the basis of progressive income, it is a lot less onerous than is the case in New York, Illinois, or other such States.

It is a question of priority. Certainly the children are entitled to the highest priorities. And the poor States should not hold back the march of progress for the whole country unless there is a demonstrated need for it.

As to the 20-cent figure, there is an extraordinary variation shown throughout the testimony as to the circumstances under which they have the so-called reduced price meals throughout the country. And we have had lots of that testimony. There has been victimization in regard to this. I do not necessarily want to pick out the State of Georgia, but it is an example. There was testimony before the Agriculture Committee with respect to Richmond County, Ga., where it is said on page 247 of the hearings report:

> It is understood that free lunches are granted only in cases of extreme emergency. Parents with TV sets, telephones, automobiles, etc., should not request free lunches unless dire circumstances have suddenly overtaken them.

They ask:

> Would you be willing to let your children do a small amount of work, such as picking

up paper, as part payment for the lunches they receive?

More important than that is the question:

Are you willing for a committee from the P.T.A. to visit your home to investigate this application for free lunches?

I am not citing that as a horror story. I am sure that there are other places in other States that are much worse. I would not be surprised to find an example of this in my own State. And I am frank to say that. None of us can claim any kind of immunity.

I only point out that the absence of a concrete base on which this program can stand is a serious one. That is what we are trying to restore.

The Senator from South Dakota (Mr. McGOVERN) has pointed out—and he is the fountainhead of knowledge concerning this effort—that he considers this as important as any amendment that we are presenting to the Senate.

Finally, I would point out that we are not approaching the optimum. Half the children are not getting the lunches that they need and should have. We have on the present basis over 6 million children. And over 3 million of them are being served, but are being served on an unrealistic standard that does not represent the need.

It seems to me that we must establish the need. If we cannot do it by appropriations, we will of course take the most needy first. But it is one thing to be appropriating against a standard which shows a 2 million gap and appropriating against a standard which shows the true gap of more than 4 million. That goes for every State.

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

Mr. JAVITS. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 2 additional minutes.

Mr. JAVITS. Mr. President, I should like to address myself to the main argument of the Senator from Georgia, which is the diversity that he claims exists. This argument was not challenged, and it must be challenged.

Only 5 percent of the families of the United States work on or have anything to do with farming. That is all.

Mr. AIKEN. Mr. President, I object to that statement. Over 30 percent of the population gainfully employed in the United States depends on agriculture for their living—producing, harvesting, handling, and processing our food and fiber. The figure is 30 percent.

Mr. JAVITS. Mr. President, I will not in any way controvert my beloved colleague, the senior Senator from Vermont, because he is right. However, the statement is not germane to the argument. The question is what is the cost of living for those families. Of the 30 percent, 25 percent are engaged in processing various types of agricultural products and live in towns with populations of from 2,500 to 50,000. Their cost of living—not certified by me, but certified by the Bureau of Labor Statistics—is at the very minimum in the area of $5,000 for a family of four.

And the rural people, the people who, because of cows, pigs, and vegetables, may have a lower cost of living because they get the benefit of the farm, is a very small percentage of the population of the United States.

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

Mr. JAVITS. I yield.

Mr. TALMADGE. Mr. President, the Senator will agree with me that he will find no farmers in New York City, but he will find a great many farmers in Missouri, Iowa, and Georgia. That indicates the diversity of our population and the folly of trying to have national standards.

Mr. JAVITS. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. JAVITS. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 2 minutes.

Mr. JAVITS. Mr. President, I ask unanimous consent at this time to modify my amendment.

The modification I proposed before omitted some key words.

As modified, my amendment would read:

Provided, That none of the requirements of this section in respect to the amount for "reduced cost" meals and to eligibility for meals without cost shall apply to nonprofit private schools which participate in the school lunch program under the provisions of Section 10 until such time as the Secretary certifies that sufficient funds from sources other than children's payments are available to enable such schools to meet these requirements.

Mr. TALMADGE. Mr. President, I have no objection.

Mr. JAVITS. Mr. President, I thank the Senator.

The PRESIDING OFFICER. The amendment is so modified.

Mr. JAVITS. Mr. President, to complete the point, the fact is that the Bureau of Labor Statistics gives us a figure which indicates the lowest possible budget required in nonmetropolitan areas—which is defined as places having a population of from 2,500 to 50,000—the lowest conceivable cost analyzed here is $3,945. There are families living on farms who receive the benefits of produce from the farm. They amount to a very small proportion of the population. I honor them and love them dearly. But I do not think that is a criterion that ought to control the situation. They would have a lesser standard than in other areas. Where we have to set a standard, and in the overwhelming majority of the population of the United States, the standard is at least 25 percent below the actual living cost on a low-budget average.

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

Mr. JAVITS. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from New York is recognized for 1 additional minute.

Mr. JAVITS. Mr. President, I think this is important when it comes to arguing farm stability and when it comes to arguing questions of the stability of farm prices and so forth.

The Senator from Vermont is correct. There we deal with everybody depending on the farm income. But we are not arguing that. We are arguing the cost of living as far as the country is concerned.

I respectfully submit that the Bureau of Labor Statistics Index applies to the overwhelming majority of families engaged in what we call the agriculture business—although it does not apply to that low proportion of population—which gets its income directly off the farm.

Mr. President, I yield 2 minutes to the Senator from Illinois.

Mr. PERCY. Mr. President, I wish to speak on behalf of the amendment. The only concern I have is that the $4,000 eligibility standard is going to be obsolete with the present rate of increases in the cost of living of 5 percent or 6 percent a year. If there are communities or States where $4,000 is a little high, I would anticipate that they will be coming in and asking that the sum be made $4,500 because $4,000 is not realistic in a relatively short period of time.

The deep concern I have is with respect to the reference to New York and Illinois as rich States. That does not take into account that they are also rich in problems. A great many poor people migrate to those States from the South; perhaps it is because there is more opportunity, or that welfare is higher, or perhaps someone down there gave them a one-way bus ticket to take the problem to another State.

Illinois has a State income tax, a State property tax, and a State sales tax of 5 percent. We have every tax that one can think of and we still do not have sufficient funds to meet the needs of our residents. The city of Chicago depends primarily on property taxes and the higher they get the more we drive industry out.

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

Mr. JAVITS. I yield 2 additional minutes to the Senator from Illinois.

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. JAVITS. I yield 1 minute to the Senator from Illinois.

Mr. PERCY. We drive industry out and people lose jobs so that in Chicago we are feeding 150,000 children who are poor and hungry. A month ago the schools that were recently opened needed money for free and reduced price lunches for 9,000 more children and we did not have the money. The rate of progress of 150,000 being fed today has more than doubled from a year ago. State and local communities are doing the best they can, but I do not think we can go further with the resources available and the problems we face in health institutions and welfare programs. The kind of help in this bill and amendment would be needed. I think a uniform standard will not jeopardize the program. It would insure that all hungry, poor children wherever they are will receive a free or reduced price lunch.

Mr. COOPER. Mr. President, will the Senator yield to me for one minute?

Mr. TALMADGE. I yield 1 minute to the Senator from Kentucky.

Mr. COOPER. Mr. President, I think there is merit in the argument of the Senators from Illinois and New York that the amendment should not be a parochial issue. I do not intend to do so, but it is a fact that States with rather limited resources have been trying to make the school lunch program work by State and local revenues and payment by students able to pay. Seventy-five percent of the schoolchildren in Kentucky have participated, and throughout the South from 50 percent to 75 percent receive school lunches.

Other States have not assumed their responsibility. Now they come with an amendment which would make it easier for their States to afford the program and which would force heavier costs on the States which have been trying to do a good job. That is the point I make. I want a program that will reach every truly poor child in the country but I do not think it can be done by letting all the rich and the middle-income people get off with a 20-cent lunch, and by shifting a heavier burden to the States which have been meeting their responsibilities and actually feeding most of the schoolchildren.

Mr. TALMADGE. Mr. President, I yield myself such time as I may require.

The Senator from New York in arguing for a nationwide standard brought out similar problems a child may have in the city of Augusta, Ga., to get a free or reduced price lunch. I hold in my hand statistics from people who make comparisons, the American School Service Association. The statistics in this document show that in Georgia, of the schoolchildren eligible for a free or reduced price lunch, 77 percent of our students participated. In the State of New York the figure is 62 percent. So our standard of performance in Georgia is 15 percent better than it is in New York State.

The departmental views on this subject were quite persuasive. We were considering a question of whether or not to have legislative mandate determine what a reduced price lunch would be. The department felt the question of reduced cost lunches is a matter of administrative regulation and flexibility and not legislative mandate. The department has already by regulation defined reduced cost lunch as one which is 15 cents under the regular price paid in the school, if that price is over 25 cents; and if the regular price is 25 cents or less, the reduced cost lunch must be at least 10 cents under the price. I think the department regulation is better than writing in a standard because it lends itself to flexibility and change.

In conclusion, the Senator from New York would make every family eligible for a free lunch if its earnings were $4,000 a year or less. There are 8.4 million such students in the United States. The Senator admits it would cost $817 million to try to carry out the provisions of his amendment. Being realistic, I do not think Congress is going to authorize that sum of money this year or at any time immediately. What would be the effect? There would be all those who would be eligible and the funds would not be available. That would mean it would hit hardest on those that the committee and Congress want to help. It would be foolhardy to pass legislation that we know in the final analysis is going to hurt people that we purport to help.

Mr. President, I hope the amendment is rejected.

Mr. President, I yield back the remainder of my time. I am ready to vote.

Mr. JAVITS. Mr. President, I ask for 1 minute on the bill. Will the Senator from Georgia reserve the remainder of his time?

Mr. TALMADGE. I reserve the remainder of my time.

Mr. JAVITS. Mr. President, to conclude the debate, the one point that needs to be dealt with is that we are not going to deprive poor children because we will have these basic standards. I do not see how that would operate because, naturally, as they have up to now, they are going to operate on the basis of the most needy first. If that were true, what about the present situation where there are inadequate appropriations to deal with 6 million eligible schoolchildren and only 3 million are being cared for?

If my amendment is agreed to we would have the right target to shoot at.

Mr. TALMADGE. It would not let local authorities designate in that group because Congress would be acting.

Mr. JAVITS. I cannot agree with the Senator. If under the definition of the locality they have twice as many eligible as they are looking after they have to do the right thing.

Mr. TALMADGE. I yield back the remainder of my time.

Mr. JAVITS. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York. 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. BYRD of West Virginia. I announce that the Senator from Connecticut (Mr. DODD), the Senator from Alaska (Mr. GRAVEL), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Arkansas (Mr. MCCLELLAN), the Senator from Wyoming (Mr. MCGEE), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Montana (Mr. METCALF), the Senator from Minnesota (Mr. MONDALE), the Senator from Rhode Island (Mr. PELL), the Senator from Alabama (Mr. SPARKMAN), the Senator from Virginia (Mr. SPONG), the Senator from Missouri (Mr. SYMINGTON), the Senator from Maryland (Mr. TYDINGS), and the Senator from Texas (Mr. YARBOROUGH), are necessarily absent.

I further announce that the Senator from Idaho (Mr. CHURCH) is absent on official business.

I further announce that if present and voting, the Senator from Alaska (Mr. GRAVEL), the Senator from New Hampshire (Mr. MCINTYRE), and the Senator from Texas (Mr. YARBOROUGH) would each vote "yea."

On this vote, the Senator from Virginia (Mr. SPONG) is paired with the Senator from Alabama (Mr. SPARKMAN). If present and voting, the Senator from Virginia would vote "yea" and the Senator from Alabama would vote "nay."

Mr. SCOTT. I announce that the Senator from Michigan (Mr. GRIFFIN) is necessarily absent.

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

The Senator from Ohio (Mr. SAXBE) is absent on official business.

If present and voting, the Senator from South Dakota (Mr. MUNDT) would vote "nay."

The result was announced—yeas 41, nays 40, as follows:

[No. 55 Leg.]

YEAS—41

Bayh	Hart	Nelson
Bible	Hartke	Packwood
Brooke	Hatfield	Pastore
Burdick	Hollings	Pearson
Byrd, W. Va.	Hughes	Percy
Cannon	Inouye	Proxmire
Case	Jackson	Randolph
Cook	Javits	Ribicoff
Cranston	Jordan, Idaho	Schweiker
Eagleton	Magnuson	Scott
Fong	Mathias	Stevens
Goodell	McGovern	Williams, N.J.
Gore	Montoya	Young, Ohio
Harris	Muskie	

NAYS—40

Aiken	Eastland	Moss
Allen	Ellender	Murphy
Allott	Ervin	Prouty
Anderson	Fannin	Russell
Baker	Fulbright	Smith, Maine
Bellmon	Goldwater	Smith, Ill.
Bennett	Gurney	Stennis
Boggs	Hansen	Talmadge
Byrd, Va.	Holland	Thurmond
Cooper	Hruska	Tower
Cotton	Jordan, N.C.	Williams, Del.
Curtis	Long	Young, N. Dak.
Dole	Mansfield	
Dominick	Miller	

NOT VOTING—19

Church	McGee	Sparkman
Dodd	McIntyre	Spong
Gravel	Metcalf	Symington
Griffin	Mondale	Tydings
Kennedy	Mundt	Yarborough
McCarthy	Pell	
McClellan	Saxbe	

So Mr. JAVITS' amendment (No. 508), as modified, was agreed to.

Mr. JAVITS. Mr. President, I move to reconsider the previous vote.

The PRESIDING OFFICER. The question is on agreeing to the motion to reconsider.

Mr. MILLER. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. TALMADGE. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The motion to reconsider the previous vote is pending. The yeas and nays have been ordered. The question is debatable.

Mr. ALLEN. Is the question on a motion to table?

The PRESIDING OFFICER. Does the Senator from Alabama move to table?

Mr. ALLEN. No; I ask for a yea-and-nay vote on the motion to reconsider.

Mr. TALMADGE. Mr. President, is my understanding correct that the pending question is on the motion to reconsider the vote by which the amendment was agreed to?

The PRESIDING OFFICER. The Senator is correct.

Mr. TALMADGE. And that a yea vote would be a vote to reconsider?

The PRESIDING OFFICER. A yea vote would be to reconsider, that is correct. The motion is debatable.

Mr. JAVITS. Mr. President, I do not think it was the intention of the majority leader to have the question debated. I was not eligible to make such a motion, but I moved to reconsider the vote simply as a formality; therefore I would ask unanimous consent to withdraw the motion, so that it could be made by an appropriate Senator, and a motion to table would be in order.

Mr. MANSFIELD. Mr. President, the majority leader had nothing to do with the pending motion, but in view of the fact that one of our colleagues was stuck in an elevator, through no choice of his own, and was out of breath when he arrived here, I move to reconsider the vote by which the bill was passed.

Mr. AIKEN. Is the question on a motion to lay on the table?

Mr. ALLEN. No, on the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to reconsider the vote by which the amendment (No. 508, as modified) of the Senator from New York was agreed to. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Connecticut (Mr. DODD), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Louisiana (Mr. LONG), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Arkansas (Mr. MCCLELLAN), the Senator from Wyoming (Mr. MCGEE), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Montana (Mr. METCALF), the Senator from Utah (Mr. MOSS), the Senator from Alabama (Mr. SPARKMAN), the Senator from Missouri (Mr. SYMINGTON), the Senator from Maryland (Mr. TYDINGS), and the Senator from Texas (Mr. YARBOROUGH) are necessarily absent.

I further announce that the Senator from Idaho (Mr. CHURCH) is absent on official business.

I further announce that, if present and voting, the Senator from Utah (Mr. MOSS) would vote "yea."

On this vote, the Senator from Alabama (Mr. SPARKMAN) is paired with the Senator from Texas (Mr. YARBOROUGH). If present and voting, the Senator from Alabama would vote "yea" and the Senator from Texas would vote "nay."

Mr. SCOTT. I announce that the Senator from Michigan (Mr. GRIFFIN) is necessarily absent.

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

The Senator from Ohio (Mr. SAXBE) is absent on official business.

The Senator from Tennessee (Mr. BAKER) and the Senator from Arizona (Mr. GOLDWATER) are detained on official business.

If present and voting, the Senator from South Dakota (Mr. MUNDT) would vote "yea."

The result was announced—yeas 39, nays 42, as follows:

[No. 56 Leg.]

YEAS—39

Aiken	Dominick	Murphy
Allen	Eastland	Prouty
Allott	Ellender	Randolph
Anderson	Ervin	Russell
Bellmon	Fannin	Smith, Maine
Bennett	Fulbright	Smith, Ill.
Boggs	Gurney	Spong
Byrd, Va.	Hansen	Stennis
Byrd, W. Va.	Holland	Talmadge
Cooper	Hruska	Thurmond
Cotton	Jordan, N.C.	Tower
Curtis	Mansfield	Williams, Del.
Dole	Miller	Young, N. Dak.

NAYS—42

Bayh	Hart	Muskie
Bible	Hartke	Nelson
Brooke	Hatfield	Packwood
Burdick	Hollings	Pastore
Cannon	Hughes	Pearson
Case	Inouye	Pell
Cook	Jackson	Percy
Cranston	Javits	Proxmire
Eagleton	Jordan, Idaho	Ribicoff
Fong	Magnuson	Schweiker
Goodell	Mathias	Scott
Gore	McGovern	Stevens
Gravel	Mondale	Williams, N.J.
Harris	Montoya	Young, Ohio

NOT VOTING—19

Baker	McCarthy	Saxbe
Church	McClellan	Sparkman
Dodd	McGee	Symington
Goldwater	McIntyre	Tydings
Griffin	Metcalf	Yarborough
Kennedy	Moss	
Long	Mundt	

So the motion to reconsider was not agreed to.

AMENDMENT NO. 509

Mr. JAVITS. Mr. President, I call up my amendment No. 509 and ask that it be stated.

The PRESIDING OFFICER. (Mr. EAGLETON in the chair). The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. JAVITS. 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 the amendment will be printed in the RECORD.

The amendment of the Senator from New York is as follows:

On page 29, after line 6, insert the following:

"UTILIZATION OF PRIVATE FOOD SERVICE COMPANIES

"SEC. 10. The National School Lunch Act is further amended by adding after section 14 (as added by section 9 of this Act) a new section as follows:

"'UTILIZATION OF PRIVATE FOOD SERVICE COMPANIES

"'SEC. 15. (a) Any school which the Secretary determines lacks or has inadequate food preparation facilities may formulate and carry out under this Act and the Child Nutrition Act of 1966 a child feeding program by contracting with private food service concerns for the provision of nutritious meals for such school.

"'(b) The Secretary shall provide food commodities, including milk, to schools which conduct programs authorized by this section, and such schools shall be entitled to cash benefits authorized under this Act and the Child Nutrition Act of 1966.

"'(c) The highest nutritional requirements prescribed by the Secretary for lunch and breakfast means served under this Act and the Child Nutrition Act of 1966, respectively, shall apply in the case of lunch and breakfast meals contracted for by any school under authority of this section.'"

Mr. JAVITS. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

PRIVATE FOOD MANAGEMENT COMPANIES

Mr. JAVITS. Mr. President, at this time, I am withdrawing my second amendment, No. 509, an amendment to allow schools to utilize private food management companies in the provision of nutritious meals to children in federally assisted child feeding programs.

I first introduced this concept in my omnibus hunger bill in August of last year and reintroduced it in revised form in my Child Nutrition Act of 1969, on which the Committee on Agriculture conducted hearings.

ADMINISTRATION'S INITIATIVE

Since that time, the administration has taken the initiative in drafting regulations which reverse the policy prohibiting food management companies from entering child feeding programs. I wish to commend Secretary Hardin for doing what previous administrations had for so long refused to do—utilize the expertise and competence of the private food industry.

In an effort to ascertain whether the new regulations would be in complete harmony and accomplish the same purposes as my amendment, I wrote a letter of inquiry to Secretary Hardin.

Mr. President, based on that response, I feel the new regulations will accomplish the same purposes as my amendment, and I have the assurance of the Department that the regulations will not restrict schools from contracting with such companies. Therefore my amendment is no longer necessary.

The administration's action, which has been needed for so long, will help feed many millions more children in such cities throughout the Nation as Buffalo, N.Y., where school officials have sent out bids to private food companies asking for help.

I am especially pleased that the administration is taking steps to implement the recommendations of the White House Conference on Food, Nutrition, and Health calling for utilization of private food companies.

Mr. President, the utilization of private food management companies, in respect to the school lunch program, has been a matter of absorbing interest to me for a long time, as this is a way in which schools can have this program without having the facilities themselves.

Many companies specialize in food service to factories and similar public establishments, and when I say "public" I do not mean necessarily governmentally owned, where the problem arises.

The Department, in a letter to the committee, said that it would change its regulations as of April 1.

With respect to the matter of the food service companies being brought into this picture, my amendment nonetheless was pressed because as stated before:

one, we wanted to be sure that the earliest possible date would obtain; second—a very important proposition—we wanted to be sure that there would be no conflict with the intent of my amendment on the basis of agreement of the department; and three, also that no school would be penalized by losing anything under the School Lunch program because it was going to contract with a private food management company.

I wish to reiterate that the department is fully satisfied on all points, as expressed in a letter dated yesterday, which I ask unanimous consent to have printed in the RECORD, as well as the letter which I wrote to the Department on the subject. I have given the letter to the Senator in charge of the bill, and he is satisfied.

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

U.S. SENATE,
Washington, D.C., February 20, 1970.

Hon. CLIFFORD M. HARDIN,
Secretary, Department of Agriculture, Washington, D.C.

DEAR MR. SECRETARY: As you know the Senate will consider S. 2548, the School Lunch bill reported by the Agriculture Committee.

I intend to introduce an amendment to that bill, which would allow private food management companies to contract with schools for the provision of nutritious meals under Child Feeding Programs receiving federal assistance.

Recognizing that the Administration has indicated an intention to issue new regulations to permit private food companies to provide meals, I would appreciate your advising me as to the present status of your efforts and the extent to which the regulations contemplated would accomplish the intent of my amendment. I am particularly interested in knowing whether under the new regulations schools with contracts with food management companies would receive the same cash and commodity benefits as do schools completely operating their own programs.

Sincerely,

JACOB K. JAVITS.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., February 23, 1970.

Hon. JACOB K. JAVITS,
U.S. Senate.

DEAR SENATOR JAVITS: Thank you for your letter of February 20 regarding your amendment to S. 2548 to allow private food management companies to serve child feeding programs.

As you point out in your letter the Administration has indicated its intention to utilize the capabilities of food management companies in child feeding. This policy was announced by Dr. Jean Mayer in his December 24 White House press conference. Dr. Mayer's announcement was the product of a review of the long standing practice of excluding these companies. It was also responsive to legislative initiatives including the provisions of your own child feeding bill.

We will publish our proposed regulation in the Federal Register on or before March 1. It will allow all schools to contract with food service management companies and continue to qualify for all the cash and commodity grants available to school administered programs.

The regulation will clearly accomplish the purposes of your amendment.

Sincerely,

RICHARD LYNG,
Assistant Secretary.

Mr. TALMADGE. If the Senator will yield there, as the Senator knows, the committee took action along with the Senator's insertion in the committee report of another letter from the Department. I ask unanimous consent that the letter, beginning on page 8 of the committee report, signed by Edward J. Hekman, Administrator, 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 AGRICULTURE,
FOOD AND NUTRITION SERVICE,
Washington, D.C., January 14, 1970.

Dr. J. W. EDGAR,
Commissioner of Education, State Education Agency, Austin, Tex.

DEAR DR. EDGAR: This is to give you advance notice of the Department of Agriculture's intention to amend the regulations for the child nutrition programs with respect to the use of food service management companies.

We know you are aware of the great need to expand the coverage of the child nutrition programs to reach as many additional needy children as possible and as quickly as possible. President Nixon and the delegates to the recent White House Conference on Food, Nutrition, and Health, have urged action to make these programs a more effective delivery system in the drive to eliminate poverty related hunger and mainutrition in this country.

To help reach this goal, we have evaluated all available resources that could make a contribution, including the use of the skills and capacities of food service management companies.

Our analysis leads to the conclusion that there is no justification for the continued across-the-board exclusion of food service management companies in the operation of the school lunch and other child nutrition programs which are federally assisted by this Department.

Accordingly, we will develop new regulations establishing the policies and standards under which food service companies may be authorized to conduct food service in schools and service institutions receiving Federal food assistance.

Under this change in the Federal regulations, State educational agencies would still have the authority and discretion through their own regulations to determine their policies with respect to the use of food service management companies in schools.

The proposed changes in the regulations will be forwarded as soon as possible for your review. We are aiming for April 1 as the target date on which the changes will become effective.

Sincerely,

EDWARD J. HEKMAN,
Administrator.

Mr. TALMADGE. Mr. President, I thank the Senator from New York.

Mr. JAVITS. I thank my colleague from Georgia.

Also included was the message as sponsored with my colleague from New York (Mr. GOODELL) on the school lunch program. I express my gratification to the committee and to the department, that it is taken care of in this effective way. The Senator from Georgia (Mr. TALMADGE), the cosponsors, and I, believe that this should have a measurable and helpful effect upon the totality of the program.

Mr. TALMADGE. It would be extremely helpful in some of the large cities that have no large food serving equipment, or space. In the hearings, it was brought out that there were no equipment, no cafeterias, or dining rooms in some of the large metropolitan areas.

Mr. PERCY. Mr. President, on that very point, if the Senator will yield, in Chicago, there are 50,000 ghetto children who attend schools without facilities of this kind. This amendment certainly would facilitate providing them with a needed meal. I think we should point out that many times we hold conferences in Washington and nothing ever comes of them. This is not so with the White House Conference on Food, Nutrition, and Health. I think we have expeditiously moved on the recommendations of the Conference by this and other amendments.

Mr. JAVITS. I thank my colleague from Illinois. The Senator is a consponsor of this amendment and has expressed the deepest interest and has helped work on it. The letter from the Department of Agriculture acknowledges the valuable contribution of Dr. Jean Mayer who planned the White House Conference on Nutrition in bringing about this result.

On that basis, Mr. President, I withdraw my amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

The question is on agreeing to the committee amendment in the nature of a substitute.

AMENDMENT NO. 514

Mr. STEVENS. Mr. President, I call up my amendment No. 514 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

AMENDMENT NO. 514

On page 22, lines 13 and 14, strike out "a new sentence as follows" and insert in lieu thereof "the following".

On page 22, line 20, immediately after the period, insert the following: "Whenever the amount of annual income of a family is prescribed as part of the criteria for determining the eligibility of a child of such household to receive free or reduced-price lunches, the amount of annual income prescribed by such criteria shall be increased by 25 per centum in the case of Hawaii and Alaska and the amount apportioned to each state shall be increased accordingly."

On page 22, between lines 20 and 21, insert a new subsection as follows:

"(e) Section 4(e) of the Child Nutrition Act of 1966 (42 U.S.C. 1771) is amended by adding at the end thereof a new sentence as follows: 'Whenever the amount of annual income of a family is prescribed as part of the criteria for determining eligibility of a child of such household to receive free or reduced-price meals, the amount of annual income prescribed by such criteria shall be increased by 25 per centum in the case of Hawaii and Alaska and the amount apportioned to each State shall be increased accordingly'."

Mr. STEVENS. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Alaska is recognized for 10 minutes.

Mr. STEVENS. First, I should like to make certain that the record is clear that the amendment is cosponsored by both Senators from Hawaii (Mr. FONG and Mr. INOUYE).

We have previously recognized the concept of the cost of living in Alaska and I have pointed this out in many ways.

For instance, military people who serve in Alaska are paid overseas pay. Government employees are paid 25 percent in addition to the rate they would be paid in the "South 48"—as we call them. This is cost-of-living allowance for Government employees. Many Government employees are on a wage board scale. Even in the area of moving costs for those displaced by Federal projects, we increased the payment for moving costs to recognize the extreme high cost of living in my State and in Hawaii.

Our costs are 25 percent in excess of any other State in the Union. The pending amendment merely seeks to recognize this in terms of the children that would be benefited by the programs.

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

Mr. STEVENS. Mr. President, I yield to the Senator from Illinois.

Mr. PERCY. Mr. President, having just recently been in Alaska on the occasion of the momentous opening of the bids, I was shocked at the prices for clothes, meals, for hotel rooms, lodging, rent, and interest. Everything is substantially higher. Certainly in view of that situation—and the same situation also prevails in Hawaii—I know that the Senator is seeking to put Alaska and Hawaii on the same basis as the rest of the country with his amendment.

The Senate has said that the $4,000 eligibility standard should be used. The Senator is seeking to except Hawaii and Alaska by increasing the standard and thus put them on the same basis.

I support him and commend him for pointing out the needs of his people.

Mr. STEVENS. Mr. President, I thank the Senator. There are 124,000 children under the age of 18 in my State.

As the amendment of the Senator from South Dakota and the amendment of the Senator from New York have been adopted, thereby placing a $4,000 figure in the bill, there would be 14,062 children under the age of 18 who would be covered by the bill, or approximately 11 percent of the children of Alaska. In families having a family income of under $5,000, which would be the goal of the amendment we have offered, there are 18,057 children or approximately 16 percent. That would be close to the national average of the effect of the bill as it has been amended. The increase brought about by raising the amount from $4,000 to $5,000 would be an increase of 38.4 percent in my State.

In the case of Hawaii, there are 304,000 children under the age of 18. For those in families with family incomes of less than $4,000, there are 34,889 children under the age of 18. That is approximately 10 percent, almost exactly as is the case in Alaska for those in families with under $4,000 annual income.

In families having $5,000 annual income or less, there are 52,722 children under the age of 18.

I call particular attention to this. Although the coverage of this amendment is approximately the same as in Alaska—Hawaii would be 15 percent and Alaska would be 16 percent. To raise that amount from $4,000 to $5,000 would increase the coverage in the case of the children in Hawaii by 59.7 percent.

We are not seeking any special benefit. We are merely saying that if we have a figure of $4,000, it would not be effective because it would not cover the children of people living in poverty. The bill as it stands covers only those people living in abject poverty.

The bill will not assist those in urban areas with a high cost of living. This amendment of ours is not something just for the native people of my State. Most of their family incomes do not equal $4,000.

This is an amendment for Hawaii and Alaska to make the school breakfasts and lunches available to the schoolchildren in the urban areas of Hawaii and Alaska where the cost of living is the highest in the Nation.

If the figure $4,000 remains, it would be discriminatory to the people of Alaska and Hawaii.

Just as we provide Government employees with a cost-of-living allowance and provide military people in Alaska with a cost-of-living allowance, we should recognize that a 25-percent actual cost-of-living allowance should be included in this program.

I feel very strongly about the matter. I cannot see setting arbitrary limits in bills such as this. The amount has been agreed to. I support it. I understand fully the reasons why it is necessary to have the figure. However, in doing so, I would hope that those who have supported the amendment of the Senator from South Dakota and the amendment of the Senator from New York will realize that in supporting the amendment of the Senators from Hawaii and the Senators from Alaska they have not done a disservice to the people of my State.

The PRESIDING OFFICER. Who yields time?

Mr. TALMADGE. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. TALMADGE. Mr. President, the objective of this amendment appears to be to provide in both the school lunch and school breakfast programs in Alaska and Hawaii for, first, income criteria for free or reduced price lunches or breakfasts 25 percent higher than other States, and, second, a commensurate increase in Federal funds apportioned to Alaska and Hawaii.

The amendment appears to be defective in several respects.

First, the income criteria for free or reduced price meals are required to be fixed by local school authorities. This amendment would thus require Alaskan school authorities to fix the income requirement 25 percent above the income requirement fixed by Alaskan school authorities. We do not see how this could be done. The purpose of the amendment probably is to substitute $5,000 for the $4,000 minimum income criteria adopted by the Senate yesterday for the school breakfast program, and the similar amendment adopted for the school lunch program today. But the amendment does not do that.

Second, the amendment provides that the amounts apportioned to Alaska and Hawaii shall be increased "accordingly." This raises the following questions:

What funds are we talking about? Section 4 funds for the regular school lunch program, nonfood assistance funds, section 11 funds for special assistance, section 32 funds? The amendment is probably directed in the case of the school lunch program to section 11 funds, but it does not so provide.

Then, if we determine what funds are to be increased, how should they be increased "accordingly" for Hawaii and Alaska. Possibly the intent is to increase them 25 percent. More probably the intent is to use a $5,000 factor for Alaska instead of the $4,000 factor adopted by the Senate yesterday for the apportionment of section 11 and school breakfast programs, but the amendment does not specify.

These income criteria are fixed by local school districts and consequently may vary from district to district. Alaska might have a wide variety of income standards, as might every other State, with possibly two or more standards in each district, one for free meals, and one or more for reduced price meals. Alaskan standards might be higher or lower than Hawaiian standards. If New York authorities were in a generous mood they might fix standards above those for either Alaska or Hawaii. The provision for increasing the apportionment is completely ambiguous.

The committee is sympathetic with this amendment. It underlines the fact that conditions do vary from country to city and from State to State. The committee does not believe that it is feasible or fair to fix a minimum that is applicable in all areas regardless of conditions.

I am aware of the fact that the cost of living is quite high in Alaska and in Hawaii. But I am also equally aware of the fact that the cost of living is quite high in New York City and Chicago and Detroit, perhaps higher than it is on a farm in south Georgia or in a rural area of Hawaii or Nebraska.

That shows the foolhardiness of trying to legislate national standards.

Alaska and Hawaii are both members of the Union. We make laws for all 50 States. We make laws to apply equally and uniformly. I think it would be a great mistake if the Senate were to set up standards and then make exceptions and name two States that have different standards from the other 48 States. To my mind, it might be a serious impairment of the equal protection provision of the law.

Mr. President, this is one common country, indivisible, with liberty and justice, I hope, for all. We should have equal application of the law for all.

The PRESIDING OFFICER. Who yields time?

Mr. STEVENS. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Alaska is recognized for 10 minutes.

Mr. STEVENS. Mr. President, I un-

derstand the position stated by the manager of the bill, and I have great respect for the Senator from Georgia. I remember so well sitting up in the gallery at the time we sought statehood, and we did it on the basis that we wanted to be treated equally. But that is just my point. No one—and I repeat, no one—can deny the statistics. There is not a State in the Union which has a greater cost of living than ours, other than Hawaii. Under those circumstances, when a figure of $4,000 is submitted in a bill it is no different than writing in x dollars for the salary of a Government employee or writing in a figure of x dollars for a serviceman. We recognize that those salaries in Alaska and Hawaii do not provide Government employees and servicemen enough money on which to live.

Now, we are saying we should have these programs to assist schoolchildren. We want equality, and that is all—not special benefits. In this connection, as far as the coverage of this amendment, I thought it was very specific. It states:

"Whenever the amount of annual income of a family is prescribed as part of the criteria for determining the eligibility of a child of such household to receive free or reduced price lunches, the amount of annual income prescribed by such criteria shall be increased by 25 per centum in the case of Hawaii and Alaska and the amount apportioned to each state shall be increased accordingly.

That language is very plain. Whenever the income of the family is to be used as the criteria we would get recognition of the fact that the cost of living is at least 25 percent higher.

I would be pleased to have the Senator from Georgia to come to my State with me as I go around and see the prices. The Senator from Illinois was there. I know that. He was in Anchorage. The cost of living there is about 25 percent higher

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

Mr. STEVENS. I yield.

Mr. TALMADGE. I have been to the great State of Alaska. It is a great, beautiful, growing, and dynamic State. I am proud it is one of the 50 States in the Union.

When we get into the question of prices, they vary in all 50 States. I do not know of another Federal program, such as old age assistance, when we say there shall be one price for New York State, a different price for New Mexico, a different price for Kansas, and a different price for Alaska. We have to legislate uniformly for all 50 States. It would be unfair to pass a law for 49 States and provide that the application of that law be applied in a different manner for one State.

Mr. STEVENS. Mr. President, I appreciate the comments of the distinguished Senator from Georgia. I am happy to hear that he has been to my State. I was going to say I would like to take the Senator to the places where the cost of living exceeds the national average by 60 percent. We are just talking about the amount by which the cost of living exceeds the national average, and that is the amount we pay Government employees.

In most OEO programs, the OEO allowances are 25 percent higher for Alaska. It has been recognized in the poverty program that there are exceptions for Hawaii and Alaska if arbitrary national limits are set in terms of eligibility.

Mr. TALMADGE. Mr. President, will the Senator yield on that point?

Mr. STEVENS. I yield.

Mr. TALMADGE. I did not favor that amendment. Unfortunately, the Senator from Alaska did.

Mr. STEVENS. The Senator is correct.

Mr. TALMADGE. If that amendment had not been agreed to the State of Alaska would have the complete right to make those determinations by the local people in Alaska.

Mr. STEVENS. I appreciate the comment of the Senator but it is not quite the way I understand the situation. If we are going to have emphasis on this program, it is necessary that Alaska be heard on the national scene, and I think we should be. I am prepared to go home and defend myself for having voted for this program.

All we are doing is seeking equity under this program and it is no different than being under the poverty program of the OEO, or the situation in connection with Government employees or military employees.

As I told the Senator from Georgia prior to the Senate convening today, a young military man who serves in my State, who comes from another State, gets a cost of living allowance, but a young man from Alaska who goes in the military and serves in his State does not get an allowance. We are used to discrimination in some Federal laws and I hope we will be able to eliminate some of them. This is just a forerunner of discussions we hope to have in connection with legislation the President has submitted in terms of setting national standards as far as the poverty level is concerned.

I agree with the Senator from Georgia, to a certain extent, that a fair level cannot necessarily be set. But if there are to be national levels in the law they should be as fair as possible to the noncontiguous States. I do not think the Senator disagrees. We do not manufacture any products. Only about 8 percent of our agricultural products are grown in Alaska. We import almost everything from "outside," from the Senator's State and other States. We are growing with the new oil industry and we will be improving more.

I am happy to have the support of the Senators from Hawaii in connection with this effort to get equity for our two States.

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

Mr. STEVENS. I yield.

Mr. INOUYE. Mr. President, I would like to add to the presentation of the Senator from Alaska by advising Senators that in the last determination by the Department of Labor, the city of Honolulu received the No. 1 ranking in the cost of living in the United States. If our present laws are permitted to remain as is in terms of qualification, we will have approximatly 35,000 young children qualifying.

Under the amendment of the Senator from Alaska, the level would be much more realistic and we would have an increase of approximately 60 percent, raising the figure to 55 percent.

I think it would be unfortunate if the present law were permitted to stand. It would mean that in Alaska and Hawaii innocent children who had nothing to do with being impoverished would have to suffer from the high cost of living in our States.

As noted by the Senator from Alaska, the high cost of living in Hawaii is due to high transportation costs, and our distance from the mainland. The effect would be to penalize those young people because of the circumstances.

I commend the Senator for his leadership and initiative in promoting and sponsoring the pending amendment. I hope the amendment of the Senator from Alaska is agreed to.

The PRESIDING OFFICER. Who yields time?

Do Senators yield back the remainder of their time?

Mr. STEVENS. Mr. President, the senior Senator from Hawaii asked to be heard in connection with this matter, and I would like to wait for him. How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 35 minutes remaining.

Mr. STEVENS. 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. STEVENS. 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. STEVENS. Mr. President, I yield such time to the distinguished Senator from Hawaii (Mr. FONG) as he may desire.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. FONG. Mr. President, I strongly support this amendment, which would add 25 percent to the amount of annual income used in determining the eligibility of a child in Hawaii or Alaska to receive free or reduced price school lunches.

Official Federal Government surveys on costs of living in Hawaii and Alaska since 1949 have consistently shown that it costs between 15 percent to more than 25 percent more to live in these noncontiguous States than it does to live in an area like Washington, D.C. The last survey of the U.S. Civil Service Commission regarding the cost of living for Federal white-collar employees in Hawaii and Alaska as compared to Washington, D.C. states:

On the basis of Washington equaling 100, the new indexes were determined through the 1968 survey to be 130.0 in Anchorage, 139.3 in Fairbanks, 125.3 in Juneau, 115.4 in Honolulu.

The U.S. Department of Labor earlier this year, in recognition of Hawaii's

higher cost of living increased the poverty level income criteria for Hawaii by 15 percent. This increase has allowed the State to more effectively assist lower income families, providing them with greater opportunities for upward mobility. This move allowed the State to offer assistance, through economic opportunity programs, to many more hundreds of poverty income level families in the State of Hawaii.

The increase from $3,000 to $4,000 in the poverty income level for certain programs now in the bill is a step in the right direction. However, the differential in living costs and income between Hawaii and the mainland United States has existed for many years and continues. There is no reason to believe that there will be a lessening of this differential, and it should be recognized and allowed for in this measure.

The 2,800 miles of open ocean separating Hawaii from its sister States imposes higher living costs for all of Hawaii's more than 700,000 people. These higher costs are shared by all industry and consumers in Hawaii, but the income levels remain at a level in line with and in many instances lower than those of the citizens of the other States of the Union.

This peculiar situation of high costs with no comparable increases in family income should be recognized when such income is a criterion for eligibility in a critical program such as this school lunch program. To ignore this disparity would place many of the schoolchildren in Hawaii and Alaska who come from lower income homes at a disadvantage not intended by the Congress. They would be denied participation in the school lunch program in a degree that is essential to their continued health and well-being.

I believe this amendment would only put back into law the spirit in which the school lunch program was formulated as it affects schoolchildren in Hawaii and Alaska. It is only fair that the income disparity be recognized and allowances made for it in this essential Federal program. I urge the adoption of amendment 514.

Mr. TALMADGE. Mr. President, I am prepared to yield back my time and get to a vote, but first I would like to get a few more Senators present on the floor before I do so. Meanwhile, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The time will be charged to the Senator from Georgia.

The assistant legislative clerk proceeded to call the roll.

Mr. TALMADGE. 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. TALMADGE. Mr. President, if the Senator from Alaska is prepared to yield back the remainder of his time and have a voice vote, I am prepared to do so.

Mr. STEVENS. Mr. President, I have just received word that the junior Senator from Alaska (Mr. GRAVEL) is on his way to the Chamber, if we could delay it for just a few more minutes.

Mr. TALMADGE. Mr. President, under those circumstances, 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. STEVENS. 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. STEVENS. Mr. President, I am prepared to yield back my time.

Mr. TALMADGE. Mr. President, is the Senator prepared to vote?

Mr. STEVENS. Yes, I am prepared to vote.

Mr. TALMADGE. Does the Senator yield back the remainder of his time?

Mr. STEVENS. Yes, I yield back the remainder of my time. I move the adoption of my amendment.

Mr. TALMADGE. Mr. President, I yield back the remainder of my time. I think we can have a voice vote.

The PRESIDING OFFICER. All time on the amendment has been yielded back. The question is on agreeing to the amendment of the Senator from Alaska. [Putting the question.]

Mr. TALMADGE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alaska. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Connecticut (Mr. DODD), the Senator from Oklahoma (Mr. HARRIS), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Louisiana (Mr. LONG), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wyoming (Mr. MCGEE), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Montana (Mr. METCALF), the Senator from Alabama (Mr. SPARKMAN), the Senator from Missouri (Mr. SYMINGTON), the Senator from Maryland (Mr. TYDINGS), and the Senator from Texas (Mr. YARBOROUGH), are necessarily absent.

I further announce that the Senator from Idaho (Mr. CHURCH), is absent on official business.

I further announce that, if present and voting, the Senator from Alabama (Mr. SPARKMAN), would vote "nay."

Mr. SCOTT. I announce that the Senator from Michigan (Mr. GRIFFIN) is necessarily absent.

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

The Senator from Ohio (Mr. SAXBE) is absent on official business.

The Senator from Tennessee (Mr. BAKER) and the Senator from Texas (Mr. TOWER) are detained on official business.

If present and voting, the Senator from South Dakota (Mr. MUNDT) would vote "nay."

The result was announced—yeas 37, nays 45, as follows:

[No. 57 Leg.]

YEAS—37

Bellmon	Hruska	Nelson
Boggs	Hughes	Packwood
Brooke	Inouye	Pastore
Case	Jackson	Pearson
Cook	Javits	Pell
Cooper	Magnuson	Percy
Curtis	Mansfield	Ribicoff
Eagleton	Mathias	Schweiker
Fong	McGovern	Scott
Gravel	Mondale	Stevens
Hart	Montoya	Williams, N.J.
Hatfield	Murphy	
Hollings	Muskie	

NAYS—45

Aiken	Eastland	Miller
Allen	Ellender	Moss
Allott	Ervin	Prouty
Anderson	Fannin	Proxmire
Bayh	Fulbright	Randolph
Bennett	Goldwater	Russell
Bible	Goodell	Smith, Maine
Burdick	Gore	Smith, Ill.
Byrd, Va.	Gurney	Spong
Byrd, W. Va.	Hansen	Stennis
Cannon	Hartke	Talmadge
Cotton	Holland	Thurmond
Cranston	Jordan, N.C.	Williams, Del.
Dole	Jordan, Idaho	Young, N. Dak.
Dominick	McClellan	Young, Ohio

NOT VOTING—18

Baker	Long	Saxbe
Church	McCarthy	Sparkman
Dodd	McGee	Symington
Griffin	McIntyre	Tower
Harris	Metcalf	Tydings
Kennedy	Mundt	Yarborough

So Mr. STEVENS' amendment was rejected.

Mr. TALMADGE. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. FULBRIGHT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 515

Mr. MONDALE. Mr, President, yesterday I submitted amendment No. 515, accompanied by certain remarks which appear in yesterday's CONGRESSIONAL RECORD.

This amendment is designed to deal with what I regard to be a very serious gap in this Nation's——

The PRESIDING OFFICER. Has the Senator called up his amendment?

Mr. MONDALE. I have not yet called it up.

The PRESIDING OFFICER. Who yields time?

Mr. TALMADGE. Mr. President, I yield 3 minutes to the distinguished Senator from Minnesota.

Mr. MONDALE. This amendment is designed to deal with what I regard to be a very serious inadequacy in our present national effort to bring good nutrition to those who do not now have it.

There has been ample testimony by Dr. Lowell and top pediatricians and experts around the country that in the first 4 or 5 days of life the human mind and the human body are most vulnerable to malnutrition and that during this time malnutrition can cause serious and permanent and physical and mental damage that cannot be remedied in later life. It is here that a failure to provide adequate nutrition can make the difference between a healthy mind and a healthy body and a mangled human being unable to achieve or even take care of himself in adulthood.

The pending school lunch program,

however, has been before us for several days, and I recognize that the approach embodied in this amendment is new. It has not been subjected to hearings and has not yet been the product of discussions in the Select Committee on Nutrition and Human Needs.

Therefore, I rise to emphasize what I regard to be the serious importance of an effort in this field, but I do not propose to raise it as an amendment at this time nor to seek to attach it to this bill.

I ask the Senator from Georgia, the floor manager of the bill, if he will yield to me for a question.

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Minnesota for a question?

Mr. TALMADGE. I am delighted to yield to the Senator from Minnesota.

Mr. MONDALE. I have just indicated that I do not intend to raise this amendment on this measure. It is my understanding that the whole school lunch program will come up for renewal in 1971.

Mr. TALMADGE. The breakfast program will come up at that time, and the committee chairman has promised full hearings, and we would be delighted to consider the Senator's amendment at that time.

I compliment the Senator for not proposing the amendment at this time, because it was offered yesterday, and it was never considered by the committee. It is most far-reaching and comprehensive, as the Senator knows, and even our staff and the Department of Agriculture have not been able to ascertain its full import. But it will be given complete and thorough consideration at the time the Senate committee goes into this area next year.

Mr. MONDALE. I agree with what the Senator has just said.

As the Senator knows, the Committee on Finance will shortly begin with the President's program that he calls the family assistance program.

Mr. TALMADGE. If and when the House sends us a bill.

Mr. MONDALE. That is correct.

One element of that particular amendment is a national system of day care centers to take care of children while the mothers are engaged in employment. This gets into the question of what kind of care those children are provided during that period, and I hope that the Committee on Finance will also give some thought to the nutritional element.

Mr. TALMADGE. I agree with the Senator.

As the Senator knows, a nonprofit organization is eligible for contribution of commodities at the present time, and in certain instances I think it has done an outstanding job. Certainly, day care centers enable needy mothers to work, and a nonprofit organization is entitled to it under existing law. Certainly, it should be looked into carefully, because that is a laudable purpose and probably should be expanded.

Mr. MONDALE. I thank the Senator for his comments.

I do not intend to call up this amendment.

Mr. TALMADGE. I thank the Senator from Minnesota.

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

Mr. TALMADGE. I yield to the distinguished Senator from Kentucky.

Mr. COOK. I wish to commend the Senator from Minnesota for introducing the amendment and making the Members of the Senate aware of this.

The only point I should like to make and get into the RECORD is that we did have some testimony before our committee that rather disastrously showed that of all the children who are born today, medical science has determined that approximately 5 percent will have some mental deformity; that taking the same group of children today and projecting them to the age of 5, their mental problems will increase to 12 percent, and that means that we, with all the resources of this Nation, do far worse than nature.

I just wanted to get this into the RECORD, because I think it is one of the things that is vitally important in regard to the Select Commitee on Nutrition and Human Needs, as to why it was allowed to stay in existence. When we uncover more such statistics and show the necessity for a revitalization of parents in this country to understand and assume their responsibilities in true nutritional soundness in the case of children between the ages of absolute infancy and 5 years, I believe we will have cured one of the major problems in this Nation.

Mr. TALMADGE. I thank the Senator. I have served with him on the Nutritional Committee, and I know of his keen interst in this matter, and I compliment him on it.

Mr. President, so far as I know, there are no further amendments, so I think third reading is now in order.

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

Mr. TALMADGE. I am delighted to yield to the Senator from Virginia, who is a cosponsor of the bill.

Mr. SPONG. Mr. President, earlier today we voted on amendment No. 508. I reached the door of the Chamber just as the regular order was called for. I realize that the call for the order is completely within the rules of the Senate. Nevertheless, I subsequently voted that this matter be reconsidered, in the hope that I would have an opportunity to vote on that amendment, and I want to state that to the Senate at this time.

Mr. MANSFIELD. Mr. President, if the Senator will yield, I corroborate the fact that he was unavoidably delayed due to technical difficulties over which he had no control. He was entering the door of the Chamber just at the time the Chair was announcing the vote.

Mr. TALMADGE. Mr. President, the Senator from Virginia is a cosponsor of the pending bill. He and I have discussed it many times. He delivered an excellent speech last evening in its behalf, and I know of his keen interest in this area. I know that if he had not been unavoidably detained, he would have been on the floor at the time of the vote.

Mr. SPONG. I thank the Senator.

Mr. MANSFIELD. Mr. President, I have directed the Sergeant at Arms to discuss the condition of the elevators with the Architect of the Capitol.

Mr. SPONG. I thank the majority leader.

Mr. MOSS. Mr. President, I rise to support S. 2548, a bill to amend the Nutritional School Lunch Act and the Child Nutrition Act of 1966 as reported by the Senate Committee on Agriculture and Forestry. It is an excellent bill that makes needed changes in our child nutrition program. I am proud to be a cosponsor. I believe in both of these programs and I want to see them as adaptable and flexible as we can make them. No American child should be handicapped in any way by lack of wholesome nutrition. We have the national capacity to produce or even to overproduce food. We must provide distribution to our children.

The bill is the product of extensive hearings. Witnesses testified from the widest possible range of expertise as to how we can do a better job of reaching children through the child nutrition programs. Expansion of these programs as a delivery system is the quickest and most direct route to improving nutrition among children—with special emphasis on getting at least one or two good meals a day to our neediest children.

S. 2548 is a very comprehensive measure affecting a number of phases of program operation and administration. The committee is to be commended for what I believe to be a really successful effort to get to the basic problems and come up with solutions.

There are several features of the bill that I find particularly attractive:

First. For the first time we are asking that the States, from their own resources, provide some program money. The National School Lunch Act has always had a 3 to 1 matching requirement. The States are supposed to be providing from State and local sources $3 for every $1 they receive in Federal funds for the regular school lunch program. Aside from State funds for administration, only a handful of States have been providing money to help put that lunch on the table. For many years now, States have consistently more than met the matching requirement primarily through the counting of the children's payments for the lunch as a credit toward the matching requirement.

Utah, I am happy to say, is one State that does put a substantial sum of money into the program. This school year we are providing $1,737,857 in State school lunch funds—almost 6 cents a meal. This does make a real difference. During the 1968–69 school year, 54 percent of Utah's schoolchildren participated in the lunch program compared with a national average of 39 percent.

S. 2548 would require that States provide funds from State revenues toward meeting the matching requirement. The level of State revenue to be provided would rise gradually until it constitutes 10 percent of the total matching requirement. No funds from children's luncheon payments or privately contributed funds of any kind could be included in computing the 10 percent.

Second. The proposed change in section 11 of the National School Lunch Act is really needed. At the present time, special assistance—higher rates of reimbursement per meal from Federal funds—is directed to schools drawing enrollment from low-income families. Now the focus is to be shifted to the needy child—the money will follow the child. This will go far to help relieve the impact on the paying child in schools that have an economic mix of poor, near poor and lower-middle-income children. Heretofore, the child who pays for his lunch also had to help pay for the lunch served to those in his school who could not afford the full price. This left the school in a real dilemma—price increases can quickly drive the paying child out of the program, leaving still less money to provide free meals for the poorest children. Everyone loses. The proposed new section 11 makes real sense to me.

Third. The committee has done an admirable job incorporating some flexible features that will permit testing of new ideas and new approaches to group food service for children; that will encourage efforts to improve nutrition education and training as an adjunct to the child feeding programs; that will enable States to use available funds where they are most needed.

Mr. President, we have by no means finished our task in child nutrition. The passage of this bill will make comprehensive statutory reforms, provide more adequate funding, and make the administrative changes necessary to help us meet this unfinished task. S. 2548 incorporates the best advice, the best thinking that has emerged from the intensive scrutiny of the child nutrition program over the past several years.

Its passage will move us toward that objective so eloquently expressed in the early sixties by Secretary of Agriculture Orville Freeman:

> Never let it be said of this decade that we put a man on the moon but failed to put food in the mouths of hungry children.

Mr. MURPHY. Mr. President, I rise in support of S. 2548, a bill which would strengthen and improve our child feeding program under the School Lunch Act and the Child Nutrition Act of 1966.

I, of course, was pleased to have helped spotlight and stimulate the national focus on the hunger issue. In 1967, when the Poverty Subcommittee, on which I serve, was in Mississippi, we heard testimony that people were "starving." This was shocking to me, and I am sure to the American people. I immediately responded that if this were true, that an emergency situation existed, and that we should go directly to the President and get him to provide immediate emergency assistance. Well, the bureaucratic buckpassing that ensued in the last administration was unbelievable and is a matter of public record.

Mr. President, I am so pleased that such has not been the case under President Nixon's administration. President Nixon, believing as I do, that with America's agriculture abundance, no family—and particularly no child—should go hungry. The President's action in this regard shows his commitment to the cause of insuring proper food and nutrition to all our people.

Last Friday, the Senate passed H.R. 11651, a bill to provide temporary emergency assistance in order to provide nutritious meals to needy children. This bill, H.R. 11651, amended the National School Lunch Act and authorized the Secretary of Agriculture to transfer up to $30 million to section 32 funds to allow California and other States to continue to serve lunches for the last 4 months of this school year.

Mr. James M. Hemphill, chief of the Bureau of Food Services of the Department of Education in California, has corresponded with me on the situation, and has advised me that unless the Congress acted, California would have "to cut back on our programs." According to Department of Agriculture figures, California, as of February 6, had requested $569,236 for additional funds for free or reduced-price lunches, over amounts allocated for fiscal year 1970. I am hopeful that the passage of this emergency measure, H.R. 11651, will provide California with the needed assistance to move ahead.

The school lunch program began in the 1940's and it has been of great value in helping American children secure nutritional lunches. That is why I am so pleased to strongly support S. 2548, which would strengthen and improve food service programs for children under both the National School Lunch Act and the Child Nutrition Act of 1966. S. 2548, the bill being discussed in the Senate today, would:

First. Provide for advanced appropriations for child nutrition programs. As a member of the Education Subcommittee, I have been a supporter of the advanced funding concept in our education programs. The present practice of passing appropriations for a school year when the school year is well underway—or in the extreme example this year, when the school year is drawing to a close—creates administrative nightmares and certainly is not conducive to good education planning and programs or to the wise use of taxpayers' funds.

Second. Authorize $25 million for fiscal year 1971, $33 million for fiscal year 1972, $75 million for fiscal year 1973, and $10 million for each succeeding year thereafter for nonfood assistance. This provides largely for equipment to help schools prepare and serve meals. One of the findings of recent studies on the school lunch program and other programs, as well as the committee's hearings on the subject, was that many schools, particularly older schools in the inner-city areas, lacked the cafeteria and kitchen equipment necessary to serve their youngsters. The thrust of these changes is to see that these schools do have the necessary equipment and to see that they have it as early as possible. This accounts for the higher appropriations in the earlier years so that the equipment can be secured, and then, as more and more schools secure the equipment, it is envisioned that the program will taper off.

Also a change is made under section 5 of the Child Nutrition Act to add another factor in the formula so that one-half of the funds under section 5 will be distributed on the basis of need for nonfood assistance. The other half of the funds under section 5 will continue to be distributed, as in the past, namely, on the basis of past participation and the assistance-need rate which is based on average per capita income in the various States.

Third. Authorize 1 percent of the appropriations under the National School Lunch Act and the Child Nutrition Act to be used for nutrition training and education. In addition to providing the necessary resources to feed our school children, it is important that nutrition education be included. Of course, this is essential for the cafeteria supervisors and workers, but it also is needed by the children themselves. For inculcating children in good nutritional habits has the immediate prospect of bringing about the improvement of diets in the homes of these children, and, of course, over the long run of making these children better parents and leaders subsequent to their departure from the school system.

Fourth. Require that State matching represent a portion of the local matching requirement under the regular lunch program. Under section 4 of the national school lunch program, Federal grants must be matched by three times as much in local funds. The major part of these local funds comes from children's payments for these lunches. For fiscal year 1972 and fiscal year 1973, States would be required to provide at least 4 percent of the State's total matching requirements from State funds. This percentage increases 2 percent each succeeding year until State revenues make up 10 percent of the matching requirements for 1978. Thirteen States already provide more than 10 percent matching, and I am pleased that California is one of the States meeting these requirements. This is an important provision for it encourages State participation. It not only has the desirable effect of expanding the funds available to feed youngsters, but also, by taking advantage of the State's administrative abilities and leadership, it would improve the program.

Fifth. Prohibit the public identification of children who receive free or reduced-price lunches. Eligibility for free or reduced-price lunches would be determined by the local school authorities but in accordance with publicly announced policy. Eligibility criteria would include the consideration of family income, family size, and the number of children in the school.

Sixth. Revise section 11 of the National School Lunch Act so that special assistance funds would go under a formula that is derived from the Elementary and Secondary Education Act, which is based on the number of low-income children.

Seventh. Extend the special assistance program to all schools and change the formula for apportioning these funds under the special assistance program so that all needy children have access to the school lunch programs.

Eighth. Authorize the Secretary of Agriculture, where there is a severe need, to provide up to 80 percent of the op-

erating cost, instead of the present restriction to food alone, to school lunch programs under the special assistance provisions of the bill.

Ninth. Authorize funds for special demonstration projects to improve the program methods and facilities.

Tenth. Finally, the bill would establish a 13-member National Advisory Council on Child Nutrition to make continuing studies of the child nutrition programs, so as to make certain they are as effective as possible.

Mr. President, the Agriculture Committee has reported a good measure to the full Senate. Senator TALMADGE, the subcommittee chairman, as well as Senator AIKEN, the ranking Republican on the committee, and Senator DOLE and other members of the committee, are to be congratulated for their outstanding work in connection with this measure. This measure, I am convinced, will provide the administration with the tools it needs to see that no American child goes hungry. I certainly will support the administration in this commitment and in this effort, and I am confident that this commitment, in cooperation with all levels of government and all sectors of our economy will be met.

Mr. President, I strongly urge enactment of this program.

IMPROVED CHILD FEEDING PROGRAMS NEEDED

Mr. HRUSKA. Mr. President, the bill we have before us, S. 2548, was closely and fully considered by the Senate Agriculture Committee. It has received a favorable report from that committee, and is strongly supported by the Nixon administration. The bill is designed to strengthen and improve the food service programs provided for children, and it provides many significant and desirable features to help make the goal of eradicating hunger in our school-age children a reality.

It is my opinion, however, that the bill should have been passed in the form recommended by the committee without further amendments. The amendments which have been adopted are unwise and impractical. They impose requirements that go too far toward a wholly Federal program. The child feeding programs have always been a cooperative venture between the Federal, State, and local governments. Amendments that unduly and unnecessarily weaken this cooperation, for both funding and administration, are deplorable.

In balance, and after thoughtful consideration, I have decided to support the amended bill. The objectives and the improvements contained in the committee bill are sound and outweigh the inadvisable amendments.

President Nixon pledged in his special hunger message to Congress to put an "end to hunger in America." The national school lunch program, together with the child nutrition programs, offers a balanced and sound approach to improving the nutritional well-being of our growing schoolchildren. However, many children, particularly from poor families and from poor areas, are not receiving these benefits. To assist the President and the Secretary of Agriculture in meeting their commendable objective of ending hunger, the expansion and improvement of these child feeding programs is necessary.

The Agriculture Committee's report on this bill states that S. 2548 is designed to reach all children, "particularly those from poor economic areas whose need is greatest." That is certainly where the problem of hungry children is most severe. It has been estimated that 6.5 million children need a free or reduced price lunch, but the Department of Agriculture could reach only 3.5 million of those children in fiscal 1969. More are being reached during this current fiscal year, but changes proposed in this bill for the school lunch and child nutrition programs will more effectively insure that all needy children in school may be provided with nourishing meals.

One of the objects of S. 2548 is to see that the funds under the programs will go wherever the poor children are. The reported bill provides that special assistance funds go to schools according to their need for assistance in providing free and reduced-price lunches. The bill would authorize the Secretary of Agriculture in circumstances of severe need, where necessary to provide for an effective school lunch program, to authorize assistance of up to 80 percent of program operating costs, including preparation and serving costs. This provision is needed because some areas are too poor to support the program, even though they receive substantial help for food alone.

Mr. President, I am told that in recent years the school lunch program alone helped to feed about 20 million children in nearly 76,000 schools in all parts of the country. About 3.5 billion meals were served annually through this program. This is a magnificent accomplishment, and deserves the highest of praise from all thoughtful people concerned about hunger and malnutrition. The 23-year history of this program has shown it to have been a commendable investment in our Nation's greatest asset—our children. It has also been a model of Federal, State, and local cooperation.

The child nutrition programs, by providing for school breakfast programs, preschool and summer recreation feeding programs, have been a valuable addition to the Nation's efforts to provide nourishment to the needy children of America. About 400,000 children were reached last year in the summer recreation program, and about 100,000 children were provided with meals in the day-care program. These programs have been very effective and helpful, but there is much more that can be done.

Let us join in support of this bill to continue the progress toward fulfilling the intent of Congress when it passed the National School Lunch Act in 1946, "to safeguard the health and well-being of the Nation's children." Let us join President Nixon in his goal of ending hunger. Let us insure the necessary food and nutrition for our children to promote their fullest mental and physical growth.

Mr. President, I urge my colleagues to pass this bill, despite the objectionable features which have been adopted on the floor.

Mr. TALMADGE. Mr. President, I ask for the third reading of the bill.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute, as amended, was agreed to.

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

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

Mr. MANSFIELD. I yield back the remaining time.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the Committee on Agriculture and Forestry be discharged from the further consideration of H.R. 515 and that the Senate proceed to the immediate consideration of H.R. 515.

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

The LEGISLATIVE CLERK. A bill (H.R. 515) to amend the National School Lunch Act and the Child Nutrition Act of 1966 to clarify responsibilities relating to providing free and reduced-price meals and preventing discrimination against children, to revise program matching requirements, to strengthen the nutrition training and education benefits of the program, and otherwise to strengthen the food service programs for children in schools and service institutions.

The PRESIDING OFFICER. Without objection, the committee will be discharged, and the Senate will proceed to consider the bill.

Mr. TALMADGE. Mr. President, I ask unanimous consent that H.R. 515 be amended by striking out all after the enacting clause and inserting the text of S. 2548, as amended.

The PRESIDING OFFICER. The question is on agreeing to the motion to strike out all after the enacting clause of H.R. 515 and to insert in lieu thereof the text of S. 2548 as agreed to by the Senate.

The motion was agreed to.

The question is on agreeing to the amendment in the nature of a substitute.

The amendment was agreed to.

The PRESIDING OFFICER (Mr. CRANSTON in the chair). The question now is on the engrossment of the amendment and the third reading of H.R. 515.

The amendment was ordered to be engrossed and the bill (H.R. 515) to be read a third time.

The bill was read the third time.

Mr. MANSFIELD. I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Connecticut (Mr. DODD), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Louisiana (Mr. LONG), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wyoming (Mr. MCGEE), the Senator from New Hampshire (Mr.

McINTYRE), the Senator from Montana (Mr. METCALF), the Senator from Alabama (Mr. SPARKMAN), the Senator from Maryland (Mr. TYDINGS), and the Senator from Texas (Mr. YARBOROUGH) are necessarily absent.

I further announce that the Senator from Idaho (Mr. CHURCH) is absent on official business.

I further announce that, if present and voting, the Senator from Idaho (Mr. CHURCH), the Senator from Connecticut (Mr. DODD), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Louisiana (Mr. LONG), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wyoming (Mr. MCGEE), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Montana (Mr. METCALF), the Senator from Alabama (Mr. SPARKMAN), the Senator from Maryland (Mr. TYDINGS), and the Senator from Texas (Mr. YARBOROUGH) would each vote "yea."

Mr. SCOTT. I announce that the Senator from Michigan (Mr. GRIFFIN) is necessarily absent.

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

The Senator from Ohio (Mr. SAXBE), is absent on official business.

The Senator from Texas (Mr. TOWER), is detained on official business.

If present and voting, the Senator from South Dakota (Mr. MUNDT) would vote "yea."

The result was announced—yeas 85, nays 0, as follows:

[No. 58 Leg.]

YEAS—85

Aiken	Fulbright	Murphy
Allen	Goldwater	Muskie
Allott	Goodell	Nelson
Anderson	Gore	Packwood
Baker	Gravel	Pastore
Bayh	Gurney	Pearson
Bellmon	Hansen	Pell
Bennett	Harris	Percy
Bible	Hart	Prouty
Boggs	Hartke	Proxmire
Brooke	Hatfield	Randolph
Burdick	Holland	Ribicoff
Byrd, Va.	Hollings	Russell
Byrd, W. Va.	Hruska	Schweiker
Cannon	Hughes	Scott
Case	Inouye	Smith, Maine
Cook	Jackson	Smith, Ill.
Cooper	Javits	Spong
Cotton	Jordan, N.C.	Stennis
Cranston	Jordan, Idaho	Stevens
Curtis	Magnuson	Symington
Dole	Mansfield	Talmadge
Dominick	Mathias	Thurmond
Eagleton	McClellan	Williams, N.J.
Eastland	McGovern	Williams, Del.
Ellender	Miller	Young, N. Dak.
Ervin	Mondale	Young, Ohio
Fannin	Montoya	
Fong	Moss	

NAYS—0

NOT VOTING—15

Church	McCarthy	Saxbe
Dodd	McGee	Sparkman
Griffin	McIntyre	Tower
Kennedy	Metcalf	Tydings
Long	Mundt	Yarborough

So the bill (H.R. 515) was passed.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HOLLAND. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that S. 2548 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, S. 2548 is indefinitely postponed.

Mr. MANSFIELD. Mr. President, I rise to pay a well-deserved tribute to the distinguished Senator from Georgia (Mr. TALMADGE). His management of the extremely important school lunch measure was a monumental task. Wrestling with the complexities of providing proper food and aid to needy schoolchildren of our Nation is a matter of the greatest priority. There is not a single Member of this body who understands better the problems involved with the administration of such a program than Senator TALMADGE. We appreciate very much his guidance and his thoughtful views, his strong efforts, and his great devotion.

Working closely with Senator TALMADGE was the ranking minority member of the Senate Agriculture Committee, the able and distinguished senior Senator from Vermont (Mr. AIKEN). He, too, played a major role in enlightening the Senate regarding the ramifications of the measure and aided immensely in its expeditious disposition. Senator AIKEN brought to us the benefit of his great knowledge gained through the many years he has overseen not only the school lunch program but the entire farm policy of the United States.

The distinguished Senator from South Dakota (Mr. MCGOVERN) deserves special commendation for urging so successfully his own strong and sincere views. He contributed greatly to the overall high quality of the debate and his amendments exhibited a keen insight into the problems of hungry schoolchildren. He is to be congratulated.

The very able chairman of the Senate Agriculture Committee is also to be commended for his contributions on this measure. Because of his efforts both in committee and on the floor, the Senate backed the bill unanimously in its final passage. Also assisting in explaining and guiding the measure through the Senate was the senior Senator from New York (Mr. JAVITS). As always his incisive views aided greatly the orderly discussion and we are most grateful.

The Senate as a whole may be proud of the manner in which it attended to its duties in regard to this bill and I wish to commend all who worked to make this measure so successful.

Mr. HOLLAND. Mr. President, I voted for the school lunch program which just passed the Senate. I did so with regret as to some of the details included in the bill.

I am impelled to vote for the bill for two principal reasons.

First, I have always supported the school lunch program. I think that it is a fine program and that it should be continued.

Second, the distinguished Senator from Georgia (Mr. TALMADGE) has spent many months of work in an effort to improve that program. Many details of his work which will improve the program remain in the bill.

I want to make it very clear, however, that my votes on the various amendments agreed to on the floor of the Senate by very close votes express my convictions as to those particular details which I regret have been placed in the bill.

I would hope that the other body would correct those details or that they can be corrected in conference. And I would very much hope that the bill not become law or not go to the White House in the form in which we originally passed it.

MESSAGES FROM THE PRESIDENT—APPROVAL OF A BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries, and he announced that on February 20, 1970, the President had approved and signed the act (S. 2214) to exempt potatoes for processing from marketing orders.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Office laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

EXECUTIVE MANSION AND FOREIGN EMBASSY PROTECTION FORCE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 652, H.R. 14944.

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

The LEGISLATIVE CLERK. A bill (H.R. 14944) to authorize an adequate force for the protection of the Executive Mansion and foreign embassies, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

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

Mr. RANDOLPH. Mr. President, as we approach the consideration of H.R. 14944, I am grateful for the presence in the Chamber of the able ranking minority member of the Senate Public Works Committee, the Senator from Kentucky (Mr. COOPER). Later in the discussion of this measure, we will have the chairman of our Subcommitee on Public Buildings and Grounds, the able Senator from North Carolina (Mr. JORDAN), with us. He is temporarily absent from the Chamber on other business.

I will proceed, as the chairman of the Public Works Committee, to discuss the measure prior to his returning to the floor, at which time he and other members of our commitee and other Members of the Senate, as well, will have comments on the measure.

The pending bill was reported from the Committee on Public Works after it had passed the House of Representatives by a very substantial majority.

The legislation would amend chapter 3 of title 3 of the United States Code, which authorizes a police force for the

White House and the grounds thereof. These amendments would change the name of the force to the "Executive Protective Service."

The purpose of the legislation will be to place the force under the direction of the U.S. Secret Service.

It will also increase the scope of the duties of the force to include protection of foreign diplomatic missions located in the metropolitan area of the District of Columbia and such other areas of the United States, its territories and possessions, as the President of the United States, on a case-by-case basis, may direct and will increase the size of the new executive protective service. This increase would go to 850 members.

I think it is important as we consider this legislation to realize that the responsibility for the security of foreign diplomatic mission is a Federal responsibility. Sometimes this is forgotten as we discuss this question. The President of the United States, as a part of his constitutional responsibility for the conduct of this country's relations with foreign governments, is responsible for assuring to the duly accredited representatives of foreign governments to the United States the same security of persons and property that the laws of this Nation assure to our own citizens.

Also, under international law and practice this protection is an obligation of the Central Government. Protection is afforded American embassies in foreign countries by the central government in the countries in which our embassies are located. We are certainly well aware of the incidence of unrest and lawlessness which infects much of the world today, including our own country, and about which our distinguished majority leader (Mr. MANSFIELD) spoke in such moving language just a few days ago.

We are conscious of this problem and we realize that the institutions which were formerly relatively immune to such criminal activities are, in a sense, the focal point today for the disturbances, demonstrations, and disruptiveness that occurs. It occurs to our embassies in other countries, and it is documented. It occurs to embassies located in the District of Columbia. I think there was a time when embassies in the Nation's Capital were, in a sense, almost to be considered off limits by the criminal element. In other words, they were thought of, in a sense, as sacred ground, but this is no longer true. So the criminal tide advances upon the embassies as it advances on the homes of persons living in the District of Columbia or the businesses of persons attempting to make a gainful living through legitimate enterprise in the District of Columbia.

We have been informed—the Senator from Kentucky and other Senators will affirm this fact—that the Foreign Diplomatic Corps has repeatedly petitioned the State Department and the Office of the President for increased protection. The reason they asked for this protection is, of course, because of the high incidence of crime directed at foreign embassies and the personnel of those embassies. Because of this increase in the crime rate and this current persistence of protest and violence, the President of the United States has become increasingly concerned as have other Governmental officials.

In fact, the citizens of this country, not only those who live in the District of Columbia, but those living throughout our respective States, are concerned over the problem of security involving foreign diplomatic missions and the possible adverse effect on our own foreign relations which could result if the Federal Government of the United States fails to discharge its obligation to provide adequate security for these missions.

At the present time there are 117 foreign missions in the immediate metropolitan area of the District of Columbia. At the present time the protection of these missions is the responsibility of the Metropolitan Police Department or the other local police departments, if they are located in nearby Maryland or Virginia.

Due to the very heavy responsibility and demands placed on the Metropolitan Police force for protection of the general public, this police force apparently is unable to provide the amount and type of security that the foreign missions and their personnel believe they should have. It is not an easy problem, and it is not one that has a solution ready made, but it is one we attempt today by this legislation to approach constructively. The best answer, we believe, is a specially trained force under the direction of a Federal agency. This would be the U.S. Secret Service. Thus the ambassadors and other members of the missions would be protected by the same force that gives protection to the White House and its environs, not only to the President of the Republic but also to the members of his family.

As I said in the beginning, the House passed H.R. 14944 on December 18, 1969, by a substantial majority. The vote was 394 for the measure we are now considering in the Senate and only seven votes against it.

As I have indicated, it has been the subject of very careful consideration within the Committee on Public Works. Initially consideration was through the Subcommittee on Public Buildings and Grounds, and then the full committee reported the matter to the Senate and recommends its passage.

That is all I want to say at the present time in laying down the general purposes of the legislation. Perhaps the Senator from Kentucky (Mr. COOPER) might desire to join at this time, or perhaps other Members of the Senate might wish to speak. I know of the intense interest of the Senator from Ohio (Mr. YOUNG), the ranking majority member of the Committee on Public Works, on this problem. Although there is some disagreement, perhaps we can adjust through amendment of otherwise some of these difficulties and have a measure we can pass today and bring to the desk of the President for his signature.

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

Mr. RANDOLPH. I yield.

Mr. COOPER. Mr. President, the Senator from West Virginia has covered this subject very adequately and with his usual competence. I would just emphasize the point he made that the duty of protecting foreign missions and their personnel is the responsibility of the Federal Government, and particularly of the President. Congress has recognized this grave responsibility of adhering to several conventions. One of the latest was the Vienna Convention on Consular Relations signed at Vienna under date of April 24, 1963, article 31, section 3, reads:

> 3. Subject to the provisions of paragraph 2 of this Article, the receiving State is under a special duty to take all appropriate steps to protect the consular premises against any intrusion or damage and to prevent any disturbance of the peace of the consular post or impairment of its dignity.

This convention was ratified by the Senate on October 22 last year.

An earlier convention approved by the Senate is the Vienna Convention on Diplomatic Relations of April 18, 1962. Article 29 provides:

> The person of a diplomatic agent shall be inviolable. He shall not be liable to any form of arrest or detention. The receiving State shall treat him with due respect and shall take all appropriate steps to prevent any attack on his person, freedom or dignity.

It is the Senate's constitutional responsibility, because of its approval of these conventions, to pledge the Government of the United States to take whatever steps are necessary to protect the persons and property of diplomatic agents, usually referred to as ambassadors or ministers and, by later conventions, consuls.

There is not only a responsibility to protect the personnel of foreign missions—that is our primary responsibility by law, because a convention becomes the law of the land—but we should also do so to help assure and to insist that Americans in diplomatic missions abroad are properly protected.

Under the pending bill, the expanded White House Police Force, which would be renamed the Executive Protective Service, would be recruited by the Secret Service, and the command function would be exercised by the Director of the Secret Service. It would require the recruitment of about 600 additional officers. The cost during the remainder of this fiscal year would be $4.2 million, including many initial and first-time only costs, and for fiscal 1971 are estimated at $9,950,000.

The measure does not in any way interfere with the duties of the Metropolitan Police. Its primary purpose is that of security for the personnel of foreign missions. But this force would also have security responsibility with respect to the White House and buildings of the Federal Government when required, as well as for foreign missions and their personnel.

In the presentation to the Public Works Committee by the Assistant Secretary of the Treasury, Mr. Eugene T. Rossides, and the Director of the Secret Service, Mr. James J. Rowley, it was pointed out that increasingly representatives of foreign governments who are residents here were not being adequately protected. There have been a large num-

ber of burglaries, housebreakings, and personal assaults on the personnel.

The police would not be required to exercise the responsibility of the Metropolitan Police if demonstrations or riots should occur. That function would continue to reside with the Metropolitan Police.

I think that, in general, supplements the statement made by the distinguished chairman of our committee (Mr. RANDOLPH). I strongly support the bill, which is an administration bill, and urge that it be adopted.

Mr. GURNEY. Mr. President, I rise to support H.R. 14944, and urge its prompt approval.

For reasons that are pretty obvious, there is an urgent need for this protection force which the President has requested for the Executive Mansion and the foreign embassies.

Every day we are confronted in the press, on the radio, and even on TV with evidence of this need.

The reasons were underscored in the testimony of the Honorable Eugene T. Rossides, Assistant Secretary of the Treasury Department, before the Subcommittee on Buildings and Grounds of the Senate Public Works Committee.

Mr. Rossides said:

With the increase in the crime rate and the current conditions of violence and protest prevailing in our contemporary society, the President has become increasingly concerned over the problem of security involving foreign diplomatic missions and the adverse effect on our foreign relations which could result if the Federal Government fails to discharge its obligation to provide adequate security for these missions.

As Mr. Rossides added:

The ultimate responsibility for the security of foreign diplomatic missions is a Federal responsibility.

Just as we expect our embassies and missions abroad to be protected, so must we provide protection for foreign embassies and missions in this country and our possessions.

The need for such protection was emphasized most strongly by Mr. James J. Rowley, Director of the U.S. Secret Service, in his testimony before the subcommittee. Mr. Rowley said:

Current conditions are much different than those of the past, as we all know. The incidence of unrest and lawlessness which today infects our country, as well as others, has spread to and finally engulfed many of those institutions which were formerly relatively immune from such activity.

Our newspapers graphically report, almost on a daily basis, abuses of such entities as churches, schools, colleges, and public offices. During the past few years, and with increasing frequency, criminal attacks have also been directed toward foreign diplomatic missions located in the Greater Washington, D.C. area, resulting in demands for adequate protection from the diplomatic personnel who have been victimized.

Mr. Rowley cited some disturbing figures regarding such attacks. He said:

For example, during calendar years 1967, 1968, and through December 2, 1969, a total of 44 robberies and attempted robberies were reported by foreign embassies; 12 breaking and enterings; two bombings; 39 threats of violence which could lead to personal injury or property damage to diplomatic personnel and property; and 16 separate acts of vandalism.

Mr. President, the House recognized the responsibility of the Federal Government in this area and last December 18 approved the bill now pending before the Senate by a vote of 394 to 7.

The Senate Public Works Committee reported the House-passed bill with only one dissenting view.

The distinguished Senator from Ohio (Mr. YOUNG), as we heard, has taken the position that the responsibility for protecting foreign embassies should be left to the District police and that any additional police should be available for the protection of all citizens

Now, we all share the Senator's concern about the high incidence of crime in the Nation's Capital and elsewhere in the country. But with all due respect to the Senator of Ohio, we are talking about two different things here.

Mr. RANDOLPH. Mr. President, will my able colleague yield to me at that point?

Mr. GURNEY. I am happy to yield to the Senator from West Virginia?

Mr. YOUNG of Ohio. Mr. President, will the Senator from West Virginia yield to me so that I may ask for the yeas and nays?

Mr. RANDOLPH. I yield.

Mr. YOUNG of Ohio. Mr. President, on the question of passage of this bill, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. RANDOLPH. I think we ought to ask for it on recommittal also.

The PRESIDING OFFICER. There is no motion to recommit pending.

Mr. GURNEY. As we all know, it is the duty of the Washington police to protect all persons from criminal acts. Under this bill before the Senate the Executive Protection Service will undertake to protect foreign embassies from criminals. But its role will be more limited, and it will work closely with the Metropolitan Police Department at all times.

The bill would authorize 600 additional men for the protection force and Senator YOUNG in a letter to other Senators has suggested no more than 351 would be required inasmuch as many of the foreign embassies, as the Senator says, are "clustered side by side."

I would suggest that the task is somewhat greater. As Mr. Rowley pointed out in his testimony before the Senate Subcommittee on Public Buildings and Grounds, there are 117 diplomatic missions in the greater Washington area. Of these, 16 to 24, he also noted, have requested special protection.

In addition, I would point out, the bill also would authorize the President to use the service, on a case-by-case basis, for the protection of foreign diplomatic missions located "in other areas in the United States, its territories, and possessions."

In view of all this, the President's request is quite modest in terms of manpower.

But there is a more important consideration involved in this matter. It is the fact that the President has the duty to keep our relations with foreign nations and their representatives on a proper and meaningful plane.

One of the important ways we do this is to treat their representatives as guests in our country and to protect them from violence. To do less would be to abdicate our duty and risk strained relations with other nations.

I am sure no one would like to see the assassination in the streets of Washington the way the American Ambassador, John Gordon Mien, was murdered in Guatemala in 1968. Nor would we like to see the Philippine Embassy in Washington firebombed as the American Embassy in the Philippines was firebombed on last February 18.

Mr. President, in this matter the United States must set an example—we must see that those who come here as representatives of foreign countries have the protection they need.

Mr. President, one other thing: We all agree that we need better protection against crime here in the District. The President has proposed stronger anti-crime measures for the District and the Nation, but not one of more than a dozen bills has crossed his desk.

The protection service proposed in this bill will give limited help in that direction by freeing District police from some of their responsibilities—and fulfill our responsibility in another important area at the same time.

For this reason I strongly favor this legislation.

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

Mr. GURNEY. I yield.

Mr. MANSFIELD. I just happened to come into the Chamber when the distinguished Senator from Florida said that not one of the crime bills has crossed the President's desk. I think the RECORD ought to be made clear that as far as the Senate is concerned, all the crime bills affecting the District of Columbia and three or four other significant bills, including the omnibus crime bill and the drug control bill, have passed the Senate.

Mr. GURNEY. The majority leader is certainly correct. The Senate has a much better record of performance on these bills than the other body.

AMENDMENT NO. 505

Mr. YOUNG of Ohio. Mr. President, I am opposed to this bill. I think it is a bad bill. But before I proceed to any expression of my views, I call up my amendment, No. 505, and ask that it be reported.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. The Senator from Ohio (Mr. YOUNG) proposes amendments (No. 505), as follows:

On page 2, line 17, strike out "and".

On page 2, beginning with line 18, strike out down through line 22, and insert in lieu thereof the following:

(5) by striking out the last two sentences of section 203(a);

(6) by amending section 203(b) to read as follows:

"(b) Members of the Executive Protective Service shall be recruited under the civil service laws and regulations on a nationwide basis. Members of such Service may also be appointed from the members of the Metropolitan Police force and the United States

Park Police force from lists furnished by the officers in charge of such forces. Whenever any vacancy is created in the Metropolitan Police force or the United States Park Police force as the result of an appointment to the Executive Protective Service, such vacancy shall be filled in the manner provided by law. In the period of time which follows the date of enactment of this sentence and precedes January 1, 1975, but not more than thirty members of the Metropolitan Police force may be appointed annually to the Executive Protective Service."

(7) by striking out section 205; and

(8) by striking out in section 206 "Members appointed pursuant to section 205 of this title" and inserting in lieu thereof "Members of the Executive Protective Service not appointed from the Metropolitan Police force or the United States Park Police force".

Mr. YOUNG of Ohio. Mr. President, this is a very important remedial amendment. The purpose is to set a limit to the number of transfers from the District of Columbia Police Force to the proposed Executive Protective Service should the pending bill be enacted into law.

This amendment should not be objected to by anyone. It would prevent the stripping of the Metropolitan Police Force. Members of the D.C. Police Force might well say, "Well, if they are adding 600 more members to the special executive police force of fancy dans, that is a very attractive assignment," and a large number of officers in the police force of the District of Columbia might think they would enjoy wearing those special uniforms and having an easy life.

Mr. President, what we need in the District of Columbia is more tough cops. We do not need this fancy executive protective service, so-called. While I do not wish to argue my amendment at length because I hope it will be accepted by the chairman of the committee, I say there cannot be any valid argument against it. If it is said that at the outset some of the present police, intelligent, good members of the present Metropolitan Police Force, should be permitted to enroll in this force, my amendment would place the limit of such enrollments at 30 a year, so that we would not strip the Metropolitan Police Force. I hope that the chairman of the subcommittee who is handling the bill will see the merit of my amendment and accept it.

Mr. JORDAN of North Carolina. Mr. President, I appreciate the Senator's remarks and his amendment. I had not had an opportunity to study it before I came in, but I think it is a good amendment, and we will accept it.

Mr. COOPER. Mr. President, I shall not object, but I would like to be heard.

I inquired of the Treasury Department as to its purpose and methods in recruiting such personnel. I have their answer, which is, first, that the Secret Service will utilize 74 field officers throughout the country to accomplish this effort. Then they make this statement:

The recruitment effort will not be directed toward the police agencies of Washington, D.C. The Secret Service is well aware of the crime situation in our Nation's Capital, and will do nothing to weaken this situation. In addition, before an officer can transfer from the Metropolitan Police or Park Police to the Executive Protective Service, he must be released in writing by the organization. It is expected that practically all of the personnel for the Executive Protective Service will be recruited from our nationwide effort.

I thought I should place this information in the RECORD to show that that is the intention of the Secret Service. But I have no objection to the amendment.

Mr. JORDAN of North Carolina. That was the testimony that we received when we held the hearings on the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment (No. 505) of the Senator from Ohio.

The amendment was agreed to.

Mr. YOUNG of Ohio. Mr. President, I wish to speak at some length on this bill. I regard it as a bad bill. It had been my intention to make a motion to recommit the bill to the committee.

However, in view of the acceptance of this amendment, I will not make the motion to recommit and cause us in the Committee on Public Works to give additional time to this matter. The bill should be defeated, and I intend to be heard in expressing opposition to it.

This bill was reported from the subcommittee to the full committee following a single 39-minute session of the Subcommittee on Public Buildings and Grounds. This bill, if enacted, will cost taxpayers at least $10 million—more than that, I would say—for the first year.

In the 39-minute session of the Subcommittee on Public Buildings and Grounds, two witnesses testified—Eugene T. Rossides, Assistant Secretary for Enforcement and Operation, U.S. Secret Service, Treasury Department and James J. Rowley, Director of the U.S. Secret Service.

In my opinion, there is no justification for the passage of this bill. On the basis of that hearing and the brief debate that I read in the RECORD that took place in the House of Representatives, there is no need for the proposed legislation.

Advocates of the bill argue that we must provide for other countries the same protection they provide for our embassies and personnel in their countries. Think of that. They are arguing that we must provide to the personnel and the ambassadors of the 117 foreign missions in Washington the same protection that those countries are giving us.

Mr. President, our Ambassador to Brazil was kidnaped and held as hostage. Nothing like that has happened here. What has happened here was that the butler of the Italian Ambassador while walking one afternoon a few doors from the Embassy was assaulted by four young hoodlums. I do not see how the proposed special force of police in fancy uniforms reminiscent of Napoleon's old guard, could have prevented the butler of the Italian Ambassador from that assault. The butler was banged around a little, but not seriously injured. A small amount of money was taken from him. The Ambassador in his wrath, wrote a letter of protest to the State Department, and it is in the record of our subcommittee. In his letter he requested continuous police protection for the Italian Embassy. That was given as the reason for this proposed legislation—because the Italian Ambassador's butler was assaulted on the street, in broad daylight, a few steps away from the Embassy.

In Manila, in the Philippine Republic, a nation that was created by the blood and valor of American youth, our Embassy was burned, stoned, and was partly destroyed. A similar incident occurred in Peru.

Let me say, as one who is opposed to this bill, that very definitely we in the United States have given far greater protection to the embassies in Washington and to the ambassadors and representatives of these 117 nations than our embassies and their staffs have received in many other nations.

Advocates of the bill argue that we must provide for other countries the same protection they provide for our embassies. We know what happened to our Ambassador in Brazil and to our Embassy in Peru, where our Embassy was ransacked, and in Tokyo, where the police came out in hundreds to succeed in keeping our Ambassador from being injured, but where our Embassy has been very badly damaged.

Mr. President, I am very happy to report that no foreign ambassador to the United States has been kidnaped, and no embassies in the United States have been ransacked. The fact is that those now responsible—the Metropolitan Police force—are providing the protection at home that we expect overseas. The proposals embodied in this measure would not provide for better protection of foreign embassies or better law enforcement. Indeed, they might frustrate and complicate police protection for the embassies and for all the citizens of the District of Columbia.

Our Metropolitan Police force in the District of Columbia is understaffed to a very large extent—by 661 men at the present time, as I understand.

I hold in my hand a few recent newspaper items from Washington, D.C., papers. We had better be a little more concerned about a 20-year-old secretary of a U.S. Senator who was raped last night. Of course, I shall not name the fine young lady, nor the Senator. This item is from today's Washington Post. We are apparently doing nothing about that in this proposed bill. We are not leading a campaign to employ more tough cops for the District of Columbia. No. We are proposing now an elite force of special "fancy Dans."

Here is another news item, "Catholic University Co-ed Slain." It remains an unsolved crime. I will advert again to those very sad incidents later.

There is no justification for establishing at this time what would amount to an 850 man Praetorian guard, almost one-fifth as large as the entire District of Columbia police force. What we need in the District of Columbia is to pay the ordinary cops higher salaries, so that young men will be interested in making a career of law enforcement. Instead of this special bill creating a praetorian guard for the White House and then assigning them to the protection of the embassies, we need in the District of

Columbia judges of integrity, who have backbone, to enforce the law and provide real punishment to those who are found guilty. This, instead of those who riot here being released on $25 cash bail, never reappearing in court, or a judge sentencing some culprit to 30 days in the workhouse and then secretly, later on the same day—as some of the judges here have done, and I can name them—changing that and granting them probation.

The title given to this legislative proposal is, in itself, a misnomer. The fact is that, at the present time, there is no evidence whatever to indicate that the present ceiling of 250 members for the White House police force is inadequate to protect the Executive Mansion.

Mr. President, that is quite a good sized number, so that, when visiting potentates come to Washington, our President can be happy, indeed, to see these 250 men parading around in a manner similar to that which must have impressed him on his European trips. It is high time, in this country, that we quit aping royalty from the old world.

Of course, the District's police force should be increased. The sole reason for the passage in the Senate of this proposal is to provide new protective services, so it is claimed, for foreign embassies located in the metropolitan area of the District of Columbia, and in such other areas within the United States as the President may direct on a case-by-case basis.

Mr. President, Washington, D.C., is the Federal City. Of course, it is the duty of the police force of the District of Columbia to protect all citizens in the Federal City—visitors from all over the world, and visitors from the 50 States of the Union who come to this beautiful city. They certainly are entitled to receive at least the same protection as the butler in the Italian Embassy, whose letter brought about the preparation of this bill.

As the host government, the Federal Government must take all reasonable precautions necessary to assure the safety of foreign diplomatic missions.

I think that we are doing that.

They are undoubtedly better protected than secretaries to Senators and Members of the House of Representatives, and the young ladies who are attending Catholic University, and that 14-year-old girl who was slain with an icepick and thrown out of an automobile within one-eighth of a mile of where I live.

Mr. President, I know all about the disorders in our streets today, and the dangers of walking them. I am very proud to tell the Senate that I have in my home a little 13-year-old girl whom we have adopted. On some nights, when she is home from boarding school, she babysits a short distance down the street from us at Colonel Barber's house. Her babysitting period ends at 10 o'clock at night. I either walk down Manning Place Northwest toward MacArthur Boulevard to get her, or Colonel Barber himself brings her home, because neither one of us would permit her to be out alone at night for even a few minutes.

The police force of the District of Columbia is understaffed at the present time. But, no, we are not adding to them. We are not seeking recruits for them. We are coming in here to add 600 men to a praetorian guard for the sole protection of foreign missions.

When this matter was first discussed in committee, it was stated that the cost of each man would be $9,600 a year to start. I asked a few questions and conducted a cross-examination on that point. I observed that there is a difference between starting salaries for a policeman in the District of Columbia and starting salaries for schoolteachers. Teachers still get $7,000 a year. However, they were talking about a $9,600 cost for each member of this praetorian guard for the White House.

I am glad that the amendment I offered has been accepted, and that if the bill is passed, it will mean that the Metropolitan Police force will not be raided to the extent of more than 30 men a year. I think it will be unfortunate to lose even 30 a year.

I say that we have given much more protection to embassies, to ambassadors, and to those who work in the embassies than we have been giving to visitors who come to Washington from all over the Nation and to those who live in the Capital City. I believe that an outrage would be perpetrated if the pending bill is passed.

Mr. President, throughout the years, the District of Columbia police force has had the primary responsibility for protecting the property of foreign missions and individuals assigned to them. There is really no evidence that it is now necessary to create a special constabulary for the purpose, unless one is so impressed by the incident involving the butler in the Italian Embassy being roughed up and robbed in broad daylight. I do not know how these fancy dans in the proposed praetorian guard can prevent that from occurring in daylight.

Furthermore, passage of the bill would grossly distort the proper priority of crime control which the District of Columbia needs.

Comparative crime statistics for the 3-year period 1967–69, between crimes involving embassies and embassy personnel and District of Columbia citizens in general, certainly do not justify providing a special police force for the protection of foreign missions.

Mr. President, I give you a few statistics. In that 3-year period, there were 44 robberies and attempted robberies, 12 burglaries or breakings and enterings, and 39 threats of violence involving embassies and embassy personnel. Not all of these, by any means, occurred in or near foreign missions themselves.

There have been 16 acts of vandalism against embassies.

During the past 3 years, not one murder or case of rape has occurred against any embassy personnel.

Mr. President, I wish we could say that about the secretaries of Senators. A few years back a very lovely secretary of former Senator Carlson, of Kansas, was assaulted and murdered very near the Capitol. I do not think that much was done following that incident. But the Italian Ambassador certainly does have influence.

During the 3-year period in which 44 robberies of embassies and embassy personel occurred, there have been 26,801 robberies in the District of Columbia. That does not include attempts to rob. It includes only robberies of citizens of the District of Columbia or of American citizens or of foreign countries who visit here. There have been 55,478 burglaries, 573 murders, 691 rapes.

Instead of increasing our police force and adding tough cops to our force as needed, we are spending our time and effort to create this additonal White House praetorian guard of 600 men who will stand at attention with a lot of ruffles and flourishes whenever a foreign potentate is visiting here.

Robberies and attempted robberies against foreign missions and their personnel accounted for one-tenth of 1 percent of the total of such crimes in the District of Columbia. The fact is that the District of Columbia averages more burglaries in each 5-hour period than the number of crimes reported by the foreign embassies in the last 3 years combined.

According to the statistics for that period, the average citizen of the District of Columbia is more than eight times as likley to be a victim of crime as is the butler of any ambassador or any other member of his staff. However, under the pending bill, the foreign missions would receive more than 25 times as much police protection as the average citizen of the District of Columbia in terms of police per resident.

It is a fact that the District of Columbia has one of the most serious crime rates among the cities of the Nation. This rate is rising rapidly. For the first 9 months of 1969, there was a 30 percent overall increase of crime in the District of Columbia, a 56 percent increase in murders and nonnegligent manslaughter, and a 41.5 percent increase in rape.

President Nixon knows the situation to be of such severity that in his state of the Union message the President said:

> I doubt if many Members of this Congress who live more than a few blocks from here would leave their cars in the Capitol garage and walk home alone tonight.

The fact is that there have been several instances of Senators and Representatives being robbed and mugged.

A distinguished Senator was recently assaulted as he was leaving his apartment. However, we can let that incident go because he knocked his assailant to the ground. He later said that if he had been in prime shape as a rancher in Idaho, he would have knocked him unconscious. He apologized for not doing so.

The newspapers have now resorted to reporting most crimes in the District on a box-score basis. They sometimes fill a whole page of a daily newspaper. These are crimes that at one time would have been considered front-page news.

Many citizens of the District of Columbia walk the streets in broad daylight in fear. Few feel secure in their homes. Members of Congress and their secretaries have been robbed, beaten, and raped within the past few months. With-

in the past few months a teenager babysitting for one of our colleagues was raped. That is how violent crime is.

A boy of 4 years of age was stabbed while looking for the baby bottle of his baby sister. Little Randy Gibson was sent for his baby sister's bottle. His mother found the boy a little later staggering the street, nude and assaulted. He died.

There are no facts to indicate that crimes committed against foreign missions are more serious than those committed aganist citizens in general, or that they even approach the severity of the crimes being committed against the citizens of the District of Columbia. In fact, the evidence is to the contrary—that any offenses of violence against any embassy personnel are far less serious than the crime committed day after day on the streets of Washington.

The pending legislation does not, as its proponents claim, assure to the duly accredited representatives of foreign governments to the United States the same security of person and property that the laws of this Nation assure its own citizens.

We have given them greater security in Washington throughout the past years than we have given our own citizens. This bill will give them even added protection—for more than is given American citizens living in the District of Columbia.

Now they are proposing to add 600 additional police as a special force.

They will have a distinctive uniform. Perhaps it will outdo the cap and the braid on the uniform that we now have for the White House Police.

This measure attempts to assure representatives of foreign governments protection which is not assured residents of the District of Columbia, any of the visitors to the Nation's Capital, or the families of Members of Congress.

We would give these embassy people far more protection that we give our own. It is high time we stop, look, and listen and take care of American citizens.

Can we honestly say we have a special obligation to protect foreign embassies, but not the little children that might be playing across the street from those embassies? They are our children. They are American children.

Can it be true that our responsibility to those inside the Russian Embassy is so much greater than our responsibility to the American tourist who stays in one of the hotels down the street? This bill is really a ringing indictment of our system of values. To approve it, it seems to me, would be to say we cannot and will not provide protection for the girls who come here from all States in the Union to attend fine universities in Washington, D.C.

In nearly every one of these universities some coed has been assaulted in the past 3 years. Some of those murders, rapes, and assaults are unsolved to this time. We must give these college girls protection as well as the secretaries, tourists, and all residents of and visitors to the District of Columbia.

Less than 45 minutes has been given in the subcommittee to the consideration of this bill. That was on Thursday, December 18, 1969. The subcommittee met at 10:06 a.m. and at 10:45 a.m., according to the record, 39 minutes later, the hearing was concluded.

As has been stated here, there was a unanimous view in the subcommittee in favor of the bill, except for one recalcitrant, and I was the one who spoke out questioning it.

In that session, Mr. Rossides, assistant Secretary for Enforcement and Operation of the Treasury Department, and James J. Rowley, Director of the U.S. Secret Service, testified in favor of the proposed bill. Neither the House Report nor the Senate report accompanying the bill contains a single communication from any official of any of the departments or agencies of the Government that really should be interested in what is involved here.

The House of Representatives passed this bill after a single hour of debate which was marked by confusion of the issues involved. This bill that is going to cost our taxpayers $10 million the first year was passed after 1 hour of debate, in the other body. The cost of this 850-man force was continually and drastically underestimated.

The distinguished Representative in charge of the bill claimed the additional 600 men would cost only $1 million. That figure has now gone up to $10 million. That does not include additional barracks and facilities that would be required.

The present barracks of the police force of the District of Columbia would not be good enough for any force like this, because the men in the proposed Executive Protective Service would be an elite group. They are not law enforcement officers. They are going to be decked out like Princess Grace's guard at Monaco. As U.S. Secret Service Director Mr. Rowley reported to us in the subcommittee—

> Our space requirements are vital to this operation. We have to have a separate control center with proper communications, squad room, and supply room, and garage."

When we add all those things, the cost of the proposed executive force will be astronomical.

In our brief committee hearings, Mr. Rossides introduced a letter from the Ambassador of Italy saying—I cannot say enough about this; this was the motivation for the bill—that at 1:30 p.m. on a recent afternoon, not far from the chancery of the embassy, an assault by four unruly youngsters was perpetrated on Guiseppe Corsini, his butler, who was knocked down and robbed. He contended he needed the presence of two policemen in uniform at all times to scare off potential assaulters on members of his staff.

This at a time when we daily read in the Washington newspapers of assaults on young women, including the slain Catholic University coed, whose murder is unsolved. I refer to various headlines in newspapers I have on my desk: "Beating and Robbery"; "Boy of Four Slain"; "Potomac Girl, 14, Slain With Icepick"; "Boy, 9, Shot Dead." "Teacher Mutilated." I am reading from headlines in recent newspapers. "Policeman Slain." That was a policeman from the District of Columbia. It was not one of the super-duper executive police strutting around. He was a cop, and no doubt he was a tough cop. We need more of them. We do not need more law—we need better law enforcement.

Frankly, Mr. President, I am not at all interested in an elite police force to protect embassies, to the exclusion of the homes and businesses of the ordinary residents of the District of Columbia.

Those of us who work here, whose jobs bring us here from our States throughout the Union, and who bring people to work for us, are not interested in an elite police force to stand around the White House yard or to parade in front of embassies.

Mr. President, I am interested in law enforcement. I have said before, that as former chief criminal prosecuting attorney of Cuyahoga County, Ohio, I believed then, and I believe now, that certain punishment, like a shadow, should follow the commission of crime. I think it is deplorable, disgraceful and indefensible that here in the Capital City of our country crime is rampant and often goes unpunished. Instead of working hard to add to our police force and to encourage young men of intelligence to make law enforcement in the District of Columbia and other areas of the United States their career, we are spending time talking about creating an elite police force.

In the bill, it is proposed that members of that police force will wear a distinctive uniform. I assume it is contemplated that those outfits will exceed in grandeur, in braid, in brass, and in all-around glamor those braided white coats that the White House Police are now wearing. Too bad, though that President Nixon discarded the Franco-Prussian cap that aroused the risibilities of so many millions of people. However, he has not discarded the embellished white coats that the White House police officers wear.

If this bill goes through, I am wondering what the garb of the special Executive police who stroll around embassies will be. Probably it will be even more reminiscent of the chocolate soldiers in the comic operas of past generations. Perhaps the distinguished junior Senator from North Carolina (Mr. JORDAN) will remember the beautiful costume of Prince Danilo in the Merry Widow. Perhaps that is the sort of costume we are going to have for this special force. Nothing would surprise me along that line.

Very seriously, it is evident that President Nixon and those running things at the White House are aping European royalty. It is high time we tried to have some austerity in this country. It is high time that we looked back with pride to James Madison and Benjamin Franklin who dressed as ordinary American citizens in ordinary garb, in contrast to the fancy garb of royalty and their guards.

We might be able to accept this elite corps, garbled with less restraint and in poorer taste than ushers at the old-time movie palaces, if they would be of genuine value in law enforcement. But they would not. In fact this new force might well obstruct law enforcement.

The Assistant Secretary of the Treasury, Mr. Rossides, testified before the Subcommittee on Public Buildings and Grounds that—

The protection to be provided the foreign diplomatic missions will be preventive in nature, not investigative. It is not contemplated that the Executive Protective Service . . . will operate as a police force. It will not assume the responsibility of the local police department to enforce the laws relating to the protection of persons and property.

This division of authority between the Executive Protective Service and the Metropolitan Police Force certainly leaves room for confusion. The distinction set forth by Mr. Rossides sounds good, but how will it work in an individual case? Where does one force go out and the other come in?

The District of Columbia is already faced with the problem of severely fragmented police protection. Seven different police departments presently operate in the Nation's Capital. We have the Metropolitan Police, the White House Police, the Park Police, the Capitol Police, the Zoo Police, the Supreme Court Police, and the Airport Police. Legislation has been considered in Congress that would merge the first five departments I mentioned under a single commission.

In other words, there is legislation pending in Congress to merge into one entity the Metropolitan Police, the White House Police, the Park Police, the Capitol Police, and the Zoo Police. But, Mr. President, that legislative proposal is still buried in committee. Any shifting of responsibility for protection of embassies should be considered with that type of legislation so that clear division of authority can be assured. To shift the responsibility, or part of the responsibility, through the bill before us today would assure only confusion.

Under the circumstances it would be unconscionable to spend as much as $10 million of taxpayers' money solely for the attempted protection of a comparatively few individuals. Rather, there should be a serious attempt to improve law enforcement for all citizens of the District of Columbia as well as representatives of foreign governments.

There is a need for more policemen in the District of Columbia. There is a need for more stringent law enforcement. It would be a gross distortion of priorities to ignore those needs and to create a special police force solely for the protection of foreign missions.

The same thing can be accomplished by expanding the police force of the District of Columbia, by providing higher salaries to attract better trained and more capable policemen and in general by upgrading the quality of law enforcement in the District of Columbia.

This proposed bill, unfortunately, calls for 600 additional policemen, not for the District of Columbia, but for the so-called Executive Protective Service, at a time when the police force of the District of Columbia, with an authorized strength of 4,625 men—which should be expanded to 5,000 or 6,000—is understaffed by nearly a thousand men.

This bill will further aggravate an existing condition, if enacted into law, by enticing qualified men away from the District of Columbia police force into the so-called Executive Protective Service. I understand that some hundreds of policemen of the District of Columbia, anticipating the passage of the bill providing for this elite force have made application for it. However, I am glad that, by adoption of my amendment, this will be cut down to a maximum limit of 30 each year. I regret that we are making even that concession.

The best qualified and most capable officers of the Metropolitan Police Force would be attracted to the new force for the increased prestige and softer duties. I imagine that the first 30 who will leave the Metropolitan Police Force to become members of this fancy, elite group will be very intelligent, very worthy, and important members of the District police force, further weakening that unit.

What we need over and above everything else is increased salaries for law enforcement officers—greatly increased salaries—so that there will be some attraction for intelligent young men graduating from high school to make law enforcement their careers. We lack sufficient enforcement officers in Washington now. It is unfortunate that the District police force is understaffed. Assistant District of Columbia Police Chief Pyles recently reported to a member of my staff that the District of Columbia Police Department will be trying to recruit 1,500 men in the next 6 months. He stated, "that is an almost impossible task." He further stated that he hated to release one man from the present force to the proposed Executive Protective Service, but, of course, he cannot prevent at least 30 of his best from going.

The pending bill, if passed, would make the recruiting task of the Metropolitan Police Force of the District much more difficult and would lure away many patrolmen and officers already on the force. Those who seek to join the executive force and who are disappointed are likely, it is feared, to seek to resign from the police force and enter into some other duties. That would further weaken our District police force.

As I have stated, there are only 117 diplomatic missions in the Greater Washington area. Even if policemen were to be posted at each mission on 8-hour shifts, on an around-the-clock basis, the number required would not exceed 351. Yet, the bill calls for twice that number or more.

The fact is that more than half of the 117 foreign missions are located on exactly four avenues in the District of Columbia, and they are broad, well-lighted avenues. I refer to Massachusetts Avenue, Connecticut Avenue, New Hampshire Avenue, and 16th Street—the best lighted areas of the District of Columbia, the broadest and straightest of our avenues, and the least likely to be afflicted with crimes of violence of any places in the District of Columbia.

In one three-block stretch on Massachusetts Avenue there are 17 embassies and consular offices. Therefore, each diplomatic mission could be provided full-time protection, as I have said, with 351 policemen, and most probably with no more than 250 policemen—not fancy dressers who are just strutting around, but 250 real, honest to God policemen who could give more than ample protection to everyone of these embassies, to their staff members, and to their visitors.

The problem is not even of this dimension. The fact is that only 16 to 24 diplomatic missions have recently requested special protection. That is the maxium number—24 out of 117. Less than 25 percent have requested special protection. One hundred men could do that.

I take a dim view of solving the protection problems of foreign missions in the manner proposed in this bill. I think the proper way to go about it is to demand and see to it that the police force of the District of Columbia has armed policemen around the clock guarding the embassies.

That, in my view, is the manner in which this problem should be approached and solved. Enactment of H.R. 14944 would actually hamper police protection in the District of Columbia. It would be an insult to every citizens of the District of Columbia and to all taxpayers.

I may bring my remarks on this matter to a conclusion, as I have kept the faith with my colleague and friend who could not return here until 4 p.m., and I note, Mr. President, that it is 2 minutes to 4. However, what I have said has not been merely to hold the floor for a long time.

Recent issues of newspapers publish such headlines as, "Teacher Murdered—Sex Motive Probable." "Potomac Girl Slain With Ice Pick." "Policeman in Heroin Case Is Slain."

And here we are, thinking about the unfortunate butler to the Italian Ambassador assaulted by four youngsters in broad daylight. We seem to forget all about the ravished and slain secretary of a former great U.S. Senator from the State of Kansas. Then there was the secretary of another U.S. Senator who just last night was brutally raped.

I think this is the most ill-advised bill that we have given consideration to in the Senate during the present session. Enactment of the bill will actually hamper all-around police protection in the District of Columbia. I do not believe it will be helpful to the embassies, or to the members of their staffs.

What we should be doing today is increasing the salaries of policemen in the District of Columbia. We should be promoting a campaign to get more good, honest, tough cops to walk beats in the city of Washington to protect our citizens as well as visitors and those who work in foreign missions.

Let us forget about the ruffles and flourishes and the special, deluxe, supercolossal, Executive Mansion police force, merely for the protection of embassies. It has been stated that we should give the embassies here the same protection that we require for our embassies abroad. That leaves me cold when we read of the destruction and vandalism perpetrated on our embassy in Tokyo and our embassy in Manila, the buildings being practically destroyed, and when we know that our Ambassador to Brazil was kidnaped and held for ransom. Give them the same protection? They are getting 100 percent better protection today without spending this $10 million-plus.

Mr. President, I hope very much that the bill will be defeated.

Mr. JORDAN of North Carolina. Mr. President, I am ready to vote.

Mr. COOPER. Mr. President, I will not delay passage of the bill but I do

wish to ask unanimous consent to have printed in the RECORD a letter from the Treasury Department explaining the proposal and answering some of the questions raised by the distinguished Senator from Ohio, and also a letter from the Department of the State, explaining the responsibilities of the Federal Government to protect diplomatic missions in this country.

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

THE DEPARTMENT OF THE TREASURY,
Washington, D.C., February 24, 1970.

HON. JOHN SHERMAN COOPER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR COOPER: This Administration has sponsored, by direction of President Nixon, a bill to provide adequate protection for foreign missions in this country, H.R. 14944.

Because of the importance of this matter, and in response to your request for expository and more definitive data in several areas of this pending bill, I would like to stress several salient points which this legislation contains.

First, the protection to be provided the foreign diplomatic missions will be *preventive* in nature, not investigative. The Executive Protective Service will not operate as a regular police force, and will not assume the responsibility or jurisdiction of the Metropolitan Police Department or Park Police in enforcing laws relating to the protection of persons and property. The narrowly restricted responsibility this proposed legislation will grant to the Executive Protective Service is a security authority in very limited areas—the Executive Mansion and grounds, Presidential offices and foreign diplomatic missions.

Further, the Executive Protective Service will not assume the continuing responsibility of local law enforcement in providing protection to foreign diplomatic personnel, conducting criminal investigations involving embassy employees, etc. Nor will the Executive Protective Service be capable of furnishing officers in adequate numbers to control serious demonstrations and like disturbances in close proximity to foreign missions.

Second, the creation of the Executive Protective Service does not attempt to minimize or ignore the crime situation in the District of Columbia. But it does recognize the international situation which might develop by this country's failure to provide adequate protection for foreign missions here. Our national image and reputation suffers abroad each time an embassy is victimized.

It is important also to point out that if the resources requested for the Executive Protective Service are denied, this denial will not automatically result in benefits to the Metropolitan Police Department. The denial would merely continue the vulnerability of the foreign missions without a corresponding improvement in the crime situation in the District of Columbia. It should not be implied that the men requested for the Executive Protective Service will seek employment at the Metropolitan Police Department if the Executive Protective Service legislation is denied. Such an implication is entirely without basis in fact.

Third, there is no resistance on the part of the Metropolitan Police Department or Park Police to the creation of the Executive Protective Service. The Metropolitan Police Department recognizes that there will be collateral benefits which will accrue to them, by the establishment of the Executive Protective Service. The Metropolitan Police is an enforcement and investigative agency primarily. It is not protection oriented. The training the Metropolitan Police Department receives, which including certain elements of protection, is primarily investigative.

The Executive Protective Service functions will be protective, not investigative. Its training will be primarily directed to that effort. All of the resources of the Metropolitan Police are needed to contain and combat the steady rising crime rate in the District of Columbia. That fact is the exact reason the foreign missions are being victimized today. The Metropolitan Police Department is straining to fulfill its mission to suppress crime and they cannot adequately respond to the requests for embassy protection. Therefore, it will logically follow that the Metropolitan Police Department manpower commitments in the areas in which the Executive Protective Service will function can be significantly reduced.

Finally, the officers of the Executive Protective Service will have the same, identical *work* uniforms as now worn by the White House Police, with the exception of different badges and hat shields. Regarding the ceremonial uniforms which were recently acquired for some of the White House Police officers, only 150 tunics have been purchased. Not all of the Executive Protective Service members will receive the ceremonial tunics, and those who do will continue to wear their regular uniform trousers with the tunics.

If I can be of any additional service to you, please do not hesitate to ask.

Sincerely yours,

EUGENE T. ROSSIDES.

DEPARTMENT OF STATE,
Washington, D.C., February 24, 1970.

HON. JOHN SHERMAN COOPER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR COOPER: I am writing in response to your inquiry regarding certain features of H.R. 14944, a bill to authorize an adequate force for the protection of the Executive Mansion and foreign embassies, and for other purposes. The proposed legislation would authorize an expansion of the present White House Police force, which would be redesignated as the Executive Protective Service, and would authorize the Service to protect foreign diplomatic missions in the metropolitan area of the District of Columbia and such other areas the the President may direct on a case-by-case basis.

The United States has long subscribed to the view that a host government is obliged to afford adequate protection to foreign diplomats and embassies. The degree of protection afforded to the community at large is not necessarily sufficient. Where warranted by the circumstances, we have insisted upon special protection against intrusion and disturbance for our own diplomatic missions abroad and have demanded compensation for damages resulting from instances of failure to provide such protection.

The Congress has recognized the international duty to protect foreign diplomatic missions in this country by enacting legislation for that purpose. Federal statutes proscribe assaults against ambassadors and other public ministers (18 U.S.C. 211) and prohibit the display of certain placards and participation in demonstrations within 500 feet of an embassy or other building in Washington used for public purposes by a foreign government (D.C. Code § 22–1115).

In 1961, representatives of sixty-three governments signed the Vienna Convention on Diplomatic Relations. The Convention is now in force among some ninety-one countries. The Senate gave its advice and consent to ratification in 1965 and the Convention's entry into force for the United States awaits only the enactment of complementing legislation which was recently submitted to the Congress. Articles 22(2) and 29 of the Vienna Convention express the established duty to protect in the following manner:

Article 22(2)—"The receiving State is under a special duty to take all appropriate steps to protect the premises of the mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity."

Article 29—"The person of a diplomatic agent shall be inviolable. He shall not be liable to any form of arrest or detention. The receiving State shall treat him with due respect and shall take all appropriate steps to prevent any attack on his person, freedom or dignity."

The primary responsibility for protecting the more than 100 diplomatic missions in the District of Columbia has heretofore been placed upon the Washington Metropolitan Police Department. The Police Department, within the limits of its available manpower, has been most cooperative and effective in endeavoring to perform essential protective functions. However, public demand for police services is increasing while at the same time more and more threats and acts of violence are being directed against diplomatic missions and their personnel. As a result, the Police Department has been unable to respond to some requests for protection of foreign embassies in advance of anticipated hostile acts. Moreover, when the police are diverted to protective duties at embassies, their ability to provide services to the rest of the community is impaired accordingly. The enactment of H.R. 14944 would provide the manpower resources needed to observe a national responsibility of great importance.

Please feel free to call upon me if the Department of State can furnish additional information that would be of assistance to you in connection with this or any other matter.

Sincerely yours,

H. G. TORBERT, Jr.,
Acting Assistant Secretary for Congressional Relations.

Mr. COOPER. Mr. President, I have enjoyed very much—as I always do—listening to the speech of the distinguished Senator from Ohio (Mr. YOUNG).

I agree wholeheartedly with that part of his speech which describes lawlessness in the District of Columbia, and the state of law enforcement here. I agree that there should be more policemen, and more judges, and that they should be stricter in their enforcement of the law. Conditions in the Nation's Capital today are a disgrace. However, I think that is entirely outside the subject of the pending bill.

In the bill, we are dealing with our responsibilities under conventions which we have entered into with other countries.

I must say the Senator from Ohio spent a great deal of time discussing the Italian Ambassador's butler.

Mr. YOUNG of Ohio. Because that precipitated the preparation of the bill, let me say to the Senator.

Mr. COOPER. I think it is true that the Italian Ambassador, being one of the senior ambassadors here, was speaking not only for himself but also conveying to the Department of State the problems confronting the embassies. We do have a responsibility to provide this protection.

By the same token, we hope that other countries will provide better protection for our embassies and representatives abroad.

I would agree also that our embassies and representatives abroad have been outraged more than have the representa-

tives of other countries here. I think, that there may be a distinction because our situation abroad has perhaps been more dangerous—with riots and disturbances expressing, unhappily, some anti-American feeling, which I do not believe that we deserve. The instances to which the Italian Ambassador referred have all been purely criminal offenses.

The Senator referred again and again to the wonderful old light operas, especially the Merry Widow and Prince Danilo, but I am sure he is joking. I know what a wonderful sense of humor he has. But for those who may read the RECORD who do not know the Senator from Ohio as well as we do, and love him as much as we do, let me say that the additional policemen are not going to wear those white uniforms. They will wear the ordinary police uniform.

Mr. YOUNG of Ohio. Is it not a fact that those people who saw the pictures of the policemen in their fancy new hats, and their white coats and gold braid—the praetorian guard for the White House—had good reason to feel the same as I do now? I was not merely joking about the distinctive new uniform proposed for the Executive Protective Service.

Mr. COOPER. I cannot know their feelings. I will say, and most directly, that I do not believe President Nixon is being influenced by the traditions and trappings of Europe. I know that he is determined to have an adequate guard for the White House, for the Executive Buildings, and for foreign missions.

I think it is very worthwhile work on the part of the President.

I should like to close on that thought. I have enjoyed the the comments of the Senator from Ohio, as I am sure all of us have, and support enactment of the bill.

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 amendment and third reading of the bill.

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

The bill was read the third time.

Mr. RANDOLPH. Mr. President, I shall detain the Senate for only 3 or 4 minutes before we vote on this important measure.

I do so, as other Senators have done, first to compliment the loyal opposition to the measure, carried forward by the Senator from Ohio.

I think it is good to have a well-reasoned discussion of the legislation and the background of the measure to explain the varying viewpoints.

I feel, however, that in concluding this debate we would want to have it known that the Senate has acted affirmatively on all the legislative proposals that have been brought before it to reduce the criminal elements and to lower the lawlessness which exists in the District of Columbia.

Our action on a sheaf of bills indicates the desire of the Senate to come to grips with this subject which is now pending before it. This is another important measure to join the others that have passed the Senate.

I underscore what has been said by the Senator from Kentucky (Mr. COOPER) and the Senator from North Carolina (Mr. JORDAN) and by other Senators on the floor from time to time.

I make special reference to the very remarkable and timely speech delivered by our distinguished majorty leader (Mr. MANSFIELD) only a few days when he said, in essence, that this is not a fit place in which people are living these days.

My colleague, the able Senator from West Virginia (Mr. BYRD) has taken this forum from time to time to express himself on this subject. Many other Senators have done the same, including the Senator who now speaks. I have attempted to contribute to the focusing of attention on the excessive crime in the District of Coumbia and in the country as a whole.

I repeat that the action taken by the Senate on this measure will be another indication of our desire to move affirmatively and purposefully toward the goals which are very necessary to be attained.

The PRESIDING OFFICER. The bill having been read the third time, the question is shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Connecticut (Mr. DODD), the Senator from Louisiana (Mr. ELLENDER), the Senator from Indiana (Mr. HARTKE), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Minnesota (Mr. MCCARTHY), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Montana (Mr. METCALF), the Senator from Alabama (Mr. SPARKMAN), and the Senator from Texas (Mr. YARBOROUGH) are necessarily absent.

I further announce that the Senator from Idaho (Mr. CHURCH) is absent on official business.

I further announce that, if present and voting, the Senator from Louisiana (Mr. ELLENDER) and the Senator from Connecticut (Mr. DODD) would each vote "yea."

Mr. SCOTT. I announce that the Senator from Michigan (Mr. GRIFFIN) and the Senator from Maryland (Mr. MATHIS) are necessarily absent.

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

The Senator from Ohio (Mr. SAXBE) is absent on official business.

The Senator from Texas (Mr. TOWER) is detained on official business.

If present and voting, the Senator from South Dakota (Mr. MUNDT) and the Sentor from Texas (Mr. TOWER) would each vote "yea."

The result was announced—yeas 84, nays 1, as follows:

[No. 59 Leg.]

YEAS—84

Aiken	Burdick	Dominick
Allen	Byrd, Va.	Eagleton
Allott	Byrd, W. Va.	Eastland
Anderson	Cannon	Ervin
Baker	Case	Fannin
Bayh	Cook	Fong
Bellmon	Cooper	Fulbright
Bennett	Cotton	Goldwater
Bible	Cranston	Goodell
Boggs	Curtis	Gore
Brooke	Dole	Gravel
Gurney	McClellan	Randolph
Hansen	McGee	Ribicoff
Harris	McGovern	Russell
Hart	Miller	Schweiker
Hatfield	Mondale	Scott
Holland	Montoya	Smith, Maine
Hollings	Moss	Smith, Ill.
Hruska	Murphy	Spong
Hughes	Muskie	Stennis
Inouye	Nelson	Stevens
Jackson	Packwood	Symington
Javits	Pastore	Talmadge
Jordan, N.C.	Pearson	Thurmond
Jordan, Idaho	Pell	Tydings
Long	Percy	Williams, N.J.
Magnuson	Prouty	Williams, Del.
Mansfield	Proxmire	Young, N. Dak.

NAYS—1

Young, Ohio

NOT VOTING—15

Church	Kennedy	Mundt
Dodd	Mathias	Saxbe
Ellender	McCarthy	Sparkman
Griffin	McIntyre	Tower
Hartke	Metcalf	Yarborough

So the bill (H.R. 14944) was passed.

Mr. RANDOLPH. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. JORDAN of North Carolina. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I am delighted that the Senate has now completed action on the sixth and, as far as I know, final anticrime measure requested by the administration for the District of Columbia.

The able and distinguished chairman of the Senate Committee on Rules and Administration, the Senator from North Carolina (Mr. JORDAN) is to be commended for his expert handling of the proposal. It is designed to provide adequate protection for the Executive Mansion and for foreign embassies. With its adoption the Senate has again responded to the need for crime fighting tools. We may all be proud.

Our thanks go particularly to the senior Senator from Kentucky (Mr. COOPER). His knowledgeable assistance on the bill contributed greatly to its wide acceptance and we are most grateful.

Expressing his always sincere views to the Senate, the distinguished Senator from Ohio (Mr. YOUNG) also contributed a great deal to the debate. The Senate, may I say, profited a great deal from his views—always strong and most sincere.

The Senate worked expeditiously and thoroughly on this proposal and I am grateful to the entire body.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States requesting the withdrawal of the following treaty was communicated to the Senate by Mr. Geisler, one of his secretaries:

Executive B, 90th Congress, second session—Protocol between the United States of America and the United Mexican States, signed at Mexico City on December 21, 1967, further modifying the agreement concerning radio broadcasting in the standard broadcast band signed at Mexico City on January 29, 1957, as amended.

The message was referred to the Committee on Foreign Relations.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations which were reported earlier today by the Committee on the Judiciary and which I understand have been cleared all around.

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

The PRESIDING OFFICER. The clerk will state the first nomination.

FOREIGN CLAIMS SETTLEMENT COMMISSION

The legislative clerk read the nomination of Lyle S. Garlock, of Virginia, to be a member of the Foreign Claims Settlement Commission.

The PRESIDING OFFICER. Without objection, the nomination will be considered; and, without objection, it is confirmed.

U.S. ATTORNEY

The legislative clerk read the nomination of Whitney North Seymour, Jr., of New York, to be U.S. attorney for the southern district of New York.

Mr. JAVITS. Mr. President, I ask unanimous consent to put a statement in the RECORD at this point.

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

I am gratified that Whitney North Seymour, Jr., is now confirmed as the new United States Attorney for the Southern District of New York. Mr. Seymour comes from a most distinguished family of lawyers in my State and has distinguished himself and his name as a lawyer and legislator in his own right. Also his appointment puts him in a position to carry on the most effective work which his predecessor, Mr. Morganthau, began. I have every confidence that Mr. Seymour will be an outstanding United States Attorney for the Southern District of New York.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination?

The nomination was confirmed.

U.S. CIRCUIT JUDGE

The legislative clerk read the nomination of Malcolm R. Wilkey of New York, to be a U.S. circuit judge for the District of Columbia circuit.

The PRESIDING OFFICER. Without objection, the nomination will be considered; and, without objection, it is confirmed.

U.S. MARSHAL

The legislative clerk read the nomination of John L. Buck, of Pennsylvania, to be U.S. marshal for the middle district of Pennsylvania.

The PRESIDING OFFICER. Without objection, the nomination will be considered; and, without objection, it is confirmed.

Mr. MANSFIELD. Mr. President, I ask that the President be immediately notified of the confirmation of the nominations.

The PRESIDING OFFICER. Without objection, the President will be so notified.

LEGISLATIVE SESSION

Mr. MANSFIELD. I ask unanimous consent that the Senate return to legislative session.

There being no objection, the Senate resumed the consideration of legislative business.

STATUS OF CRIME, OBSCENITY, AND PORNOGRAPHY BILLS

Mr. MANSFIELD. Mr. President, for the information of the Senate, the Senate this afternoon passed the sixth bill connected in some fashion with crime in the District of Columbia, and that completes the total of all the requests made by the President of the United States in respect to the District of Columbia.

I just think that the people ought to know that the Senate has faced up to its responsibilities and has passed these bills, all six of them; and I would hope those bills would be effective in making the streets of this Capital a little safer for all concerned.

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

Mr. MANSFIELD. I yield. May I say they have not yet passed across the President's desk, but we passed them.

Mr. SCOTT. I was not raising the point. I simply want to say that if we are going to do anything about crime in the District of Columbia, this is one way to start, and I am very pleased that these measures have been passed.

I would like to ask the distinguished majority leader if he knows anything about the status of the bill or bills on obscenity or pornography. I believe they are still in committee.

Mr. MANSFIELD. Yes. I understand the committee of the Senator from North Carolina (Mr. ERVIN) is going to start hearings on the 3d of next month. I would anticipate that the distinguished Senator from Wyoming (Mr. MCGEE), chairman of the Committee on Post Office and Civil Service, will start hearings about that time, in accord with the pledge which he made to the Senate some weeks ago.

Mr. SCOTT. I thank the Senator.

May I inquire what is the next order of business?

AIRPORT AND AIRWAYS DEVELOPMENT ACT OF 1969

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished minority leader, it is now our intention to ask unanimous consent that the Senate turn to the consideration of calendar No. 701, H.R. 14465; that it be laid before the Senate and made the pending business. I make that request.

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

The LEGISLATIVE CLERK. A bill (H.R. 14465) to provide for the expansion and improvement of the Nation's airport and airway system for the imposition of airport and airway user charges, and for other purposes.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments.

Mr. MANSFIELD. Mr. President, for the information of the Senate, there will be no further votes today.

Mr. MAGNUSON. Mr. President, several Senators have asked as to how many amendments there will be. I do not know how many amendments will be offered to the bill, but I know there will be three or four very important amendments on which I am sure we will have votes tomorrow. I wanted the RECORD to show that.

Mr. MANSFIELD. Mr. President, I am delighted that the manager of the bill, the chairman of the Commerce Committee, is present. I hope that at least we could have the groundwork laid, because we are coming in at 10 o'clock tomorrow morning.

GENOCIDE CONVENTION—WHAT ARE WE AFRAID OF?

Mr. PROXMIRE. Mr. President, yesterday the move toward ratification of the Convention on the Prevention and Punishment of the Crime of Genocide was slowed in Atlanta when the American Bar Association's house of delegates failed to endorse the convention. This refusal must be recognized in spite of the fact that its standing committee of world order under law and three of its sections urged the house of delegates to support ratification—the section of criminal law, the section of international and comparative law, and the section of individual rights and responsibilities.

I was very disappointed and disturbed by the ABA's inability to act positively on the Genocide Convention and I fail to understand the ABA's reluctance to endorse an international convention which has the full support of the President of the United States, his Secretary of State, and his Attorney General.

But though I deeply regret that the ABA's house of delegates did not act positively on the convention, I am heartened by the fact that the vote was very close—it lost by four votes—and many individual members of the association strongly favored ratification.

What are the objections to endorsement of the Genocide Convention? President Nixon, in his message urging Senate ratification last week, said America's refusal to adopt the convention was misunderstood in the world and harmed her interests, a point repeatedly stressed in the delegates' debate.

Opponents, however, bring up the argument that the Black Panthers are charging Federal officials and police with genocide. It is also argued that Communist and other countries could use the pact to charge our American servicemen in Vietnam with genocide and bring them before alien trial courts.

What are we afraid of?

Not to act to ratify this convention gives credence to the ridiculous allegation that we are practicing genocide in Vietnam or elsewhere.

Let us get at the truth.

I urge the Senate Foreign Relations Committee to hold hearings on the Genocide Convention to decide this Nation's stand on genocide once and for all. I am confident that if open hearings were held by the Senate Foreign Relations Committee, the thoughts of those distinguished members of the ABA who favor ratification—including ABA president, Bernard Segal—together with supporting testimony from the Secretary of State, the Attorney General, our representative on the United Nations Human Rights Commission, former Attorney General Nicholas Katzenbach, and others would be so convincing and powerful as to overcome any hesitation based on a misinterpretation of constitutional or international law that opponents may have.

Mr. President, I am now in the process of gathering the statements and arguments made at the annual meeting of the American Bar Association. In the near future, I intend to make a full statement refuting the arguments made against ratification of this convention.

We cannot afford to delay any longer. The United States must accept the opportunity and the obligation to lead the great struggle for human rights. President Nixon has called on us to do this. It is not up to the House. It is not up to the President. It is up to the Senate. It is up to us. If we fail, history will be our final judge and mankind will be the victim.

APPOINTMENTS BY THE VICE PRESIDENT

BOARD OF VISITORS TO THE U.S. MILITARY ACADEMY

The PRESIDING OFFICER (Mr. BELLMON in the chair). The Chair, on behalf of the Vice President, pursuant to Public Law 84–1028, appoints the following Senators to the Board of Visitors to the U.S. Military Academy: CANNON, MCGEE, HOLLINGS, and PEARSON.

BOARD OF VISITORS TO THE U.S. NAVAL ACADEMY

The Chair, on behalf of the Vice President, pursuant to Public Law 80–816, appoints the following Senators to the Board of Visitors to the U.S. Naval Academy: BIBLE, SPONG, ALLOTT, and SCHWEIKER.

BOARD OF VISITORS TO THE U.S. AIR FORCE ACADEMY

The Chair, on behalf of the Vice President, pursuant to Public Law 84–1028, appoints the following Senators to the Board of Visitors to the U.S. Air Force Academy: PASTORE, MOSS, BOGGS, and DOMINICK.

AIRPORT AND AIRWAYS DEVELOPMENT ACT OF 1969

The Senate continued with the consideration of the bill (H.R. 14465) to provide for the expansion and improvement of the Nation's airport and airway system, for the imposition of airport and airway user charges, and for other purposes.

Mr. MAGNUSON. Mr. President, I am very pleased today that the Senate is beginning consideration of what I consider one of the most important pieces of legislation before the Congress this year, the Airport and Airways Development Act.

Mr. President, there has probably not been any matter more important involving aviation before this body since the enactment of the Federal Aviation Act 12 years ago. At that time the distinguished former Senator from Oklahoma, Mr. Monroney and I completely rewrote U.S. aviation law.

The airport and airways bill now before us is the product of 3 years of extensive and exhaustive study and review by the Senate Commerce Committee. May I say also that our colleagues in the House of Representatives have had similar experience in dealing with the problem.

In fact, in my memory no other legislation has been the object of such intensive examination and research prior to a committee recommendation. We discussed all the merits of the matter, we listened to all amendments, and the committee, after long deliberation, wrote this bill. I am pleased to note that throughout development of the legislation before us today the committee worked in a splendidly cordial and nonpartisan fashion with each member's only concern being the development of a strong and responsive program to deal with the explosive growth of the Nation's air transportation and the resulting saturation of its strained and outdated airport and airways facilities.

Mr. President, one of the most notable aspects of our Nation's prosperity in this decade has been the surging growth of its civil aviation. Travel by both commercial airlines and privately owned aircraft has increased to an extent that has astonished all but the most optimistic forecasters. In the past 7 years, for example, the number of passengers carried by the scheduled airlines of the United States has increased from 62 million to 153 million. These airlines have put in service 1,300 new jet aircraft in this period—aircraft which account for approximately 163 billion seat-miles of passenger service annually. The assets of the airlines have nearly tripled—from $3.8 billion in 1961 to $11 billion in 1968, and the figures for 1969 will probably show an increase in growth in the same ratio.

The statistics on general aviation—that is, private aircraft—during this period are equally impressive. The fleet of aircraft, for example, has grown from 77,000 to 124,000. In 1968, these aircraft were flown 23 million hours. At present, more than 690,000 men and women of this country have qualified to fly aircraft.

This remarkable growth is tangible evidence of the value placed by the people of the country on the efficiency and convenience of air transportation for both business and personal pursuits. It is testimony also to the vision, initiative, skills, and industry of the men and women of civil aviation in both industry and Government. The Nation's extensive and technically sophisticated airway and airport system is the finest in the world. Civil aviation in the United States is the envy of all foreign aviation enthusiasts.

All who travel by air are aware, however, that the great increases in air traffic in recent years have brought their problems. Congestion at the large airports of our metropolitan areas is one of these problems. It is a nagging, troublesome problem which is becoming more extensive and severe. The capacity of the Nation's system of public airports has not increased at the rate demanded by the air traffic. Aircraft, and the air travelers seated in them, are being delayed all too frequently at the busier airports because of insufficient runways, taxiways, ramps, and gate positions. Air travelers are being delayed additionally, and are experiencing more inconvenience and discomfort during peak periods of travel, because of inadequate facilities and services for ticket handling, baggage handling, access to the airport, and parking cars at the airport. The Federal Aviation Administration estimates that aircraft delays at airports are costing the airlines in excess of $100 million a year—and the delays and costs are increasing. Added to that, of course, is what we call stacking up in the air, when too many planes arrive at a destination at the same time, and they cannot all land. No dollar value can be placed on the time lost by the air travelers in the delays, inconvenience, and discomfort associated with airport congestion.

On the other hand, many of the Nation's smaller communities have been unable to participate fully in the growth of civil aviation, and to enjoy the economic and social benefits which air transportation brings, because of inadequate airport services for general aviation and airline aircraft. Many of these communities have no airports, and others have airports which are too small.

The problem of congestion, serious and costly as it is, must be rated below the problem of maintaining the safety of aircraft and air travelers in the Nation's airspace. The safety record of air transportation in the United States, is excellent.

No one, however, is satisfied that the record of air safety is as good as it should be. Death in an accident will always be an intolerable event. The great growth in air traffic has brought new anxiety about the maintenance of safety. It is not only more aircraft in the airspace which add to the problem. The new aircraft are generally faster and larger—and the mix of large and small, fast and relatively slow, aircraft is becoming more complex.

However, I might say here, Mr. President, that larger aircraft, when considering safety, may improve the safety record because, instead of having two aircraft in the air trying to come in, the one large aircraft can often carry the same number of passengers as two and this enhances safety by having fewer aircraft flying. But handling these giant jets after they land is still a confusing and perplexing problem.

Safety is as much an airspace problem as an airport problem—particularly in the terminal area airspace during the departure and arrival of aircraft. To the extent that the airways system is responsible as distinct from other elements affecting safety—it is a problem of insufficient and technologically inadequate facilities of the Federal airways system—in

brief, a lack of capacity for air traffic control and air navigation.

Mr. President, the outline I have presented of the problems with which we are faced at the present time indicates a troubled future, unless we do something about it.

However, the growth in air transportation, impressive as it has been, is not now standing still. Unless we act immediately, the problems about which I have been speaking—and I can stand here all afternoon and list them—will become even more acute as the press of more passengers and more airplanes becomes felt on our outdated and inadequate airport and airways system.

These, then, are the challenges with which the Commerce Committee and the Finance Committee sought to deal in providing a new Federal program to cope with the Nation's unrelenting desire to travel by air.

The bill before us today follows in principle the precedent set by Congress in 1956 in enacting the Federal Highway Act. That legislation has since become recognized as a landmark in demonstrating Federal assistance in meeting the transportation needs of the people of the United States.

This bill will establish an airport airways trust fund quite similar to the now familiar highway trust fund, the revenues from which are intended to finance the capital investment in airports and airways facilities so critically needed to keep pace with the growth in aviation and to provide for the maintenance and operation and related activities of the Federal Airways System.

The aviation trust fund will derive its moneys from two sources. First, users of the system are being asked to contribute a greater share of financial support for the required investment in the form of new and increased user charges or taxes. Second, general tax revenues will be appropriated to the trust fund primarily to continue to finance the operation and maintenance of the air traffic control system. I am confident that in later years the general revenue appropriations needed to augment user charge revenues will decline as the users shoulder the greater financial portion of the needs of the system, as do the users of the highways today. However, at the outset, the proposed legislation provides that most of the user-charge-derived trust fund revenues will be earmarked or specifically allocated for the capital improvements in the system for which the user is being taxed.

Mr. President, the program before us is a 10-year commitment to fund airport and airways facilities development at a level consistent with the estimates of needs presented to the Commerce Committee in testimony spanning 2 years. The bill earmarks for new facilities, both airways and airports, no less than $5.5 billion over the 10-year period, or $550 million per year. The remainder of the trust fund revenues to be derived from user charges, or approximately $4 billion over the next 10 years, will be spent for the necessary expenses of operating and maintaining the air traffic control system. Of course, general revenue appropiations will continue to be necessary to partially finance these activities but at a gradually diminishing level.

After a thorough study, the committee concluded that if a program is to be responsive to the long-range needs of the system and to the necessarily protracted period over which aviation planning must be made, a program of more than several years would be required.

One of the most glaring deficiencies of the current Federal airport aid program is that it provides assistance or assurance of assistance only 1 year at a time. Such a start-and-stop program does not provide a sound blueprint for progress. On the contrary, it tends to disrupt and discourage planning, resulting in sporadic development and piecemeal planning. Testimony before the committee strongly indicated that a long-term program providing Federal assurances of airport development aid is required. The committee, after long hearings and lengthy meetings, rejected industry proposals calling for a 20- to 30-year commitment of funds and likewise rejected the administration's proposal to commit airport development funds for only 2 years. The committee believes that a 10-year commitment to airport development grants does not bind the Federal Government to extremely long-range obligations, but does allow for a sound foundation for planning and development consistent with the pressing needs of the coming decade.

As in the past, airport development grants will be made to airport sponsors—States, counties, cities, port districts, and so forth—on a 50–50 matching basis, provided that such government bodies submit a plan for development to be approved by the Secretary of Transportation.

Grants for aid will be apportioned under terms of a new formula which assures that one-third of the grant money available will go to projects which have the greatest need as measured by the number of annual passenger enplanements at such airports. One-third of the available grant funds will be apportioned to projects in the States, with projects in each State receiving a guaranteed share according to the State's size and population under the area-population formula.

I see in the Chamber the Senator from Florida (Mr. GURNEY) who is interested in this matter.

The actual grants will be allocated to projects in the States, and will be apportioned among projects, in many cases, as the State wishes. A few States have airport authorities. In many others, the airports are operated by the cities or the counties or an aviation district or a port district.

In other words, the grants ultimately will be given to the authorities who run the airports—there are five or six instances in which the State will be the authority.

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

Mr. MAGNUSON. I yield.

Mr. RANDOLPH. On this important point to which the distinguished chairman has made reference—he also has referred to the interest of the junior Senator from Florida (Mr. GURNEY)—I should like to emphasize what Senator MAGNUSON has very well said:

> That we keep here a certain flexibility which is necessary, because we faced this problem in the original Federal Aid Highway Act of the forties.

Mr. MAGNUSON. The Senator is correct.

Mr. RANDOLPH. At that time there was an effort to channel all the moneys through the State agencies, and this was defeated.

If a local airport authority, at any political subdivision level, wishes to move forward with a project, it receives funds often from the State to supplement the moneys that are raised locally. It receives the Federal Aviation Agency money.

In the State of West Virginia and 12 other States, it might now receive funds from the Federal program under the Appalachian Regional Act. There are many sources of money for the program.

Mr. MAGNUSON. Or different sources of income which the local people might provide for.

Mr. RANDOLPH. Absolutely.

Mr. MAGNUSON. Without regard to Federal Assistance——

Mr. RANDOLPH. In other words, an airport authority can come directly to the Federal Aviation Agency and request a program to be approved, stating the reasons for their belief that the runways need to be lengthened, that certain obstructions need to be taken down in order to make the aircraft moving in and out of the airport safer in flights at a particular point.

In other words, we allow the political subdivision, whatever that may be, to come directly to the Federal Government. Is that correct?

Mr. MAGNUSON. That is correct in many cases. Of course, that is only the just due of local governments because I would think that 90 percent of the airports have been developed not by the States but by the city, the county, or the port district; by the local people.

Mr. RANDOLPH. We would have, perhaps, delayed airport programs 5 or 10 years, if we had relied upon the States in this case, because it is where people live that we now have air transportation. We have, of course, a need everywhere. But in earlier days, it was where the movement of people and products was involved. In large areas of States, there was no need, as the people saw it, for the development of an important airport project, including terminal facilities for cargo and passengers.

Mr. MAGNUSON. Well, many States did not welcome the responsibility for that, because a State legislature is composed, like Congress, of many people; and in those days, when aviation began to grow, the legislatures did not deem it appropriate to use State moneys to develop airports.

Mr. RANDOLPH. Take Michigan, for example. There would not have been, under the citizens of Michigan, who were involved, funds to appropriate for the development of even an airport in the greater metropolitan area of Detroit, because essentially the State was rural in its representation.

Mr. MAGNUSON. As to financing airport development, certainly the local port authority could raise the money for

bonds, but the State did not want to become involved. They did not want the responsibility.

Mr. RANDOLPH. Let me add at this point, to what has been discussed here, that in the Federal Aid Airport Act in the 1940's, we had to deal with this problem, because then it was raised, as it is now being raised again.

Mr. GURNEY. Mr. President, will the Senator from Washington yield at that point?

The PRESIDING OFFICER (Mr. BAYH in the chair). Does the Senator from Washington yield to the Senator from Florida?

Mr. MAGNUSON. I yield.

Mr. GURNEY. I have listened to this colloquy with great interest. Certainly it is true that we do need flexibility in the bill, so far as the moneys are concerned that go to airports for the granting, the planning, and for other things, too. I want to explain my amendment later. The Senator from Washington knows that I intend to offer the amendment.

Let me point out that it is in exactly the spirit of flexibility that I am offering my amendment. There is a great deal of money in the bill for the planning of airports. My recollection is that it is $150 million.

My amendment would earmark or add $25 million, at only $5 million per year, which would go, however, to States that have agencies that do plan airports on a statewide basis. This in no way would affect the situation in Washington. The Senator is perhaps concerned with, and more familiar with, the fact that they do not have a State agency but deal directly from airport to Federal Government. It has no effect on that at all. But what it does do in the States that do have planning agencies—as a matter of fact, 27 do, more than half——

Mr. MAGNUSON. About half, as I understand it, yes.

Mr. GURNEY. A great many of the State planning agencies get into this business on a statewide basis. I am one Senator—and I know others, too—who feels that we need to look more to statewide planning coordination now than perhaps city by city.

I would like to make one other observation, because this is of considerable importance to the history of airport aid. There was an exchange and colloquy between the distinguished chairman of the committee, the Senator from Washington, and the distinguished chairman of the Committee on Public Works, the Senator from West Virginia (Mr. RANDOLPH), over the fact that cities were early in the airport game. That is true, but I should like to point out that, long before the cities got into the airport game, the State was there. Actually, originally, so far as planning for airports is concerned, it was done on a State basis.

Mr. MAGNUSON. In Florida?

Mr. GURNEY. Yes. As a matter of fact, in Florida. For 10 years prior to the Federal Airport Act, during the period 1935 to 1945, we in our State increased our State funds for airport development from $20,000 in 1935 to as much as $2 million in 1945, which point I make for the reason that the cities got such an impetus—I guess I would better express it that way—in the airport business, because after World War II there were many surplus airports that the Army and the Air Force had developed during the war. The Airport Act of 1946 was designed especially to take care of surplus airports and give them to the cities. That is how the cities got into the business. But, long before that, the States were also in the business, and long before that, the Federal Government.

Mr. MAGNUSON. In some States.

Mr. GURNEY. I will not say all, but in the history of airports, the States were in the business long before the cities, and long before that, the Federal Government.

My amendment does not in any way intend to limit the flexibility of the Senator's bill, which is a fine bill and deserves the support of the Senate. But it would give, as I see it, a little more flexibility.

Mr. MAGNUSON. Well, I appreciate that. Of course, these problems are sometimes related to size. Consider a State like Rhode Island. It could have a State system of airports but a State like California would go broke trying to finance and operate the airports they have there.

In my State of Washington, and in Oregon, the States did not want that responsibility. I appreciate that after World War II, there were many surplus airports, of which Florida had many——

Mr. GURNEY. They did, indeed.

Mr. MAGNUSON. During World War II, I was around Florida as a result of being in the service. I know that one could fall out of an airplane anywhere in Florida and land on a military field. In California, the situation was about the same. But many of the airports there have been developed by separate authorities. They are sometimes called airport authorities and are like school districts. The mechanisms vary all over the country. Then in some of the Western States, like North Dakota, Wyoming, South Dakota, or Montana, the State would not have anything to do with developing an airport. The responsibility was left up to the city or the county. That is the way airport facilities developed. We want the flexibility in this program so that those communities can expand their airports with Federal matching funds. I am concerned, because as the Senator and I talked earlier today, I do not want to mix up the local communities' ability to sell bonds.

Mr. GURNEY. I certainly agree with the distinguished chairman of the Commerce Committee. Indeed, we would not want to do that. I am well aware of the fact that most financing is done that way, either through the airport authority—we have one at home in my own county of Orange, Fla.—by the cities, or by the flotation of bonds. No one would want to change that scheme of financing. Let me make this point again, because it is interesting: Besides the principal financing of airports, that is done by, as was pointed out, authorities and cities. It is also true, though, that the States in fiscal 1970 will put $180 million into airports in this country. So what I am saying is that under the amendment I am going to propose, it will encourage the States to get into planning and will also encourage the States to get into financing, so that we will have more flexibility so far as the money is concerned.

We have the city, the Federal, and also the input by the States. I would hope that the amendment I am going to offer—I think it will—will encourage the States to get into the business of financing.

Mr. MAGNUSON. There are some communities which do not want the States to get into airport financing.

Mr. GURNEY. The amendment I will introduce——

Mr. MAGNUSON. These communities do not want to be running down to the State capital with hat in hand to get a program approved so that they can sell bonds; a development program into which they have put blood, sweat, and tears. As I say, to each his own.

Here is what my committee said on that point—on page 37 of the committee report No. 91-565:

> The Committee believes that the 23 States which do not now have so-called "channeling laws" should not be forced to adopt them in order to qualify for Federal financial assistance. The Committee finds that the decision whether to adopt such policies in the States should be made on the merits in each State and should not be compelled by Federal law. While State channeling of Federal funds has worked exceedingly well in some States, it must also be said that equally satisfactory results have been achieved in States in which airport sponsors, in developing airports, deal directly with the Federal government.
>
> The provisions of Section 212 of S. 2437 would tend to upset the well-established and harmonious precedent of allowing the individual States to determine this matter in the way which seems most appropriate in that State without the Federal Government seeking to impose one view over the other by withholding Federal funds from States which don't comply with the channeling requirements.
>
> Therefore, under this bill the States will be eligible to receive planning grants under Section 203 without having to meet any Federal requirement other than that the State, or its agency, be authorized by law to engage in airport system planning.

Mr. GURNEY. Mr. President, the Senator is correct. And I would not quarrel with that statement at all. I think it is eminently fair.

I point out that the amendment I will offer to determine eligibility would provide only $5 million each year and would encourage those who want to go into the business of statewide planning.

Mr. MAGNUSON. But it would not, in effect, compel statewide channeling of Federal funds.

Mr. GURNEY. No, indeed not.

Mr. MAGNUSON. Mr. President, as I said before, one-third of the amounts set aside for grants is to go to airports with the greatest number of passenger enplanements. The second third goes to projects in the States under the area/population formula. Finally, one-third of the grant money will be available to be expended at the discretion of the Secretary on projects he feels most worthy and most needy without regard to location.

This would be an attempt to determine the overall system needs, particularly as they relate to air safety, and use the funds accordingly. The Secretary could put this money where he deems it most worthy and most needed.

In addition to the $270 million earmarked for annual grants to air carrier and reliever airports, this bill sets aside and earmarks at least $30 million annually, exclusively for the development of general aviation airports.

The purpose of that, of course, is that general aviation is growing by leaps and bounds. It is growing faster than commercial aviation. The number of pilots licensed is 690,000. The number will continue to grow.

Congestion in the major airports is sometimes caused by a mix of the large and the small aircraft. Many of us have been in airports to see big jet passenger planes, lined up and waiting, together with one little Cessna lined up to go with them, too. All airplanes now have a right to use the airport.

The ideal arrangement would be to have general aviation conduct its operations from its own airports away from the major aircarrier airports. One place in the United States that has provided excellent facilities for general aviation is the Twin Cities. There all of the commercial planes land at the hub airport, but around the periphery of the community are situated a number of general aviation airports.

The idea is to see if that can be done elsewhere. What we are trying to do is to set aside funds for the development of general aviation airports.

It is amazing to realize how many privately owned airports there are in the United States. I have not the figure, but I will have it placed in the RECORD.

These airports have encouraged a lot of general aviation flying.

An ideal situation exists in my State in the Spokane area where the community has built two airports; one for commercial and the other for general aviation.

The provisions of this bill provide that grants for airport development may, at the Secretary's discretion, be made for periods of longer than 1 year. I know there will be some discussion about that. But I do not see how we can develop these airports whether general aviation, or commercial; whether they are run by the city, county, or State, and do the kind of job that needs to be done unless they can plan on Federal assistance for more than a year's time.

So the Secretary can do that. He is authorized to enter into contracts, if he deems it advisable, with airport sponsors to provide assistance for periods of up to 5 years.

That provision will not pose too much of a problem for the Congress because this is a trust fund program. There will be no annual appropriation process for airport aid funds, as we have known it in the past. We thought that provision was advisable.

While this authority to enter into obligations for periods of longer than 1 year is similar to provisions in the urban mass transit bill recently approved by the Senate, the committee believes that only user-charge-derived trust fund revenues and not general revenues should be obligated for periods of longer than 1 year.

This, then, Mr. President, is a brief, if not all-encompassing, summary of the major features of the bill before us.

I would suggest that my colleagues consult the committee's report, 91–565, which contains a concise summary and section-by-section analysis of the program which will be helpful in understanding the details of this legislation.

Mr. President, I would like to stress again the pride with which we on the Commerce Committee view this legislation. Never before have the many issues involved been studied and discussed so thoroughly. Rarely has our committee produced a recommendation which has had such widespread support and endorsement from our members, Republican and Democrat alike. The bill was worked out following many months of hearings, staff consultations, informal discussions, and executive sessions of the committee and represents our studied judgment of priorities and needs. The committee bill, I believe, is in the form best suited to achieving our objectives, and aside from several technical amendments, it is my view that the bill does not require amendment in any but minor form.

We cannot please everyone or make everyone satisfied, but we surely have reduced to a minimum the controversy involved, I think. There may be some amendments offered on the floor, but I hope they will not be striking at the heart and the goal of the bill.

The bill is supported wholeheartedly by my colleagues on the Commerce Committee and would not have been possible without the hard work and dedication of several of my fellow Senators in particular. Notably the Senator from New Hampshire and ranking Republican on the committee, Senator COTTON; my distinguished vice chairman of the Aviation Subcommittee, the Senator from Nevada; my friend, the Senator from Kansas, Senator PEARSON, and the Senator from Tennessee (Mr. BAKER). The Senate owes a great deal to these colleagues without whom this bill would not be before us today.

I might also mention the name of the Senator from Indiana (Mr. HARTKE) without whose support the bill would not be before us today.

This measure is long an overdue program to meet a growing problem. I do not think anyone can point a finger at anyone else and say, "We were not aware something like this would be needed," because even the most optimistic people in aviation never had any idea that aviation would grow the way it has.

Coming from an area that does manufacture airplanes of some note, I realize that the technology in aircraft development is startling and hard to believe. We think this bill is aimed at this problem and in the decade ahead it will help solve the problems, and we will continue to have the best air system in the world. I think the Secretary and those others who are going to be in charge of this matter are going to have to consider environmental factors of new airport facilities because no matter where it is decided to build an airport someone is not going to like it. The same thing is true with respect to roads, bridges or anything else.

I think the Secretary of Transportation, whoever he may be, during this development period is going to have a tough job and we are giving him the financial tools to work with. The question is going to be asked, "How much is this program going to bring in in user taxes the first year?" Our best estimate is that it will be more than $600 million.

But in addition we are appropriating, this year, over $1 billion for FAA and its air control work.

It is fair that those people who use the airlines and the airways, whether it be general aviation, commercial passengers or air cargo, help meet the challenge.

This bill is not perfect in every single feature, but in the main it has been endorsed by nearly everyone that we know is involved, from the Government to the airlines. Sometimes some segments of the aviation industry are not happy. In the Committee on Commerce, I have always found that if there is a bill in the transportation field in which the railroads want to strike out one section, the truckers want to add a section, and the inland waterways want to eliminate three words, and the airlines want further hearings, it is a pretty good bill.

It is a bill which we tried to work out in an objective manner. I must say there was less opposition last year than before. Everyone said, "Yes, we cannot all have our own way." Of course, in the transportation business—air, rail, and trucking—they all want a fair adavntage; they cannot all have a fair advantage.

I hope the Senate will consider the bill favorably. I know we will have some amendments but I know they are not amendments which are offered to try to injure the objectives and the goals but merely are offered to change methods of procedure on which there may be some disagreement.

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

Mr. MAGNUSON. I yield.

Mr. GURNEY. Mr. President, H.R. 14465 is a fine bill and deserves the support of the Senate. The distinguished Senator from Washington, the chairman of the committee, and his entire committee deserve credit for reporting the bill.

However, there is one aspect of the bill which needs a small change. I believe planning for airports on a statewide basis needs encouragement and I intend to offer an amendment at the appropriate time which would seek to accomplish that purpose. I wish to take this time to explain the amendment briefly.

My amendment would provide $25 million over 5 years, or $5 million a year, for grants by the Secretary of Transportation for the purpose of carrying out airport planning on a statewide basis and for airport development on a systematic State basis.

This amendment has the support of several cosponsors in the Senate: Senators FANNIN, SMITH of Illinois, MCGOVERN, PACKWOOD, PERCY, PROUTY, COOK, BROOKE, BOGGS, GRAVEL, HART, HANSEN, and TOWER. It has the support of the administration, the National Governors' Conference, and the National Association of State Aviation Officials. Many Governors have communicated their support to me.

Thirty-three States already have legislation establishing State responsibility

for Federal aid to airport programs. Twenty-seven States provide for channeling airport grants in aid through the State.

This amendment would encourage systematic planning for airports on a statewide basis. In my view it is long overdue. Air transportation is too big and too important to deal with on a city-by-city basis. This amendment would encourage coordination between State and local governments. We have this coordination in highway construction, urban mass transit, waterway and harbor development, law enforcement, housing, pollution control, education, welfare, and health.

What is unique or different about aviation to except it from State planning and coordination?

The amendment will help local airports to get State aid which they need badly—both money and technical and engineering assistance. States put $180 million in airports in fiscal 1970.

Moreover, the Federal Government under this concept could have 50 State agencies to work with on Federal aid instead of hundreds of individual airports.

In closing, I am sure some argument will be made that there is no need for State agency planning, that the concept of individual airports working with Uncle Sam is good enough.

I have pointed out that over half the States have such airport central planning and coordination. But further, the States were in this business long before Federal Government. Cities and the Federal Government got into the act because of surplus World War II airport disposal. The States long ago were doing and are doing a fine job. In short, in this day of burgeoning air travel we need more and not less airport planning and coordination. My amendment specifically encourages just that.

Mr. President, I ask unanimous consent that the amendment (No. 516) be printed in the RECORD.

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

The amendment, ordered to be printed in the RECORD, is as follows:

On page 80, between lines 20 and 21, insert the following:

"STATE AGENCIES

"AUTHORIZATION TO MAKE GRANTS

"SEC. 212. (a) In accordance with such terms and conditions as he may prescribe, the Secretary may make grants to agencies designated by the States for the purpose of assisting those agencies in carrying out the functions contained in subsection (b) of this section.

"FUNCTIONS OF AGENCIES

"(b) A State agency shall not be eligible to receive a grant under subsection (a) of this section unless it is empowered to—

"(1) act as the agent of sponsors located in the State;

"(2) accept in behalf of the sponsors and disburse to them all payments made pursuant to agreements under section 209;

"(3) acquire by purchase, gift, devise, lease, condemnation, or otherwise, any property, real or personal, or any interest therein, including easements, necessary to establish or develop airports;

"(4) engage in airport systems planning on a statewide basis; and

"(5) undertake airport development, or provide financial assistance to public agencies within the State for carrying it out.

"AMOUNT OF GRANTS

"(c) The total funds obligated for grants under this section may not exceed $25,000,000, and the amount obligated in any one fiscal year may not exceed $5,000,000.

"APPORTIONMENT OF FUNDS

"(d) The funds made available each fiscal year for the purposes of making grants under this section shall be apportioned among the States, one-half in the proportion which the population of each State bears to the total population of all the States, and one-half in the proportion which the area of each State bears to the total area of all the States, except that (1) not more than 10 per centum of the funds made available under this section in any fiscal year may be apportioned to any State, and (2) the total of the amount of any reductions in State apportionments for any fiscal year pursuant to clause (1) shall be available to the Secretary for the purpose of increasing, subject to the limitation in such clause (1), apportionments for such year to such other States under this section as he determines will best carry out the purpose of this section. Any amount apportioned to a State which is not obligated by grant agreement at the expiration of the fiscal year for which it was so apportioned shall be added to the discretionary fund established by subsection (b) of section 205, and be available for use for the purposes stated in paragraph (1) of section 204 (a).

"DEFINITION OF TERMS

"(e) As used in this section, 'State' means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, or Guam. For the purposes of this section, the terms 'population' and 'area' shall have the definitions given to such terms by section 205."

On pages 80 through 86, redesignate sections 212 through 217 as sections 213 through 218, respectively.

Mr. COOPER. Mr. President, I wish to say that while I am not a member of the Committee on Commerce, I was glad to hear part of the speech of the Senator from Washington. Throughout the years he has had charge of many important pieces of legislation—legislation which affected the entire country.

The Senator from Washington always does so in a very unassuming, modest way. I read that the late President Kennedy in talking about those who had great influence, said that when he was a Member of the Senate, the Senator from Washington would make a speech in a very modest way, somebody would ask him questions, he would be self-deprecating, but then they turned around and gave him whatever he asked for.

Mr. MAGNUSON. I wish that had been true.

RECOMMENDATIONS BY SECRETARY OF TRANSPORTATION AND BY GOVERNMENT OF DISTRICT OF COLUMBIA ON PROPOSED DISTRICT OF COLUMBIA HIGHWAYS

Mr. COOPER. Mr. President, while it is late in the day and I know the Senate is ready to adjourn, I would like very much to place in the RECORD a letter from the Secretary of Transportation to the Congress, containing his report and recommendations with respect to certain projects on the Interstate Highway System proposed for the District of Columbia. I may say, in introducing this subject, that my interest grows out of the fact that in 1968, when we were considering the biennial Federal-Aid Highway Act, the House inserted in the bill and in the report of its managers language purporting to describe the precise location of the Interstate System within the District of Columbia. I opposed the provision because I thought it in contradiction of the law, at that time at least, and because I thought it bad precedent for the Congress to try to lay down a highway system for any State or for the District of Columbia. My statement today expresses my continued interest in this matter, and the letter of the Secretary presents the latest development following the 1968 provision.

Mr. President, today the government of the District of Columbia and the Secretary of Transportation are sending to the Congress a report of their recommendations with respect to certain projects on the Interstate System, as required by section 23(c) of the Federal-Aid Highway Act of 1968. That subsection reads as follows:

(c) The government of the District of Columbia and the Secretary of Transportation shall study those projects on the Interstate System set forth in "The 1968 Interstate System Cost Estimate", House Document Numbered 199, Ninetieth Congress, within the District of Columbia which are not specified in subsection (b) and shall report to Congress not later than 18 months after the date of enactment of this section their recommendations with respect to such projects including any recommended alternative routes or plans, and if no such recommendations are submitted within such 18-month period then the Secretary of Transportation and the government of the District of Columbia shall construct such routes, as soon as possible thereafter, as required by subsection (a) of this section.

The report and restudy is the result of work and consideration by the agencies of local and Federal Governments, the city council which conducted seven sessions of hearings on the Highway Department's recommendations, one of which lasted into the early hours of the morning, deliberation by the mayor and the Secretary of Transportation. I do not know what the Secretary and Mayor Washington are going to recommend, but I believe that the report will reflect the desire and determination of the people and government of the District of Columbia to make decisions for the future of their city, just as the actions taken since the passage of the Federal-Aid Highway Act of 1968, by and large, have reflected that spirit.

As ranking minority member of the Senate Committee on Public Works, I was a member of the Senate-House conference on the Highway Act in 1968. I opposed the section in the House bill which purported to require the District of Columbia to construct a highway system specified in the report of the managers on the part of the House. Mr. President, I request permission at this time to insert in the RECORD the original language of section 23 as it was passed by the House of Representatives in their version of the Federal-Aid Highway Act of 1968.

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

(a) Chapter 3 of Title 23 of the United States Code is amended by inserting immediately following section 312 the following new section:

"313. INTERSTATE ROUTES IN THE DISTRICT OF COLUMBIA.

"Notwithstanding any other provision of law, or any court decision, or administrative decision to the contrary, the Secretary of Transportation and the Government of the District of Columbia shall, as soon as possible after the enactment of this section, construct all routes on the Interstate System within the District of Columbia as set forth in the Document entitled '1968 Estimate of the Cost of Completion of the National System of Interstate and Defense Highways in the District of Columbia' submitted to the Congress by the Secretary of Transportation with, and as part of, 'The 1968 Interstate System Cost Estimate' printed as House Document Numbered 199, Ninetieth Congress. Such construction shall be carried out in accordance with all other applicable provisions of this title."

Mr. COOPER. In the conference, we were successful in achieving some compromise in this language—a compromise which, among other things, directed the report forwarded to Congress today. But it was because of section 23, among other provisions, that I would not sign the conference report, spoke against the provision in the Senate, and voted against the conference report. I opposed the idea of Congress asserting the authority to attempt to lay down a road system in the District of Columbia, or any State or city in the United States, and as I said in the Senate at that time such action was dangerous because they create precedents which are contrary to the procedures provided by statute. Section 23, despite the representations that appear to have been made about it, is far from clear on its face and, I believe, is of doubtful validity and efficacy. In fact, President Johnson stated upon signing the Highway Act, that he could do so only because of the clause in section 23 stating that construction "shall be carried out in accordance with all applicable provisions of title 23 of the United States Code."

Mr. President, I would like to read from parts of the President's message on signing the Federal-Aid Highway Act of 1968 and ask unanimous consent to include the entire statement in the RECORD at the close of my remarks.

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

(See exhibit 1.)

Mr. COOPER. Mr. President, on August 23, 1968, President Johnson said:

By far the most objectionable feature of this bill is the requirement that the District of Columbia Government and the Secretary of Transportation construct all interstate routes passing within the District as soon as possible—with the District required to commence work on four specific projects within 30 days. These provisions are inconsistent with a basic tenet of sound urban development—to permit the local government and the people affected to participate meaningfully in planning their transportation system.

Under the Constitution, the Congress does possess special and unique responsibilities—different, from its powers over the fifty States—to legislate for the Nation's Capital. The desire of the Congress to move forward with the construction of a highway system to serve the Washington area is understandable. But it is vitally important that these roads be constructed in accordance with proper planning and engineering concepts and with minimum disruption of the lives of the District citizens.

Fortunately, the Congress has called for construction only in accordance with the applicable provisions of the Federal highway law.

If the authority of the Executive Branch were not so preserved, I would have no choice but to veto this bill as an infringement of basic principles of good government and Executive responsibility.

The City Council in August of last year passed a resolution to comply with section 23, a section of law I would again remind my colleagues is of disputed interpretation and is currently the subject of litigation pending before the court of appeals. Despite that action, the House of Representatives wrote into the revenue bill for the District of Columbia provisions which could have held the city's revenues and the development of the rapid rail transit system virtual hostage to the proposed highway projects. That section was generated, in my view, by the same intention as that of the House in drafting section 23 of the 1968 Highway Act.

A week ago the City Council, after studying the recommendations of the District of Columbia Department of Highways and Traffic, and after conducting extensive hearings, adopted a plan for the north leg of the inner loop and the south leg, and excluded the North Central Freeway from the overall highway plan. The plan, which is much like that adopted by the Council in December of 1968, has been supported by many groups from all segments representative of the District of Columbia. Opposition to the North Central Freeway was voiced throughout the hearings, not only from those who live in the path of the construction, but also from experts in the fields of engineering, city planning, architecture, air pollution, and from citizens of Montgomery County, including a member of their county council.

The testimony given at the hearings on the issue is very persuasive and I would recommend that members of this body, particularly my colleagues who sit on the Public Works Committee and the District of Columbia Committee, take the opportunity to review it, for increasingly the problems of environmental change, and the social consequences of transportation development in urban areas, are touching all of us.

I have yet to see the formal report of the government of the District of Columbia, but I do have the report of the Secretary of Transportation before me. I ask, Mr. President, for unanimous permission to have it included in the RECORD at the close of my remarks.

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

(See exhibit 2.)

Mr. COOPER. Mr. President, the Secretary recommends the Council's adopted plan for the south leg. He recommends that the north leg be studied as proposed by the District government, although he would not limit that study to the alternatives spelled out in the Government's recommendation. And he recommends that the North Central Freeway be given further study, rather than dropped altogether. That study, the Secretary believes, should be carried out with five objectives in mind, in order to secure a well-considered and long-range solution. Those objectives are: First, "meaningful" citizen and community involvement; second, comprehensive land use and environmental planning coordination; third, continued discussions with the Department of Housing and Urban Development on relocation and replacement housing; fourth, making the best use of the rail corridor for its joint development as a highway and rapid transit corridor; and fifth, clarification of the present uncertainty which has developed in Maryland about connecting routes.

I applaud the report of the Secretary, the goals it embraces, and its general direction and tone. I am concerned about the interpretation which was given to section 23 of the Federal-Aid Highway Act of 1968, in the second paragraph of the Secretary's report. The Secretary appears to interpret the language of subsection (b) of section 23 as mandating the construction of the segments specified in the bill. The language of the act says "commence work" and construction has gone forward on all segments specified, all of which are uncontroversial, except for the Three Sisters Bridge. It is the action to construct the Three Sisters Bridge taken under this language which is currently being challenged in court on grounds that the construction is proceeding contrary to the applicable provisions of title 23 of the United States Code as specified in section 23.

Mr. President, the issue of freeways in the District of Columbia is entering a new phase with the submission of these reports to the Congress. I hope that as they are received and considered by this body and the House of Representatives we recall the principles of self-determination and democratic government which are the foundations of our Nation's greatness.

EXHIBIT 1

STATEMENT OF PRESIDENT JOHNSON, AUGUST 23, 1968

After careful consideration, I have signed the Federal-Aid Highway Act of 1968.

In this review I have weighed the bill's positive and progressive features against its shortcomings, the range of Executive actions we might take to ease some of its burdens, and the time yet remaining in this session for the Congress to correct its drawbacks.

In many respects this is the most important highway authorization bill since the start of the Interstate Program over a decade ago. It authorizes funds to carry the program through 1974, enough to assure the construction of many thousands of miles of roads. These highways can forge new links to more of our cities, serve America's growing transportation needs, and open up new avenues of convenience to millions of citizens. This measure also deals more effectively and more humanely than any previous measure with a modern dilemma—the problems created by road construction in or through our cities. It shows in these provisions more of a concern for our citizens than for concrete:

Families—particularly the poor—who are displaced from their homes by highway projects—will receive the assistance they need in moving to other dwellings.

Authority to acquire new rights of way in advance can help assure that highways in the future will be better planned, less costly, and cause the least possible disruption to local residents and businesses.

Funds to institute innovative measures to improve traffic flows will mean less congestion in city streets.

A new test program providing fringe parking away from crowded business districts will further improve the movement of traffic.

Highway planners will be required to consider social and environmental factors in determining the location of urban highways—thus preserving many neighborhoods from the bulldozer and the wrecking ball.

More effective equal employment opportunity in the highway construction industry will bring jobs to Americans of all races.

Unfortunately, these forward-looking provisions do not stand alone in this bill. There are other sections which I believe to be unfortunate, ill-considered, and a set-back to the cause of conservation. I urge the Congress to move promptly to correct them. The bill as it now stands will:

Seriously weaken the pioneering effort to beautify America's highways by depriving that effort of the funds it needs, and by diluting the billboard removal provisions of the present Act.

Removing the protection we have given in the past to many park lands that should be preserved for the families and children of America.

Extend the interstate system by 1,500 miles without any serious study of the type of major highway program we will need after we complete the present system in 1974.

By far the most objectionable feature in this bill is the requirement that the District of Columbia Government and the Secretary of Transportation construct all interstate routes passing within the District as soon as possible—with the District required to commence work on four specific projects within 30 days. These provisions are inconsistent with a basic tenet of sound urban development—to permit the local government and the people affected to participate meanginfully in planning their transportation system.

Under the Constitution, the Congress does possess special and unique responsibilities—different from its powers over the fifty states—to legislate for the Nation's Capital. The desire of the Congress to move forward with the construction of a highway system to serve the Washington area is understandable. But it is vitally important that these roads be constructed in accordance with proper planning and engineering concepts and with minimum disruption of the lives of District citizens.

Fortunately, the Congress has called for construction only in accordance with the applicable provisions of the Federal highway law.

If the authority of the Executive Branch were not so preserved, I would have no choice but to veto this bill as an infringement of basic principles of good government and Executive responsibility.

I am advised that under Federal highway law the Secretary of Transportation is required to approve construction only when:

Funds are available.

All rights of way can be obtained.

These projects are shown to be appropriate links in a comprehensive transportation plan for the District.

Other requirements of sound highway construction are met.

I have therefore directed the Secretary of Transportation promptly to convene the representatives of all interested Executive Agencies to support the Government of the District of Columbia in developing a comprehensive plan for a D.C. highway system.

This plan should:

Promote the rapid movement of traffic in the metropolitan area.

Protect the people and neighborhoods affected by the new roads.

Recognize the city's needs for expanded parking facilities.

I have asked the Secretary of Transportation and the Mayor of the District of Columbia to make certain that the plan is developed in sufficient time to have portions under contract prior to January 1, 1969.

Earlier this year the Congress directed me to reduce expenditures by $6 billion and new obligations by $18 billion. This was not a responsibility I sought. While I appreciate the sense of the Congress—as expressed in this bill—that Federal moneys not be withheld from the highway program, I must still exercise the responsibility to carry out these stringent economy measures. All government programs are being scrutinized with care. Highway projects will not be immune from this study, and funds will be provided or withheld in accordance with the need to comply with the Congressional mandate to cut $6 billion from the federal budget.

I believe the good in this bill outweighs the bad. I believe that the progressive steps we are taking here will permit us to improve the highway program in urban areas, and make it more responsive to the needs of the people who live there. I hope that the Congress will assist the Executive Branch in moving further in this direction, and in amending the undesirable features of this bill.

EXHIBIT 2

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., February 22, 1970.

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

DEAR MR. PRESIDENT: I submit herewith the report and recommendations required of the Secretary of Transportation by subsection 23(c) of the Federal-Aid Highway Act of 1968 regarding completion of the Interstate Highway System in the District of Columbia. This submission is within the limit of time specified in the Act.

Under the law, this report is concerned with the three freeway projects—South leg, North leg, and North Central—which were included in the 1968 Interstate System Cost Estimate for the District of Columbia but which were not specified in the Federal-Aid Highway Act of 1968 for immediate construction.

The development of this report began with the preparation of professional studies by the Department of Highways and Traffic of the District of Columbia on each of these segments of the system. These studies and related recommendations were the subject of public hearings before the City Council of the District of Columbia at which all points of view were afforded opportunity to be heard, including those from adjoining jurisdictions in Maryland. Following the hearings, the City Council unanimously adopted formal recommendations and alternatives, and the Commissioner of the District of Columbia has endorsed them. These recommendations and alternatives are being submitted separately by the District Government.

In my opinion, the recommendations of the Government of the District of Columbia reflect a determined effort to comply with the requirements of the Congress as well as to remain sensitive to the expressed concerns of the citizen groups of the District of Columbia. It is necessary to remember in this connection that the time available for preparation of studies and for Government action was considerably reduced by the practical necessity last year to resolve the controversy concerning the relationship of rapid transit and highways in a balanced transportation program for the metropolitan area. Yet the completed freeway network reflected in the District Government's recommendations includes in mileage over 73 percent of the network set forth in the 1968 Cost Estimate. With the New York Avenue addition proposed by the District Government, the total mileage would be 87 percent of the mileage in the 1968 Cost Estimate.

My responsibility as Secretary of Transportation, in reporting to Congress on these matters, requires that I give consideration to the metropolitan area and national transportation needs as well as those of the District of Columbia. My judgment must be based on transportation by all modes and not be limited to highway considerations alone. Based on this concept, my recommendations on the three projects referred to are as follows:

(1) *South Leg Freeway.* I recommend that Plan C in the District Highway Department report be adopted for the South Leg Freeway plan. This plan would provide for a tunnel about 1,400 feet long beneath the Lincoln Memorial area returning to the existing elevation on Independence Avenue approximately 1,000 feet beyond the south tunnel portal. I recommend a modification of the tunnel section in Plan C to the extent that a vertical clearance of 12½ feet be provided rather than the 14½ feet tunnel clearance, since commercial traffic will not be permitted on this route.

Additional background information and details regarding this project recommendation are provided in Enclosure 1 with this letter. My recommendations on this segment are in substantial agreement with the recommendations of the District of Columbia Government. This plan will do the least damage to the esthetics and monumental character of this area and permit its easy accessibility to visitors and city dwellers alike.

(2) *North Leg Freeway.* I recommend that the action proposed by the District Government be deferred for 18 months pending preparation, in cooperation with the Government of the District of Columbia, of a final plan of action on this segment of the Interstate System in the District and pending necessary public hearings. The further study leading to this plan of action should not be restricted to the alternative specified by the District Government (4-lane tunnel along K Street, 2-lane tunnels along L and M Streets, or a tunnel connecting the E Street Expressway with Downtown). Further details regarding the background information and other considerations relating to this freeway segment are provided in Enclosure 2 with this letter.

(3) *North-Central Freeway.* The District Government proposes to remove the North-Central leg from the freeway system. In my opinion, any judgment requiring or precluding this segment is premature. Significant problems have not been resolved. Admittedly, the North-Central area is the most heavily traveled in the D.C.-Maryland portion of metropolitan Washington. This traffic load, now carried on residential streets and projected in the 1968 Cost Estimate to go up to 90,000 vehicles per day by 1990, is bound to have an ever-increasingly harmful effect on the neighborhood environment, schools, playgrounds, parks and community life. The New York Avenue freeway proposed by the District Government as a substitute is not in fact an alternative; it is primarily an east-west corridor and offers little relief to north-south traffic. Nor can possible improvements in managing traffic arterials as suggested by the District Government meet but a part of the problem. For the safety and enhancement of this community, we must seek a more effective and reasonable solution for channeling this heavy traffic away from homes, schools, and playgrounds. In the professional judgment of our staff, the Baltimore and Ohio Rail-

road corridor appears to offer the most practicable and feasible alignment for a freeway development in the North-Central area with the least disruption to the community.

Notwithstanding these observations, additional studies and planning are unavoidable, if a well-considered and long-range solution is to be our objective. First, a concerted effort must be made to obtain involvement of the community and meaningful citizen participation. Second, the highway planning in this area needs to be coordinated more closely with comprehensive land use and environmental planning for the total community. Third, continuing discussions with the Department of Housing and Urban Development are necessary to establish in advance attractive replacement housing alternatives for persons potentially subject to relocation, consistent with the policy I have stated that no construction will be undertaken before adequate replacement housing is in fact available. Fourth, the possibility of removing the operating rail line from the corridor needs to be explored thoroughly so that the most advantageous program for joint development of the corridor with the Washington Metropolitan Area Transit Authority can be developed in order to save construction money and time, improve design features, and enhance appearance and utility. Fifth, additional time would permit clarification of the uncertainty which appears to have developed in Maryland regarding the Maryland connecting links.

In summary, I recommend that final judgment be deferred until the studies and planning enumerated above are completed. I believe that this work can be accomplished and a definitive recommendation made within a period of 16 months. Additional background information and details regarding this segment are provided in Enclosure 3 with this letter.

The District Government's proposal to create a New York Avenue freeway has merit as an addition or alternate routing for that portion of I-95, which is to be carried jointly with I-70S south of Gallatin Street. This section is very heavily loaded because the design was administratively restricted to eight lanes despite the larger traffic load demand. It is further complicated by undesirable weaving movements at and between the inter-changes. I would, therefore, be willing to give favorable consideration to an adjustment as proposed for rerouting I-95, assuming that approvals could be obtained for the adjustments in routing of the East Leg which are made as a part of the District Government recommendation in connection with the New York Avenue change, and a satisfactory solution can be found to handling the traffic load on the section of present I-95 removed between the Beltway and the present I-70S junction near Gallatin Street in the District of Columbia.

In Section 23(b) of the Act, reference was made to four specific projects: (1) Three Sisters Bridge, (2) Potomac River Freeway, (3) Center Leg of the Inner Loop, and (4) East Leg of the Inner Loop, on which work was to proceed. There follows a status report on these segments.

THREE SISTERS BRIDGE I-266 (SECTION B1 TO B2)

In 1966 a compromise location was agreed to by the District, Virginia, and the National Park Service. The Fine Arts Commission approved a single span structure design in September 1967. The February 1968 Court of Appeals injunction against this route was lifted by the 1968 Highway Act. In August 1969 a consulting engineer was engaged to prepare detailed plans. The first construction contract, for two river piers, is now underway.

In late 1969 there was a move in the U.S. District Court to enjoin further action on the Three Sisters Bridge. This was denied in January 1970, and the court ruled that construction should proceed. An appeal is now pending.

POTOMAC RIVER FREEWAY I-266 (SECTION B2 TO B4)

The District of Columbia presently has a design contract underway for this project. A civil action was filed in the U.S. District Court in January 1970 to enjoin construction and right-of-way acquisition on this project. The plaintiffs, defendants, and the alleged violation of law, are similar to those filed in the Three Sisters Bridge court action.

Recommendations regarding the design concept for this segment of the Interstate System in the District of Columbia are presented in Enclosure 4 with this letter. This design concept would enhance the development of the Georgetown Waterfront.

CENTER LEG OF THE INNER LOOP I-95 (SECTION A6 TO C4)

Preliminary design is underway for joint development housing and freeway facilities on a 5-acre site between H and K Streets, N.W., on the Center Leg, I-95. The segment of the route between the Southwest Freeway and H Street is under construction and is well along. The Mall tunnel is about 50 percent complete. Grading walls and structure for the depressed section between D Street and H Street, N.W., are complete. Paving and stone facing operations are awaiting improved weather conditions.

EAST LEG OF THE INNER LOOP I-295 (SECTION C1 TO C4)

The first section from 11th Street to Barney Circle (Pennsylvania Avenue) is partly under construction. Detailed design work is underway for ½ mile east of Barney Circle. Bids were opened January 15, 1970, for a short grading project in this area.

The alignment along the Anacostia River in the vicinity of the D.C. Stadium has been affected somewhat by recreational development studies by the Interior Department. The East Leg highway project should be developed in keeping with the planning of the National Park Service for this recreational complex, with joint financing to be determined on the basis of later discussion between the responsible agencies. Additional views on this subject are presented in Enclosure 5 with this letter.

To complete this submission, as a matter of information, I am also enclosing copies of the recommendations as reported by the District of Columbia Department of Highways and Traffic. Enclosures 6, 7, and 8 are that Department's reports on the South Leg Freeway, the North Leg Freeway, and the North-Central Freeway, respectively.

My report is also being submitted to the Speaker of the House.

Sincerely,

JOHN A. VOLPE.

SOUTH LEG FREEWAY

1. BACKGROUND OF PLANNING

The report by the District of Columbia Department of Highways and Traffic correctly states the long history of planning for the South Leg corridor, spanning a 20-year period from 1950 to the present date.

In addition to the chronology in the Highway Department report, there was the Report on Development of Lincoln Memorial Park prepared for the National Park Service in 1960. This report recommended a tunnel project connecting the Theodore Roosevelt Bridge with Independence Avenue by means of a twin tunnel section under the Lincoln Memorial area. This proposal did not include the additional tunneling under the Tidal Basin area as shown in Figure 2 of the Highway Department report, and did not make other changes in the present traffic service facilities in this area. This report also was the basis for the contract design proposal which was advertised for bids in June 1965 with the approval of all affected Federal agencies. As noted in Section II of the Highway Department report, the invitation for bids on this project was withdrawn prior to contract award.

The proposed tunnel cross section in the design as advertised was for two 36-foot roadways, a tunnel length of 1,430 feet between portals, vertical clearance of 12½ feet and narrow refuge on each side of each roadway. The profile returned to the existing elevation on Independence Avenue approximately 1,000 feet beyond the south tunnel portal.

This advertised proposal very closely approximates the layout plan shown as Plan C, Figure 6, in the Highway Department report now under review, identified as a plan suggested by the Federal Highway Administration.

The Highway Department report provides descriptive data regarding Plan A, Plan B, and Plan C giving comparative cost figures, encroachment on present Tidal Basin area, ventilation structure needs, landscaping effects, and assigns to each Plan a traffic carrying capacity.

The Highway Department report recommends that Plan A be adopted citing the difference in traffic capacity and the possible later conversion of Plan A to a full tunnel section similar to the Plan B solution. Plan B is shown to cost $95 million, Plan A $65 million, and Plan C $22.5 million.

The District Government recommends that Plan C be built.

2. TRAFFIC CONSIDERATIONS

The Highway Department report assigns a traffic capacity of 100,000 vehicles per day to Plan A and Plan B. Plan C is stated to have a capacity of only 60,000 vehicles per day. Under the operating conditions set out in the report, we agree with these values.

In considering the Highway Department report, however, it should be noted that neither Plan A or B take into account the 27,000 vehicles daily using 17th Street that would have to seek another route through the Mall area. Only Plan C mentions a capacity restraint, 60,000 ADT, "in the section east of the Tidal Basin, which is also the maximum current volume." This 60,000 ADT is the sum of the four present one-way roadways serving the area immediately east of 17th Street.

If Plan C were to be operated with the limited movements permitted in Plan A and B, i.e. the elimination of 17th Street connections during rush hour and the resulting removal of heavy wearing movements, then Plan C could, with relatively minor modification, be made to approach a capacity equal to Plans A and B. In addition to closing off the 17th Street service, there would be needed separation structures at 15th Street in the vicinity of the Bureau of Printing and Engraving. Consideration should also be given to the ultimate elimination of the grade crossing at Independence Avenue and 14th Street.

3. ENVIRONMENT EFFECTS

As shown in the Highway Department report, Plan C has the minimum adverse effect on the present landscape, requires no modification of the existing Tidal Basin area and thus no change in its functional operation. There would be no major disruption of a large part of the total area under Plan C as would be required for either Plan A or Plan B. And finally, Plan C, too, could be an element of some more extensive tunnel plan if future needs of the District made such a change desirable.

Meanwhile, the traffic requirements of this area, and of the District as a whole, can be met with the minimum of construction—freeing the Memorial area of unwanted traffic while preserving for the most part the existing amenities of West Potomac Park.

4. RECOMMENDATION

It is recommended that Plan C be adopted for the South Leg Freeway plan but with

modification from the section as described in the Highway Department report to provide only a 12½-foot vehicle clearance. There is no established need for a 14½-foot tunnel clearance since heavy commercial traffic will not be permitted. The 12½-foot clearance will accommodate all foreseeable emergency needs and other routings are available for the movement of military vehicles requiring larger clearances.

NORTH LEG FREEWAY

1. BACKGROUND OF PLANNING

Several alternate alignments for the North Leg Freeway have been considered. The alternate in the area of T and U Streets, N.W. of the District was the line on which the 1968 Cost Estimate was reported. There was also included in the 1968 Cost Estimate the cost information on the proposal for the "K" Street tunnel line as information for the Congress to consider. This "line" was recommended for study by the District Council and the National Capital Planning Commission.

The Highway Department report recites the problems in this area and recommends that in order to provide needed time for a thorough study of this area and its problems, and to provide needed time for community input and public hearing review, that the Congress be requested to permit added study of the problem and an additional 18 months' time extension be allowed for this purpose.

The District Government rejects this recommendation and recommends instead aligning the North Leg in a 4-lane tunnel along K Street or in 2-lane tunnels along L and M Streets or some combination of these, or as an alternative, a tunnel connecting the E Street Expressway to "Downtown." The District Government rejects all other alternatives and notes that public hearings are necessary before the final alignment chosen can be built.

2. OTHER CONSIDERATIONS

In the study of the North Central Freeway alignment, and our report on this matter, there are involved many elements of the total study of relocation assistance and the associated problems of providing public housing at reasonable rentals. In the North Central Freeway study, in cooperation with HUD and other government departments and agencies which have authority and responsibility in public housing, it is our hope we can come up with some procedural answers and some financing solutions which can contribute greatly to solving the basic problem which creates the public opposition to a highway answering the traffic need in the North Leg corridor.

3. ALTERNATES

There is a strong possibility that the "E" Street line extension, across the area in the rear of the White House and extending beyond Pennsylvania Avenue, perhaps ultimately to the Center Leg Freeway, can be accomplished. This could well be the "release" from the pressure for a traffic service line along "K" Street—and certainly would give relief to the present problem of "just too many cars and too much confusion in area between the White House and the Washington Monument."

4. RECOMMENDATIONS

In view of the potential stated under paragraph 3 above, and in anticipation of the results we hope to achieve with HUD and others in the search for relocation problem solutions, we recommend that there be prepared within 18 months, in cooperation with the District Government, a final action plan on this segment of the Interstate System in the District. The additional studies necessary for this final action plan must not be restricted to the alternatives proposed by the District Government.

NORTH CENTRAL FREEWAY

1. BACKGROUND OF PLANNING

The Department of Highways and Traffic report on a freeway in the northern sector includes a historical review of the recognized need for such a facility evidenced by many proposals spanning the broad area between the Potomac and Anacostia Rivers. All other corridors were ruled out and the highway department's evaluation of traffic and design considerations was limited to the North Central and New York Avenue routes. While conceding that highway improvement will be needed in the New York Avenue corridor, the District Highway Department recommended immediate construction of a low-level freeway along the Baltimore and Ohio Railroad.

Preliminary engineering and right-of-way acquisition had been authorized by Public Roads for the southern portion of this route prior to the 1968 Interstate Cost Estimate. North of Taylor Street the estimate was based on the so-called Route 11 alinement recommended by consultants in 1964. The newer line following the tracks at-or-below railroad grade all the way to the Beltway resulted from a post-hearing attempt to minimize displacements. Within the District the number of families displaced was first reduced from 720 to 372, but with an increased cost of about $29 million, or over $83,000 per unit saved. Further efforts by the highway department have lowered the displacement needs to 223 units, again at some additional cost and sacrifice of design standards. The estimated cost now exceeds $25 million per mile for a freeway that will barely serve traffic demands, while design elements suffer from the squeeze of right-of-way constrictions.

2. TRAFFIC CONSIDERATIONS

The anticipated traffic of the combined northwest, central and northeast corridors into one North-Central route requires an exceedingly high capacity, 4-2-4 lane freeway with reversible express center lanes. The wide swath needed for such a cross-section with extreme traffic concentrations in the vicinity of the Capitol dictated an arbitrary cutback to a 4-4 lane proposal. Although generally recognized as inadequate for future needs, it could be accepted at this time with two expectations.

First, another outlet to the northwest will eventually be supplied upon completion of the George Washington Memorial Parkway on the District side of the Potomac River from the Three Sisters Bridge to the Beltway, Interstate 495. Although commuter travel over parkways is generally undesirable, it would seem the river valley is too important a resource to be devoted solely to "pleasure" driving.

Second, an outlet to the northeast is possible in two ways. The proposed New York Avenue Freeway via the Kenilworth Interchange and northward on the Baltimore-Washington Parkway to the Beltway may be built. The northeast branch from the North Central corridor to meet Maryland's Interstate 95 at the Beltway would provide similar service.

3. HOUSING POTENTIAL

Continuing discussions with the Department of Housing and Urban Development are necessary to establish new methods of providing for these relocatees and replacing their housing. One possibility is a new goal to provide replacement housing while reconstructing the 1968 riot-damaged areas.

4. DESIGN ALTERNATIVES

The high cost per freeway mile on the Highway Department's recommended design, the low-level railroad concept, has beeen previously noted. Coupled with incompletely satisfied capacity needs, the price tag is inordinately high.

Undoubtedly the Baltimore and Ohio Railroad's presence adds considerably to the costs The five underpasses are intrinsically expensive because of the angle of crossing and the need to maintain railroad operations by detour tracks and supports. The proximity of the railroad itself and the future rapid transit lines add to the costs by requiring additional retaining walls and other appurtenances.

Since the B&O has an alternate connection into Washington through Baltimore and Laurel, a proposal has been made to purchase the railroad right-of-way. The railroad might desire a new east-west connection from Gaithersburg to Laurel or thereabouts, however this would be their decision and action.

Removal of the operating rail line would allow joint development of the transportation corridor by the highway departments in conjunction with the Washington Metropolitan Area Transit Authority. There are many obvious advantages:

1. Joint Development would coordinate and accelerate construction plans, lessen traffic congestion and aid in solving many problems in parking facilities, relocation, etc.

2. Considerably better highway alinement both vertical and horizontal and improved interchange geometrics would be possible.

3. Large sections of expensive retaining walls would be eliminated.

4. Minor savings in right-of-way widths would either reduce displacement of people or result in lower wall costs and improved esthetics.

5. A major reduction in tunnel construction costs and in construction time would occur.

6. A corollary advantage would be the possibility of a later extension of I–70S along the railroad line north of the Beltway to an interchange in the vicinity of Gaithersburg. While adding to overall costs this would also reduce traffic overloading on critical sections of the Beltway and I–70S.

The Interstate alinement does not parallel the railroad until it approaches Monroe Street and the Taylor Street bridge reconstruction practically fixes the highway alinement to that point. The possibilities in highway design with the railroad removed begin therefore north of Taylor Street. The joint development with WMATA could well begin at Monroe Street.

5. RECOMMENDATIONS

The following course of action is recommended:

1. Further exploration of the B&O corridor as a practical and feasible alinement for joint highway-metro development in the North-Central area.

2. Expolration of the possibility of removing the B&O Railroad from the corridor.

3. Continued study of housing replacement strategies involving HUD.

4. Study of joint development possibilities with WMATA.

POTOMAC RIVER FREEWAY

Section 23 of the 1968 Federal-Aid Highway Act lists the Potomac River Freeway as one of the segments on which work is to be started in accordance with the 1968 Interstate Cost Estimate without further study. In compliance with this mandate, the District of Columbia presently has a design contract underway.

It is the thought of the Federal Highway Administration that further consideration should be given to the design along the Georgetown Waterfront, particularly the area downstream from Key Bridge. The 1968 Estimate Report envisioned a tunnel for the eastbound lanes beginning near Three Sisters Bridge and extending almost to Wisconsin Avenue. The existing Whitehurst Freeway would remain at present for westbound traffic with a shorter tunnel beginning west of Key Bridge. It is felt that further consideration should be given to an earlier design concept which provided two elevated struc-

tures and reserved the area beneath and riverward for park and recreation purposes.

Full development of the Georgetown Waterfront requires the removal of all commercial and industrial activities between the Potomac River and the C&O Canal and the Whitehurst Freeway. Under existing concepts for highway development, the entire cost of acquisition for this land could be financed from the Federal-aid highway fund. The National Park Service would be the logical agency for developing the park and recreational use.

The proposal described permits full and unrestricted access from the entire Georgetown area to all of the Potomac River bank. The tunnel east of Key Bridge creates a severe barrier to access because of the approach grades towards the completed structure at 31st Street. The elevated facilities would obviate the necessity for the elaborate construction techniques, ventilation equipment and constricted operations that are the earmark of all highway tunnels.

In conclusion, it is felt that further study of alternative solutions in the Georgetown Waterfront area should be undertaken before final decision is made on the type of facility to be constructed. The treatment upstream from the Key Bridge to the connections with the Three Sisters Bridge and the George Washington Memorial Parkway will of necessity have to await final decision on the treatment of the waterfront downstream from Key Bridge.

EAST LEG FREEWAY

1. BACKGROUND

The 1968 Federal-Aid Highway Act directed the government of the District of Columbia to commence work on four specific segments of the Interstate System in the District. One of these was the East Leg Freeway described in the Act by the 1968 Estimate termini "(C1 to C4), terminating at Bladensburg Road." In terms of local street identification the East Leg so described extends from the connection with I-695 on the District side of the 11st Street Anacostia River Bridge, east along the Anacostia River to Barney Circle at Pennsylvania Avenue, then north past the East Capitol Street Bridge, to the south edge of the Arboretem, thence west to Bladensburg Road.

Inasmuch as this segment is specifically spelled out in the 1968 Act, the District Highway Department has made no recommendation regarding this route and is preparing for construction contract work on the south end of the line described. The Secretary has given 4(f) clearance to the entire segment.

2. NATIONAL PARK SERVICE PLANNING

The National Park Service has been developing a recreation area plan along the Anacostia River in the stadium area. These plans, if they are implemented, will require full coordination of the construction activities for the Park Service objectives and for the highway facility. The highway can be designed to permit the development of the cover section envisioned in the Park Service plan as the center point for the recreational complex. Also the highway segment can be constructed south of the East Capitol Bridge so as to complement the Department of Interior Plans for a sewer system and treatment facilities. However, these elements of the joint planning effort are very costly and the highway contribution to the joint development should be limited to the value received for highway purposes, with others responsible for the funding of those elements which are non-highway oriented.

3. RECOMMENDATION

The joint development concept is endorsed for this highway segment, subject to the capability of the National Park Service to bring their plan into a firm schedule status within the Interstate timetable. It would be a mistake to proceed with a very costly highway design and then find there is no way in which the remainder of the undertaking can be accomplished.

AIRPORT AND AIRWAYS DEVELOPMENT ACT OF 1969

The Senate continued with the consideration of the bill (H.R. 14465) to provide for the expansion and improvement of the Nation's airport and airway system, for the imposition of airport and airway user charges, and for other purposes.

Mr. LONG. Mr. President, the portion of H.R. 14465 with which I am primarily concerned is title IV—the Airport and Airway Revenue Act of 1970. The remaining titles of this bill deal with the expansion and improvement of the Nation's airport and airway system. This falls within the jurisdiction of the Commerce Committee. The distinguished chairman of that committee this last Friday obtained unanimous consent of the Senate to have the provisions of S. 3108 substituted for what was previously title I of this bill.

The only amendment I intend to offer to the first three titles is a perfecting amendment I was instructed to offer by the Committee on Finance. The amendment which I will offer strikes out sections 101, 102, and 103 of title I and renumbers section 104 as section 101. The reason for offering this amendment is that these sections deal with the airport and airway trust fund and a study to be made by the Department of Transportation of the appropriate share of aviation user taxes which should be borne by the different classes of users. These are dealt with more fully in title IV where provisions of this type have been perfected. Deleting these provisions from title I will prevent duplication.

As my colleagues in the Senate know from their experiences in traveling by air, there is an increasing congestion at our major airports—a congestion which will grow worse if we do not act. The revenue provisions of this bill provide the major part of this urgently needed expansion and development by increasing aviation user revenues in a manner which the Finance Committee believes is both fair and efficient.

The evidence of the need to rapidly increase expenditures on airports and the airway system in the coming decade is overwhelming. Revenue passenger-miles on U.S.-scheduled air carriers more than tripled over the past 10 years and are expected to triple again over the next decade.

Probably even more indicative of the need for airport and airway expansion over the next 10 years is that total aircraft operations at airports with Federal Aviation Administration traffic control services are expected to increase by an estimated 179 percent, and FAA air route traffic control centers are expected to handle 86 percent more aircraft using instrument flight rules. The greatest percentage growth in the use of these FAA airport and airway facilities is expected to be by noncommercial or by what has come to be known as general aviation aircraft.

To meet the growth in the demand for air transportation facilities, it is projected that Federal expenditures for the expansion and development of an advanced air transportation system with high safety standards must rise to an annual level of $1.8 billion by the fiscal year 1980, or more than double the $865 million expended in fiscal 1969. Over the decade, 1971–80, Federal spending for this purpose is projected to total $15.6 billion—$12.9 billion for airway facilities and $2.6 billion for airport grants.

Table 2 appearing on page 5 of the Finance Committee report presents the detailed figures on the 10-year projection of expenditures. I ask unanimous consent that it be inserted in the RECORD at this point.

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

TABLE 2.—PROJECTION OF ESTIMATED EXPENDITURES FOR THE AIRPORT AND AIRWAY SYSTEM, FISCAL YEARS, 1971 TO 1980[1]

[In millions of dollars]

Fiscal year	Airport grants	Airway facilities			Total airport and airway	Total civil airport and airway
		Civil	Military	Total airways[2]		
1971	191	840	210	1,050	1,241	1,031
1972	242	970	242	1,212	1,454	1,212
1973	258	972	243	1,215	1,473	1,230
1974	274	965	241	1,206	1,480	1,239
1975	274	984	246	1,230	1,504	1,258
Subtotal	1,239	4,731	1,182	5,913	7,152	5,970
1976	275	1,042	260	1,302	1,577	1,317
1977	275	1,090	273	1,363	1,638	1,365
1978	275	1,130	283	1,413	1,688	1,405
1979	275	1,166	291	1,457	1,732	1,441
1980	275	1,200	300	1,500	1,775	1,475
Subtotal	1,375	5,628	1,407	7,035	8,410	7,003
Total	2,614	10,359	2,589	12,948	15,562	12,973

[1] Projections are in constant dollars; whereas, the revenue estimates by FAA are in current dollars. Thus, the totals are not comparable in determining a gap between estimated revenues from the aviation user taxes and projected expenditures.

[2] Does not include nonairway FAA expenditures or pay raise.

Source: Department of Transportation, Federal Aviation Administration, Office of Aviation Economics.

Mr. LONG. Mr. President, the revenue provisions of this bill are based upon the principle that the best way to finance the Federal outlays for these purposes is primarily through taxes on the users who benefit from the services provided. The Congress followed this principle previously in the financing of the Interstate Highway System.

Although I know it is not popular to raise taxes at any time, the Finance Committee agrees with the House that there is no other practical alternative. With the already heavy demands on the Federal budget in other areas of expenditures, we cannot finance this program from existing revenues. This means an increase in taxes either on taxpayers generally or on the users of the system, if the urgent need is to be met and if we are to prevent further increases in the congestion at our airports and of our airways. On the other hand, the safety of our passengers and aircrews cannot wait, nor should the needs of an efficient air transportation system with its attendant economic benefits to the users of the system, and to the economy as a whole.

Mr. President, the revenue provisions of the bill as reported by the Finance Committee contain the same general features as those in the House bill. Under both versions of the bill, general aviation, on the one hand, will be subject to fuel taxes and an aircraft use tax; and commercial aviation, on the other hand, will be subject to passenger and cargo taxes and the aircraft use tax. General aviation could not be subjected to the passenger and cargo taxes since they generally do not make charges for the transportation services they provide.

Now let me turn to the specifics of the revenue provisions of the bill as amended by the Finance Committee.

First. Both versions of the bill provide an increase in the gasoline tax on general aviation from the present net rate of 2 cents a gallon to 7 cents a gallon and impose a new tax of 7 cents a gallon on other fuel used by general aviation. This, of course, is primarily jet fuel.

Second. The bill, as amended by the Finance Committee, increases the tax on domestic passenger travel by imposing a tax of 7.5 percent of air fares from passenger travel directly on the airline, rather than on the passenger as a separately stated ticket tax. This replaces the provision in the House bill which would have increased the present 5-percent ticket tax to 8 percent. The revenue impact of the Finance Committee's 7.5-percent tax on gross domestic air fares is substantially the same as the House bill's 8-percent ticket tax. Since it is intended that the 7.5-percent tax on domestic passenger travel is to be included in the price of the ticket charged to the passenger, the committee amendments specify that the Civil Aeronautics Board is to provide for the airlines passing the tax on to the passengers in the fares charged.

Third. Both versions of the bill impose a new tax on the use of international travel facilities of $3 per person in the case of international flights from the United States. This $3 tax also is to apply to flights between the continental States and Alaska and Hawaii, since under the bill, and also present law, the flights to Alaska and Hawaii are not subject to the tax on passenger travel on the charge for the portion of the flight outside U.S. territory.

Fourth. Both versions of the bill impose a new tax of 5 percent on air freight "waybills." However, for administrative reasons the committee amendments provide an exemption for charges for excess baggage of passengers. An exemption for freight shipments to or from Alaska and Hawaii is also provided for the portion of the charge representing the flight not over U.S. territory. This is the same provision which applies in the case of the tax on passenger travel.

Fifth. Both versions of the bill impose a new, annual aircraft use tax, which is somewhat similar to the highway use tax on trucks. This is a $25 basic tax on all aircraft plus a tax of 2 cents a pound for piston-powered aircraft and 3½ cents a pound for turbine-powered aircraft, or jet planes.

The Finance Committee amendments, however, provide an exemption from the "poundage" portion of the use tax for the smaller aircraft with a seating capacity of four adults or less.

In general, the revenue provisions as amended by the Finance Committee will be effective on April 1, 1970. However, the change in the tax on domestic passenger travel, the new tax on the use of international travel facilities, and the new tax on air freight are to become effective on May 1, 1970. Moreover, the $25 aircraft use tax for small aircraft exempted from the poundage portion of the use tax does not become effective until July 1, 1970.

The Finance Committee amendments also provide a termination date of June 30, 1980, for the increases in aviation user taxes provided by this bill and also provide the same termination date for the airport and airway trust fund. This will provide Congress an opportunity to review the entire Federal airport and airway program. I might point out to the Senators that this is consistent with the highway trust fund which also has a termination date.

Mr. President, as I indicated earlier, in the absence of the increased aviation user taxes under this bill, the general taxpaying public would be required to pay most of the increased Federal outlays required for the expansion and development of the airport and airway system. Present aviation user taxes, including the current 5-percent passenger tax, the 2-cent-a-gallon gasoline tax and the taxes on tires and tubes used on aircraft would yield only $927 million a year by fiscal 1980. With the increases in existing taxes and the new taxes put into effect by this bill, the users of the aviation system will pay about twice this amount, or $1.8 billion in annual aviation user taxes by fiscal 1980.

The detail of the source of this revenue is shown in table 3 on page 7 of the committee report. I ask unanimous consent that it be inserted in the RECORD at this point.

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

TABLE 3.—REVENUES FROM AVIATION USER TAXES, SELECTED FISCAL YEARS, 1965-80

[In millions of dollars]

User tax	Actual			Estimated [1]				
	1965	1967	1969	1970 [2]	1971	1974	1979	1980
Tax on passenger airfares [3]	147.5	194.5	259.5	355.6	533.3	741.6	1,310.6	1,463.7
Waybill tax, 5 percent [4]				5.9	40.2	59.5	126.5	148.5
Fuels tax [5]	16.7	14.4	11.0	19.4	47.2	59.2	81.0	85.4
International travel facilities use tax, $3				4.3	28.4	39.6	68.4	74.5
Aircraft use tax [6]				4.6	22.8	28.7	38.5	40.6
Taxes on tires and tubes used on aircraft	2.0	2.4	2.6	2.8	3.0	3.5	5.0	5.3
Total	166.2	211.3	273.1	392.6	674.9	932.1	1,630.0	1,818.0

[1] Revised estimates of revenues, in current dollars.
[2] Assumes the tax changes on passenger and waybill transportation are in effect on May 1, 1970; the increased fuel taxes on Apr. 1, 1970; and the new aircraft use tax on Apr. 1, 1970.
[3] 5 percent of the ticket price through Apr. 30, 1970, and 7.5 percent of the air tariff after Apr. 30, 1970.
[4] Excludes the portion of transportation to or from Alaska and Hawaii not over U.S. territory; includes revenue from U.S. Post Office mail freight and other Government freight on civil air carriers.
[5] 4 cents a gallon on gasoline fuel only (with a 2-cent-a-gallon refund or credit for aviation use) on both general aviation and air carriers through Mar. 31, 1970; a full payment or credit of 4 cents a gallon on gasoline fuel for air carriers on or after Apr. 1, 1970; and 7 cents a gallon on gasoline and other aviation fuel for general aviation use only on or after Apr. 1, 1970.
[6] Annual: A basic $25 use tax on all civil aircraft, plus 2 cents a pound on piston-engined aircraft and 3.5 cents a pound on turbine-engined aircraft, effective Apr. 1, 1970, except that aircraft with a seating capacity of 4 adults or less are exempt from the weight part of the use tax and become liable for the $25 basic use tax on July 1, 1970.

Source: Department of Transportation, Federal Aviation Administration, Office of Aviation Economics.

Mr. LONG. Mr. President, the growth potential of the aviation user taxes on domestic passenger travel and freight transportation, also portrayed in table 3 of the report, shows that revenues from the tax on domestic passenger travel are expected to almost triple from $533 million in fiscal 1971 to $1.5 billion in fiscal 1980. In the case of the tax on air freight, revenues are expected to increase by more than threefold from $40 million in fiscal 1971 to $148 million in fiscal 1980.

While the total revenues from aviation user taxes are almost identical under the two versions of the bill, the Finance Committee version imposes a somewhat smaller burden on general aviation than would the House bill. Under the committee action, general aviation is expected to pay $57.9 million for the total $674.9 million in aviation user taxes in the fiscal year 1971. This represents 8.6 percent of the total, as against 9.2 percent provided for general

aviation by the House bill. By fiscal 1980, general aviation's share is expected to decline to 5.6 percent as contrasted to 6 percent under the House bill. This decline in general aviation's share is due in large part to the much greater growth expected in the taxes on passenger and air freight transportation as compared to the taxes on general aviation fuel. I ask unanimous consent that table 6 of the report be inserted in the RECORD at this point.

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

TABLE 6.—COMPARISON OF ESTIMATED AVIATION USER TAXES ON GENERAL AVIATION AND AIR CARRIERS, FISCAL YEARS 1971 AND 1980 [1]

[Dollars in millions]

User tax	Fiscal year 1971			Fiscal year 1980		
	General aviation	Air carrier	Total	General aviation	Air carrier	Total
Tax on passenger air fares, 7½ percent		$533.3	$533.3		$1,463.7	$1,463.7
Waybill tax, 5 percent		40.2	40.2		148.5	148.5
Fuel tax, 7 cents a gallon	$47.2		47.2	$85.4		85.4
International travel facilities use tax, $3		28.4	28.4		74.5	74.5
Aircraft use tax, total	9.7	13.3	22.8	15.0	25.7	40.6
$25 basic amount	3.6	.1	3.7	5.6	.1	5.7
Weight addition [2]	$6.1	$13.2	$19.3	$9.4	$25.6	$35.0
Taxes on tires and tubes used on aircraft	1.0	2.0	3.0	1.8	3.5	5.3
Total	57.9	617.2	674.9	102.2	1,715.9	1,818.0
Percent of total	8.6	91.4	100.0	5.6	94.4	100.0

[1] Revised revenue estimates, in current dollars.
[2] 2 cents a pound for piston-engined aircraft and 3.5 cents a pound for turbine-engined aircraft, except that aircraft with a seating capacity of 4 adults or less are exempt.

Note: Details may not add to totals due to rounding.
Source: Based on data from Department of Transportation, Federal Aviation Administration Office of Aviation Economics.

Mr. LONG. Mr. President, let me explain now why most of the needed aviation user revenues was obtained from the taxes on passenger and freight transportation.

First. We have the present administrative experience in collecting the tax on domestic passenger travel. While the form of the 7.5-percent tax on domestic passenger air fares varies somewhat from the form of the existing 5-percent tax on tickets, the procedure for payment of the tax by the airlines will be essentially the same as under present law. As a result, the administrative experience under the present tax in practice will still carry over to the new tax. The Internal Revenue Service is also experienced in the administration of a tax on freight transportation. Prior to 1958, a 3-percent tax was imposed on domestic freight shipped by air and other means.

Second. Since the taxes are based upon the amount of the passenger air fares or the air freight waybill charge, tax receipts will automatically grow not only as air traffic increases in volume, but also as general price increases, or inflation, cause air tariffs to rise. This means that these revenue sources will expand more than other alternatives. As a result, these revenue sources will better cover increasing costs of airport operations and airway facilities.

Third. A tax based upon the amount of the air tariff is geared in more closely with the actual use of airport and airway facilities. Short trips tend to make greater use of airport facilities than longer trips. This is taken into account in the tax in that air tariffs, on which the tax is based, for short flights are more per mile than long-line flights, reflecting the higher costs of operation per mile on shorter flights.

The decision of the Finance Committee to impose the passenger tax directly on the airlines and as a result to include the tax in the price of the ticket, rather than have a separately stated tax on the passenger, was designed to eliminate delays in ticket preparation arising from the fact that ticket agents presently make a separate computation of the tax and then add this as a separate item in order to determine the passenger's total fare. In addition, by imposing the tax directly on the airlines as a percentage of their air fares, there is no longer any need for exemptions—with the attendant delays in determining the traveler's proper exemption—for specific transportation. Moreover, inclusion of all domestic air travel in the base of the tax appears appropriate since all domestic passenger travel uses the airports and airway facilities.

To simplify recordkeeping for taxpayers and to facilitate administration, both versions of the bill provide special rules for small aircraft—that is, those under 6,000 pounds maximum certificated takeoff weight—not on established lines and also for aircraft used by members of an affiliated group of corporations. Neither of these categories of air use is to be subject to the taxes on passenger travel and freight transportation. Instead these aircraft will be subject to the aviation fuel tax, which I will discuss in a moment.

I would like to point out to the distinguished chairman of the Commerce Committee and other members of the Commerce Committee that the Finance Committee amendments do take into consideration the Commerce Committee's recommendation with regard to freight shipments to Alaska and Hawaii. The Commerce Commitee was concerned that imposing the regular freight tax on the entire trip would magnify the already large shipping costs to those two States. The Finance Committee amendments provide that the portion of the flight to or from Alaska and Hawaii not over U.S. territory is not to be subject to tax. This is the same rule that applies under existing law for the tax on passenger travel to or from Alaska and Hawaii.

As I indicated previously, the 7.5-percent tax on passenger transportation does not apply to international flights, nor does it apply to that portion of flights to or from Alaska and Hawaii that is outside U.S. territory. Therefore, to insure that passengers using U.S. airports for international flights and partially tax-exempt flights contribute to the cost of airport and airway operations associated with their air travel, both versions of the bill impose a tax of $3 per person on the use of such international travel facilities provided by the United States. The prospective revenue, $75 million by fiscal 1980, from this tax is related to the estimated costs of such airport and airway facilities to the United States.

While the bulk of the user revenues from commercial aviation is to be derived from taxes on passenger travel and air freight transportation, these revenue sources, of course, cannot be used in the case of general aviation which often imposes no charges on someone using its transportation. Both versions of the bill impose a tax of 7 cents a gallon on fuel used by general aviation. The fuel tax on general aviation is expected to yield an estimated $85 million annually by fiscal 1980. While the fuel taxes will impose some tax burden on general aviation, the burden on the noncommercial flights still is light, relative to their use of airports. Moreover, as I will indicate in just a moment, we are substantially decreasing general aviation's burden under the aircraft use tax.

Both versions of the bill establish an annual aircraft use tax on both commercial and general aviation aircraft. The tax, which is similar in nature to the Federal highway use tax on trucks, amounts to a basic tax of $25 for all aircraft plus a tax of 2 cents a pound for piston-powered aircraft and 3½ cents a pound for turbine-powered aircraft. However, in order to carry out the objective of the Commerce Committee of lightening the burden on general aviation, the Finance Committee amendments exempt a significant proportion of the general aviation aircraft from the "poundage" part of the use tax. This is accomplished by excluding aircraft with a seating capacity of 4 adults or less from the poundage part of the use tax. It is expected that this modification will relieve about 75 percent of the aircraft used in general aviation from this tax. I believe this can be justified on the grounds that these smaller aircraft, which are mostly for personal use, generally make relatively less use than other planes of the Federal airway facilities. These air-

craft will therefore only be subject to the basic $25 annual use tax, which is no higher than the average charge for automobile license tags. Moreover, these small aircraft are not liable even for the $25 use tax until the fiscal year beginning July 1, 1970, even though other aircraft are subject to this tax for the last quarter of fiscal 1970, beginning April 1.

Mr. President, an airport and airway trust fund is established under both versions of the bill. The revenues from the aviation user taxes which I have just discussed will be paid over to this trust fund. The trust fund is created to insure that the aviation user taxes provided in this bill are available for airport acquisitions, the cost of maintaining the airway system, and certain other closely related costs.

The airport and airway trust fund established by this bill is similar to the existing highway trust fund, except that the airport and airway trust fund is not expected to be self-sustaining in the near future. Therefore, to maintain effective control over the funding of the airport and airway system, the bill provides that any general fund appropriations necessary to supplement the aviation user taxes are also to be paid into the trust fund, rather than paid directly.

To provide the Congress with more precise information in its next review of the aviation user taxes, both versions of the bill direct the Department of Transportation to conduct a study to determine the distribution of the costs and uses of the airport and airway system, in order to insure a proper distribution of the burden of financing the airport and airway system, among the primary users of the system, as well as other persons deriving benefits from it. An interim report is to be made to the Congress by March 1, 1971, and a final report by March 1, 1972.

Mr. President, it also was brought to the attention of the House and the Finance Committee that Washington National Airport is the only Federal airport where Congress—in the Buck Act, enacted in 1940—has not permitted State tax jurisdiction of or the imposition of nondiscriminatory sales, use, and income taxes upon private individuals and business operations located on Federal reservations.

Both versions of the bill provide that, with certain exceptions, the general rule as to State tax jurisdiction on Federal reservations is to apply to Washington National Airport. As a result, facilities at the airport that do not deal directly with persons as passengers or with the aircraft will be subject to the general provisions of State or local law. This change was made because it appears inconsistent to continue complete exemption from State sales and income tax jurisdiction in the case of Washington National Airport when other competitive businesses located in the vicinity are subject to these State taxes. Transitional relief is provided, however, so that the new provision does not apply in the case of leases existing as of September 28, 1969, but instead will apply only when these leases are renewed or when new leases are made.

Mr. President, as I indicated previously with regard to the tax on domestic passenger travel, the Finance Committee amendments provide that the Civil Aeronautics Board is to direct the air carriers within its jurisdiction to pass the 7.5-percent tax on to the passengers in the form of higher air fares. This is wholly consistent with actions the tax committees have taken elsewhere in specifying how regulatory commissions in setting rates should treat other tax measures—such as tax savings from the investment credit and from accelerated depreciation.

This provision is to be effective for transportation of persons after April 30, 1970. The CAB also is to take action to see that any future changes in the rate or base of this tax is passed on, including the scheduled reduction—under the Finance Committee amendments—of the tax from 7.5 percent to 4.8 percent for transportation of persons beginning after June 30, 1980. Thus, it is the committee's intention that the 7.5-percent tax not be absorbed by the air carriers. Air fares, as a result of the increase required by the bill, are to rise by about 8 percent to offset the effect of the tax. This means that the cost of the air travel to the passenger will, therefore, be about the same as under the House bill.

Finally, the Finance Committee amendments provide for the claiming as tax credits against income tax the retailers' excise taxes on gasoline—added by this bill—and special fuels sold or used for nonaviation purposes. This procedure is similar to the existing law tax credit procedure for the manufacturers' excise taxes on gasoline and lubricating oil sold or used for nonhighway purposes. The committee amendments also provide that these tax credits may be claimed within the time presently available for filing a claim for credit or refund of an overpayment of income taxes—that is, within 3 years after the due date for filing the income tax return on which the credit may be claimed.

In summary, Mr. President, the case for the revenue provisions of this bill rests on two primary factors: First, there is an urgent need to expand and improve the Nation's airport and airway system; and, second, if the expenditures are to be made to meet this need, then it is proper to place the major burden, in the form of user taxes, on those who directly benefit from the airport and airway system. I, therefore, urge the Senate to pass this bill.

ORDER FOR RECOGNITION OF SENATOR MOSS TOMORROW MORNING

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that following the prayer and the disposition of the reading of the Journal tomorrow morning, the able Senator from Utah (Mr. Moss) be recognized for not to exceed 30 minutes.

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

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

S. 3502—INTRODUCTION OF A BILL TO PROVIDE TAX INCENTIVES FOR FAMILY LIMITATION AND S. 3501—INTRODUCTION OF A BILL TO LIBERALIZE THE DISTRICT OF COLUMBIA ABORTION LAWS

Mr. PACKWOOD. Mr. President, in the past 9 months to a year, we have had a substantial amount of discussion about the environmental problems facing this Nation. I think every politician in this country is now on what we might call the environmental bandwagon. By that is commonly meant that we are all against water pollution, and we are all against desecrating our landscapes and ravaging our national forests.

But I think many of us have not faced up to the particular problem that is going to have to be overcome if we are to solve what we call the environmental crisis, and that problem is, basically, people.

Projections indicate that if our numbers continue to grow in this country as they have been growing, by the year 2000 we will have 300 million people in this country—almost 100 million more than the number we have today—and that not too many years thereafter, we can look forward to 400 or 500 million people.

The question is, Are we prepared in this country to face the problems created by 300, 400, or 500 million people?

I shall not contend that it would be impossible to feed 300, 400, or 500 million people in this country. It is not impossible if we do not care whether or not we overutilize the farmland, and if we ignore the effect the pesticides used on the crops to feed that many people may have on the rest of the country. It may not even be impossible to house them, if we do not care that it may be necessary to cut down all of the trees in our national forests and then deplete other natural resources that would have to be found as a substitute for wood to build that many houses. We might even be able to handle the solid waste disposal and the air and water pollution that 300, 400, or 500 million people would cause.

But at some stage, even the United States is finite. At some point we will reach a limit where we cannot handle, we cannot feed, we cannot house all of the people who can be born in this country.

I would rather that we face that problem now, and start to undertake a policy of national population restraint whereby we can look forward to limiting the population of this country by voluntary means, so that we do not have to, in 30, 40, or 50 years, look forward to limiting it by compulsory means.

Last year, the President, in introducing a request for a population commission, indicated that many of the problems that this Nation has faced in the

past few years may be due to a rushing population increase, but that what we have had to face in the last 30 years is not by half what we will have to face in the next 30, unless we control our population.

It is for that reason that I have prepared for introduction two bills. One relates to the Nation as a whole, and the other relates to the District of Columbia. I ask unanimous consent that the texts of both of these bills be printed in the RECORD.

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

(See exhibits 1 and 2.)

Mr. PACKWOOD. The first of these bills deals with tax incentives. It provides that, as of January 1, 1973, a family will be allowed a $1,000 deduction for the first child in the family, $750 for the second child, $500 for the third child, and nothing for any children after that. The bill will not apply to children in being prior to January 1, 1973.

The second bill relates to the abortion laws in the District of Columbia. At the moment, the abortion laws in this District are confusing, to say the least. One District judge has said that the abortion law is unconstitutional. Other District judges have not commented on it. The case is on appeal before the U.S. Supreme Court now, and we are left in a situation where no doctor knows whether or not he can legally perform certain types of abortions. If he does perform certain types that might be illegal under the present statute, and the Supreme Court were to reverse the district court case now on appeal before it, such physician might be guilty of a felony.

But be that as it may, if the Supreme Court were to affirm the present abortion decision, all that would do is say that the present law is vague and unconstitutional, and Congress would be faced with the problem, do we want to simply throw the law out, or do we want to try to draw it so specifically and definitely that it would not be vague, and therefore not unconstitutional?

I think Congress should take the lead in this field. I think Congress should pass a law legitimatizing abortions in the District of Columbia, and hold that out as an example to the rest of the country as to what the States should pass. And by legitimatizing, I mean establishing the right of a woman to have an abortion when she wants it, in a licensed hospital, needing only the consent of her physician.

We have seen today the Supreme Court refuse to take jurisdiction of a case on appeal from the California Supreme Court in which the California Supreme Court had ruled that their State's abortion law was unconstitutional.

We have seen the State of Hawaii in the last 2 weeks pass an abortion law that says that any woman, as a matter of right, may have an abortion.

We have seen in the last month the State of Washington place on the ballot, for approval or rejection by its voters next fall, an abortion measure which will allow a woman, as a matter of right, to have an abortion.

It is time that the District of Columbia face up to the problem and that Congress act as it has the power to do for this District, not drag its feet, and hold ourselves out as an example to the rest of this Nation as to what should be allowed.

Mr. President, I have talked about two bills. There is a third leg. The third leg is Senate bill 2108, relating to family planning, and this is the third leg of population restraint. We should, as a goal in this Nation, say that any woman, of any economic circumstance, shall have access to all information concerning birth control, contraception, and all other information that she needs to make a wise choice in the matter of child bearing, and whether or not she wants to give birth to a child.

Second, when contraceptive devices fail, we should have legitimatized abortion, so that that woman, if she does not want the pregnancy, can abort it.

Studies by Dr. Westoff indicate that approximately 22 percent of the pregnancies of married couples in this country are unwanted pregnancies by at least one spouse.

Third, the Government, as a matter of policy, should write into its tax law tax incentives for smaller families. We write into the law tax incentives for oil depletion allowances, tax incentives for charitable giving, tax incentives for all kinds of things; and the most important problem we face in this Nation domestically—I will say it again—the most important problem we face in this Nation domestically, in the next decade, in the next 30 years, is overpopulation. It is not asking too much, if we are willing to write into the tax law gimmicks and incentives for every kind of industry, to write into the tax law an incentive for small families; and that is what I am asking in this bill.

We tie those three things together—family planning, abortion, tax incentives. I think we can control, restrain, and plan the population in this country.

I will say again, in conclusion, that I am convinced that we can probably feed, clothe, and handle the pollution of 300, 400, or 500 million people, if that is all there is to life. But I am hoping that we are willing to pass a policy that makes it possible to restrain our population so that we do not so overcrowd our national forest facilities and recreational campgrounds that those people who want to go someplace to avoid the roar of a Honda can still find the kind of area in this country that has not been crowded out or shouldered aside by the crush of people. It is time we realize that in this country life should be fulfilling and not just a matter of existing.

EXHIBIT 1

The bill (S. 3501) to authorize abortions in the District of Columbia, introduced by Mr. PACKWOOD, was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the RECORD, as follows:

S. 3501

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any physician shall be authorized, in the District of Columbia, by means of any instrument, medicine, drug, or otherwise, to take such action as may be necessary to produce an abortion or miscarriage with respect to any qualified patient so requesting that action.

SEC. 2. As used in this Act, the term—

(1) "qualified patient" means (A) any unmarried female eighteen years of age or older; (B) any married female, without regard to age, who has the written consent of her spouse; (C) any female, without regard to age, who at the time of her request pursuant to the first section of this Act, is legally separated or divorced from her spouse, or who, though married, is not living with her spouse at the time of such request, and (D) any female under the age of eighteen years who has the written consent of at least one of her parents or guardian; and

(2) "physician" means any person licensed under the laws of the District of Columbia to practice medicine, or a person who practices medicine in the employment of the Government of the United States or of the District of Columbia.

SEC. 3. Notwithstanding any other provision of this Act, in any case in which a physician certifies in writing that failure to comply with any request of a female for an abortion or miscarriage would likely result in an impairment to the mental or physical health of the person making such request, any physician shall be authorized to take action in accordance with the provisions of the first section of this Act without regard to the consent of the spouse or parent of such female.

EXHIBIT 2

The bill (S. 3502) to amend the Internal Revenue Code of 1954 to adjust the amount of, and restrict the number of, personal exemptions allowable for children, introduced by Mr. PACKWOOD, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 3502

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 151 of the Internal Revenue Code of 1954 (relating to allowance of deductions for personal exemptions) is amended by striking out subsection (e) and inserting in lieu thereof of the following new subsections:

"(e) ADDITIONAL EXEMPTIONS FOR CHILDREN.—

"(1) IN GENERAL.—An exemption for a dependent (as defined in section 152) who is an eligible child of—

"(A) $1,000, for the first eligible child,

"(B) $750, for the second eligible child,

"(C) $500, for the third eligible child, and

"(D) $750, for each additional eligible child.

"(2) EXEMPTION DENIED IN CASE OF CERTAIN MARRIED DEPENDENTS.—No exemption shall be allowed under this subsection for any dependent who has made a joint return with his spouse under section 6013 for the taxable year beginning in the calendar year in which the taxable year of the taxpayer begins.

"(3) ELIGIBLE CHILD.—For purposes of paragraph (1), the term 'eligible child' means a child of the taxpayer who—

"(A) (i) has not attained the age of 19 at the close of the calendar year in which the taxable year of the taxpayer begins, (ii) is a student, or (iii) has gross income for the calendar year in which the taxable year of the taxpayer begins of less than $750; and

"(B) was born before January 1, 1973, or was adopted by the taxpayer before such date; or

"(C) was born after December 31, 1972, or was adopted after such date, if at the time of the birth or adoption of such child the number of living children of the taxpayer was less than 3.

"(4) STUDENT AND EDUCATIONAL INSTITUTION DEFINED.—For purposes of paragraph (3) (A)

(ii), the term 'student' means an individual who during each of 5 calendar months during the calendar year in which the taxable year of the taxpayer begins—

"(A) is a full-time student at an educational institution; or

"(B) is pursuing a full-time course of institutional on-farm training under the supervision of an accredited agent of an educational institution or of a State or political subdivision of a State.

For purposes of this paragraph, the term 'educational institution' means only an educational institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on.

"(5) CHILD DEFINED.—For purposes of paragraph (3), the term 'child' means an individual who (within the meaning of section 152) is a son, stepson, daughter, or stepdaughter of the taxpayer.

"(f) ADDITIONAL EXEMPTIONS FOR OTHER DEPENDENTS.—

"(1) IN GENERAL.—An exemption of $750 for each dependent (as defined in section 152), other than a child of the taxpayer (as defined in subsection (e)(5)), whose gross income for the calendar year in which the taxable year of the taxpayer begins is less than $750.

"(2) EXEMPTION DENIED IN CASE OF CERTAIN MARRIED DEPENDENTS.—No exemption shall be allowed under this subsection for any dependent who has made a joint return with his spouse under section 6013 for the taxable year beginning in the calendar year in which the taxable year of the taxpayer begins."

SEC. 2. (a) Section 3402(b)(1) of the Internal Revenue Code of 1954 (relating to percentage method withholding) is amended by inserting after the table contained therein the following new sentence:

"In the case of a withholding exemption to which an individual is entitled for an eligible child (as defined in section 151(e)(3)), if the amount of such exemption under section 151(e)(1) is $1,000, the amounts in the preceding table shall be increased by one-third and, if the amount of such exemption under section 151(e)(1) is $500, the amounts in the preceding table shall be decreased by one-third."

(b) Section 3402(f)(1) of such Code (relating to withholding exemptions) is amended by striking out "151 (e)" in subparagraph (E) and inserting in lieu thereof "151 (e) or (f)".

SEC. 3. The amendment made by the first section shall apply to taxable years beginning after December 31, 1972. The amendments made by section 2 shall apply with respect to wages paid after December 31, 1972.

TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that at the conclusion of the remarks of the able Senator from Utah (Mr. Moss) tomorrow, there be a period for the transaction of routine morning business and that Senators may be permitted to speak for not to exceed 3 minutes therein, and that, at the conclusion of routine morning business, the Chair lay before the Senate the unfinished business.

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

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, before moving to adjourn, I wish to ask the Chair to state, for the information of Senators, what the pending business is before the Senate.

The PRESIDING OFFICER. The pending business is H.R. 14465, to provide for the expansion and improvement of the Nation's airport and airway system, for the imposition of airport and airway user charges, and for other purposes.

Mr. BYRD of West Virginia. I thank the distinguished Presiding Officer.

ADJOURNMENT TO 10 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 55 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, February 25, 1970, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate February 24, 1970:

DIPLOMATIC AND FOREIGN SERVICE

Albert W. Sherer, Jr., of Illinois, a Foreign Service officer of Class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Guinea.

U.S. ATTORNEY

Robert L. Meyer, of California, to be U.S. attorney for the central district of California for the term of 4 years vice William Matthew Byrne, Jr.

IN THE MARINE CORPS

The following named (Naval Reserve Officers Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefore as provided by law:

Jackson, Elmer R.
Manfredi, Thomas A.
McCool, Richard M.
Rosemond, Niley J.

The following named (platoon leaders class) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Wilson, Douglas G.

IN THE MARINE CORPS

The following-named officers of the Marine Corps for permanent appointment to the grade of colonel:

Robert V. Anderson
Clark Ashton
Louis Baeriswyl, Jr.
Roscoe L. Barrett, Jr.
Arthur C. Beverly
Herbert J. Blaha
Charles H. Bodley
John C. Boulware
Lawrence J. Bradley
James T. Breckinridge
Sherwood A. Brunnenmeyer
George W. Callen
George G. Chambers, Jr.
Allen B. Clark
Morris D. Cooke
Clifford D. Corn
James M. Cummings
Bertram H. Curwen, Jr.
Clarence G. Dahl
William J. Davis
Edmund G. Derning, Jr.
Jack N. Dillard
James W. Dilon
Earl C. Dresbach, Jr.
Edward W. Dzialo
William W. Eldridge, Jr.
Dean E. Esslinger
William S. Fagan
Alfred F. Garrotto
William F. Gatley, Jr.
James M. Hayes
James S. Hecker
Gilbert R. Hershey
Marvin M. Hewlett
Ralph A. Heywood
Twyman R. Hill
Kurt L. Hoch
Frank X. Hoff
Donald E. Holben
Joseph J. Holicky, Jr.
Louis S. Hollier, Jr.
Glenn R. Hunter
David G. Jones
Edward H. Jones
Douglas T. Kane
John H. Keith, Jr.
James P. Kelly
Walter C. Kelly
William A. Kerr
Charles S. Kirchmann
Frederick M. Kleppsattel, Jr.
Wilson A. Kluckman
Frederic S. Knight
Francis R. Kraince
Robert J. Lahr
James M. Landrigan
John J. Leogue
Dean W. Lindley
Verle E. Ludwig
Joseph W. Malcolm, Jr.
Donald L. May
Gene M. McCain
Alfred F. McCaleb, Jr.
Stewart B. McCarty, Jr.
James McDaniel
Gordon D. McPherson
George A. Merrill
Edward B. Meyer
George F. Meyers
Jack L. Miles
Richard R. Miller
Robert T. Miller
John F. Minichier
John F. Mitchell
Herman L. Mixson
Donald E. Morin
Thomas E. Mulvihill
Arthur A. Nelson, Jr.
Joseph A. Nelson
Noah C. New
Thomas P. Ocallaghan
Fredric O. Olson
Owen L. Owens
Thurman Owens
Robert E. Parrott
William C. Patton
Clifford J. Peabody
Eddie F. Pearcy
Richard F. Peterson
William Plaskett, Jr.
William D. Pomeroy
Albert R. Ptko
Richard H. Rainforth
Walter L. Redmond
Jack L. Reed
James H. Reeder
Robert V. Reese
Carroll D. Rowe, Sr.
John C. Scharfen
George R. Scharnberg
Richard J. Schening
Robert B. Sinclair
Clyde H. Slaton, Jr.
Joris J. Snyder
Walter E. Sparling
Charles R. Stephenson III
Thomas J. Stevens
Richard M. Taylor
William W. Taylor
William G. Timme
Henry A. F. Vonderheyde, Jr.
Charles M. Wallace, Jr.
Marshall A. Webb, Jr.
Raymond J. Weber
Paul Weiler
Wallace Wessel
Charles T. Westcott
William J. White
Royce M. Williams
Robert L. Willis
Howard Wolf
Kermit M. Worley
Robert E. Young
Wilbur K. Zaudtke

The following-named officers of the Marine Corps for permanent appointment to the grade of lieutenant colonel:

Thomas R. Abernathy
Sammy T. Adams
John B. Arquiette
William C. Ashby, Jr.
Robert H. Axton
Frank J. Badamo
Richard A. Bancroft
Warren H. Barker
Willis W. Barton, Jr.
Carl L. Battistone
Don D. Beal
George N. Bell
Kenneth H. Berthoud, Jr.
Anthony L. Blair
Thomas E. Bradley
Richard L Brownell
Philip F. Buran
Larry R. Butler
James D. Calder
James H. Carothers, Jr.
Robert E. Carruthers
Logan Cassedy
Fred E. Clark, Jr.
James E. Clark
James H. Coffin
William A. Cohn
Joseph A. Como
Marcus H. Cook
Wallace M. Couch
Richard G. Courtney
John Cummings
Will C. Cuppy, Jr.
Daniel C. Daly
Darrell C. Danielson
Forest G. Dawson
Clyde S. DeLong, Jr.
William H. Disher
Charles R. Dunbaugh
Billy R. Duncan
Thomas A. Dutton
William E. Farris
Gerit L. Fenenga
Malcolm V. Fites
Daniel J. Ford
Arthur D. Friedman
Raymond S. Fry
Joseph J. Gagliardo, Jr.
Donald J. Garrett
Elmer T. Garrett, Jr.
Gus J. George
John P. Gillen
Harold G. Glasgow
Richard W. Goodale
Michael J. Gott
David E. Gragan
Thomas E. Graney
James C. Gray III
Robert P. Guay
James J. Harp
James B. Harris
Donald L. Harvey
Paul M. Helsher
Walter J. Henderson
Robert J. Henley
Clark G. Henry
Ralph P. Holt
Ivan F. Horne
Carl C. Hossli
Darrell L. Howarth
Robert N. Hutchinson
Milton E. Irons
Herschel L. Johnson, Jr.
Martin D. Julian
James P. Kehoe
David A. Kelly
John F. J. Kelly
Albert W. Keller
Richard H. Kirkpatrick
Robert D. Klein

Charles W. Knapp
Howard M. Koppenhaver
Milton C. Kramer
Arthur W. D. Lavigne
Chester A. Liddle, Jr.
Marvin H. Lugger
Aubrey L. Lumpkin
Herman A. MacDonald, Jr.
Leroy A. Madera
Joseph A. Mallery, Jr.
Bennie H. Mann, Jr.
John W. Mann
Preston P. Marques, Jr.
Warren M. McConnell
James G. McCormick
Richard C. McDonald
James W. Medis
John H. Miller
Lewis L. Mills
Thomas E. Morrow
Donald L. Murphy
Michael J. Needham
Merrill S. Newbill
William J. Nielsen
James K. Orourke
Lowell W. Parish
Richard Perez
Aydlette H. Perry, Jr.
Victor A. Perry
Robert A. Plamondon
Walter S. Pullar, Jr.
Richard E. Rainbolt
Thomas E. Raines
John M. Rapp
J. C. Rappe
Robert W. Rasdal
Percy D. Ratcliff
Arvid W. Realsen
Edmund J. Reagan, Jr.
Edward D. Resnik
Donald N. Rexroad
Otto W. Ritter
Morris G. Robbins
James C. Robinson
Richard T. Roberts
Duncan J. Robertson
Edward J. Rochford, Jr.
Ilow M. Roque
Alfred W. Ruete, Jr.
Harry M. Runkle
James Ryan, Jr.
David F. Seiler
Raymond A. Shaffer
Morris S. Shimanoff
James E. Shuttleworth
Jack A. Simmons
Gerald J. Slack
Robert K. Slack
Daniel B. Smigay
William E. Smilanich, Jr.
Bernard B. Smith, Jr.
Joseph T. Smith
Kenneth L. Smith
Robert E. Solliday
Ralph B. Spencer
John R. Stanley
Merlin V. Statzer
Fred W. St. Clair
Billy F. Stewart
Robert C. Tilly
Joseph H. Thompson
Billy D. Thornbury
William M. Thurber
Edward H. Toms
Kenneth D. Vanek
Frederick N. Vansant
Joe G. Walker, Jr.
Frank R. Warren
Jean P. White
Clair E. Willcox
Lawrence J. Willis
Billy E. Wilson
Willard J. Woodring, Jr.
Dale E. Young
Earnest G. Young
George P. Yourishin

The following-named officers of the Marine Corps for permanent appointment to the grade of major:

John B. Airola
Raymond C. Albro, Jr.
Dwight R. Allen, Jr.
Robert R. Allen
William H. Allen, Jr.
Lewie E. Amick, Jr.
Alton L. Amidon
Thomas W. Amis
Burk Andrews
Thomas P. Angus
Ralph J. Appezzato
Curtis G. Arnold
Roy F. Arnold
Robert R. Babbin
Donald N. Babitz
Vladimir H. Bacik
Gene E. Bailey
Edgar M. Bair
Daryl E. Baker
Owen C. Baker
Weldon D. Barnes
James M. Barnhart
William C. Barnsley
Victor E. Barris
Arthur G. Bartel
Kent C. Bateman
William S. Bates
Ernest F. Baulch
John W. Beach
James D. Beans
Donn C. Beatty
Ronald L. Beckwith
Cornelius F. Behan
William D. Benjamin
Eugene A. Berry
Robert M. Black
Robert C. Blackington, Jr.
James L. Blake
Robert D. Blanton
Daniel J. Blaul
John M. Bloodworth
Richard D. Bloomfield
William H. Bond, Jr.
Robert B. Booher
Jerry D. Boulton
Curtis R. Brabec
James A. Bracken, Jr.
Claude H. Brauer, Jr.
Richard P. Brenan
Gene E. Brennan
James W. Bridges
Robert C. Bright
Richard L. Bromwell
Howell H. Brooks III
Robert P. Brooks
Edward W. Brown III
Randolph M. Browne III
Robert C. Bruce
Samuel P. Brutcher
John C. Buckley, Jr.
James F. Bugbee
Robert D. Burnette
William A. Burtson
Marion G. Busby
Walter M. Bush
John W. Butler
James R. Campbell
Robert L. Cantrell
Frederick R. Crew, Jr.
Charles L. Carpenter, Jr.
James T. Carroll, Jr.
James E. Cassity
Christopher Catoe
James R. Caton
Donald C. Caulfield
Michael D. Cerreta, Jr.
Robert W. Chambers
Jimmy C. Champlin
John F. Charles
Richard F. Chenault
Ronald P. Cherubini
Walter T. Chwatek
Fred L. Cisewski
Joseph R. Civelli
Darcy L. Clasen
James S. Coale
Robert C. Cockell
David D. Colcombe
Paul M. Cole
Michael E. Collins
Walter N. Collison, Jr.
Donald B. Conaty
Edward A. Condon, Jr.
Charles K. Conley
Richard P. Connolly
Donald G. Cook
Ernest T. Cook, Jr.
Harlan C. Cooper, Jr.
John G. Cooper
Donald O. Coughlin
Logan A. Crouch
George W. Cumpston
James R. Curl
Christopher J. Curran, Jr.
John J. Czerwinski
Martin J. Dahlquist
Robert D. Dasch
Ronald K. Davia
James U. Davidson
Jay M. Davis, Jr.
William G. Davis
Hollis E. Davison
Carmine W. Depietro
Ruel O. Depoali
Larry D. Derryberry
James G. Dixon
John J. Dolan
Tom R. Doman
Robert R. Doran
William B. Draper, Jr.
Ronald S. Drost
Peter T. Duggan
John M. Dye
Jon T. Easley
Ray F. Eastin
Gary E. Elliott
George V. Ellison
Leo R. Elwell, Jr.
John P. English
Richard H. Esau, Jr.
Henry D. Fagerskog
Edward J. Fairbanks
James F. Farber
Gerald D. Fassler
Rudolph F. Faust, Jr.
Roger A. Fetterly
Mervin A. Fiel
Vernon E. Firnstahl
William D. Fitts III
Dennis C. Fitzgerald
Herbert M. Fix
Walter F. Flato
Pasquale J. Florio
William C. Floyd
John F. Flynn
Joseph G. Foti
George R. Frank, Jr.
Lloyd E. Gailey
Robert E. Garcia
Benjamin W. Gardner
George L. Gardner
James I. Gatliff
James R. Gentry
William R. Gentry
Charles G. Gerard
Alan C. Getz
Umberto Giannelli, Jr.
Hal J. Gibson
Richard E. Gleason
Charles D. Goddard
Robert K. Goforth
Thomas A. B. Goldsborough
Robert L. Gondek
Joe L. Goodwin
Gary R. Grant
William J. Griggs, Jr.
Henry O. Grooms
George H. Grossfuss
Gerard G. Guenther
Joseph T. Guggino
Richard A. Gustafson
James T. Hagan III
Richard A. Hageman
Donald D. Hall
William L. Hammack
George L. Hammond
Jack F. Hansston
Gerald E. Harbison
Garry Harlan
Kenneth P. Harrison
Gene B. Harrison
George R. Hart
John G. Hart III
James H. Harte III
Joseph E. Harvin, Jr.
Hans S. Haupt
Thomas W. Haven
Jackye W. Hayes
James E. Hayes
Ronald E. Heald
David Y. Healy
Franklin H. Heins
John A. Hellriegel
Norman E. Henry
Charles E. Hester
Donald L. Hicks
Irvin C. Hill
David R. Hines
Joseph P. Hoar
Richard C. Hoffman
Walter H. Hofheinz
John T. Hopkins, Jr.
William H. Horner, Jr.
Gerald R. Houchin
Anthony C. Huebner
Emmett S. Huff, Jr.
Laurice M. Hughes
Richard D. Hughes
Richard V. Hunt
Harold L. Hunter
Larry T. Ingels
Angelo M. Inglisa
James D. Ingram
William R. Irwin
Joseph L. James
Robert L. James
Peter F. Janss
David E. Jersey
Richard R. Johnson
Sven A. Johnson
William A. Johnson
Ward B. Johnson, Jr.
Gordon R. Johnston
Joe P. Joiner
Duncan H. Jones
Stanley E. Jones
Jim R. Joy
Francis M. Kauffman
John H. Keegan, Jr.
Robert D. Kelley
Leo J. Kelly
Gerald G. Kemp
Kevin P. Keough
Philip J. Kieselbach
William G. Kilbreth
David W. Kinard
James V. Knapp
Howard E. Knight, Jr.
George A. Knudson
Edwin S. Kowalczyk
Donald A. Kozischek
James M. Kruthers
Zane V. Lamascus
John P. Landis
Clyde E. Lane
Robert F. Lang
Guy L. Larkin
Lee T. Lasseter
Emanuel E. Lawbaugh, Jr.
Robert L. Lawrence
Don L. Leach, Jr.
Timothy B. Lecky
Willis D. Ledeboer
Pierre L. Lefevre
John B. Legge
Douglas W. Lemon
William H. Leonard
Paul F. Lessard
John M. Lilla
Jerry D. Lindauer
John A. Linnemann
David R. Mabry
Alan C. Macaulay
William W. Mackey
Howard D. Maines, Jr.
Harrison A. Makeever
Elliot F. Mann
William J. P. Mannix
Charles L. Manwarring
Joseph P. Marada
John O. Marsh
David W. Martell
Robert J. Martin
James D. Mattingly
James U. McCraner
Ronald B. McCrindle
Donald W. McCulley
John W. McCullough
James A. McGinn
John B. McIlhenny
David S. McIntyre
George D. McLaughlin, Jr.
Bernard McMahon
Harold R. McSweeney
James P. McWilliams, Jr.
James M. Mead
Howard W. Meissner
Richard O. Merritt
Donald J. Meskan
Larry K. Michael
Harl J. Miller
Huey P. L. Miller
John G. Miller
Justus K. Miller
Kenneth P. Millice, Jr.
Jack G. Mills
Charles B. Mitchell, Jr.
Edward M. Mockler
Robert J. Modrzejewski
Brian D. Moore
David J. Moore
Royal N. Moore, Jr.
Calvin M. Morris
Donald L. Morris
Fred H. Mount
Daniel E. Mullally, Jr.
William F. Mullen
Carl E. Mundy, Jr.
Gerald P. Murphy
James W. Murray
Ronald L. Murray
Robert G. Neal, Jr.
Harold M. Nelson
Martin T. Nicander
Daniel F. M. Nielsen, Jr.
James M. Nolan
Wayne F. Nordell
Carl R. Noyes
Richard H. Oates
Richard V. O'Brien, Jr.
Francis T. O'Connor
Martin E. O'Connor
Jerry D. Oden
John W. O'Donnell
Nelson M. Olf
Glenn A. Olson
Robert M. Ondrick
Ralph B. Orey
James W. Orr
Eugene L. Osmondson
Richard C. Ossenfort
Robert F. Ott
Robert F. Overmyer
John J. Paganelli
Billy J. Palmer
Luther L. Payton, Jr.
Richard J. Pederson
Raymond F. Perry
William P. Peters
Jerry D. Peterson
Roy C. Peterson
William M. Pettigrew III
Lamar V. Phillips
Robert A. Phillips, Jr.
Earl S. Piper, Jr.
Antonio F. Piracci
Ross S. Plasterer
Ferrell F. Powell, Jr.
John Powers
John B. Pozza
Joseph F. Prochaska
George C. Psaros
Richard S. Pyne
John T. Radich
Donald R. Raiselis
Cornelius H. Ram
David R. Ramzel
Jesse T. Randall
David L. Rathbone
Harold D. Read
Werner F. Rebstock
William P. Redding, Jr.
Joseph E. Revell
Charles A. Reynolds
Angus S. Reynolds, Jr.
Thomas W. Rich, Jr.
Ronald G. Richardson
Paul E. Ridge
David S. Rilling
Benny D. Rinehart
Hermon J. Rivella
Olin J. Robertson
George N. Robillard, Jr.
Larry W. Robinson
William J. Rodenbach
Robert P. Rogers
Geoffrey H. Root
David L. Ross
James W. Ross
Paul E. Roush
Frederick J. Rowland
Joseph D. Ruane
Herbert F. Saeger
Francisco U. Salas
Conrad J. Samuelsen
James W. Sanders
Dicky A. Saye
William J. Scheuren
Robert D. Schreiber
Joseph P. Schultz
Frank Scialdone, Jr.
Richard J. Seed III
Wiley J. Sellers
John P. Senik
Kenneth F. Seymour
Roger L. Shafer
Danny A. Sharr
Phillip E. Shaw
Robert W. Shaw
John M. Shay
William L. Shearer
James L. Shelton
Michael K. Sheridan
William J. Shriner
William D. Shuman
Roger E. Simmons
Clyde C. Simon
Patrick S. Simpson
Robert N. Simpson
Frederick E. Sisley
James L. Skinner
John P. Slater
Jon M. Slocum
Joseph J. Smartz
Gareth W. Smeltzer
Karl S. Smith
William W. Smith
John H. Snyder
John M. Solan
Bobby G. Stanton
James J. St. Clair
Victor D. Steele
Richard W. Stevens
Douglas P. Stewart
Michael R. Stiavelli
Patrick R. Stingley
Burl V. Stonum
Doyle E. Stout
George J. Stremlow
Herbert F. Stroman
Jon A. Stuebe
Louis W. Sullivan
Billy M. Summerlin

Verl D. Sutton	William H. Walters
Robert E. Swartwood, Jr.	Larry N. Ward
	George F. Warren
James R. Sweeney	William C. Warren, Jr.
Merrill A. Sweitzer, Jr.	Mark H. Waterbury III
James S. Tardy	Kenneth D. Waters
Madison L. Taylor	David C. Watkins
Robert L. Thien	John L. Watson
Bernard H. Thomas	Richard J. Webb
Wayne D. Thompson	Charles J. Weir
Daryl W. Thompson	Harry E. Wells
Joseph C. Thorp	George H. Welsh
Russell B. Tiffany	Michael F. Welty
William J. Tirschfield	Charles M. Welzant
John M. Tivnan	Eugene L. Wheeler
Bruce E. Townsend	Lawrence A. Whipple
Russell P. Treadwell	Raymond F. Wiley, Jr.
Charles S. Tubbs	Larry R. Williams
Richard H. Ulm	James C. Wilson
George R. Vanhorn	Charles A. Wimmler
Robert E. Vigal	Robert J. Winglass
John W. Viglione	George P. Wuerch
John S. Vogt	John R. Wuthrich
Edward H. Walsh	Merritt G. Yeager
Gerald E. Walsh	Jack R. Zellich

CONFIRMATIONS

Executive nominations confirmed by the Senate February 24, 1970:

In the Air Force

The following-named officers for appointment in the Regular Air Force, to the grades indicated, under the provisions of chapter 835, title 10, of the United States Code:

To be major general

Maj. Gen. Robert L. Petit [xxx-xx-xxxx] FR (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. William W. Berg, [xxx-xx-xxxx] FR (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Henry B. Kucheman, Jr., [xxx-xx-x...] FR (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. John R. Murphy [xxx-xx-xxxx] FR (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Louis T. Seith [xxx-xx-xxxx] FR (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Sherman F. Martin, [xxx-xx-xxxx] FR (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. William V. McBride, [xxx-xx-x...] R (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Gerald W. Johnson, [xxx-xx-xxxx] R (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Kenneth W. Schultz, [xxx-xx-xxxx] R (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. George J. Eade, [xxx-xx-xxxx] FR (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. William F. Pitts, [xxx-xx-xxxx] FR (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Edward A. McGough III, [xxx-xx-...] R (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Winton W. Marshall, [xxx-xx-xx...] R (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Robert J. Dixon, [xxx-xx-xxxx] FR (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Donavon F. Smith, [xxx-xx-xxxx] R (brigadier general, Regular Air Force), U.S. Air Force.

To be brigadier generals

Brig. Gen. Jones E. Bolt [xxx-xx-xxxx] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Rexford H. Dettre, Jr., [xxx-xx-x...] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Edmund B. Edwards, [xxx-xx-xx...] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Jessup D. Lowe, [xxx-xx-xxxx] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Donald A. Gaylord, [xxx-xx-x...] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. William A. Jack, [xxx-xx-xxxx] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Vernon R. Turner, [xxx-xx-xxxx] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John B. Hudson, [xxx-xx-xxxx] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. George W. McLaughlin, [xxx-xx-x...] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. James O. Frankosky, [xxx-xx-x...] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Wendell L. Bevan, Jr., [xxx-xx-x...] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Roger K. Rhodarmer, [xxx-xx-xx...] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Richard C. Catledge, [xxx-xx-xx...] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. James H. Watkins, [xxx-xx-xxxx] R (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Charles W. Carson, Jr., [xxx-xx-x...] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Jonas L. Blank [xxx-xx-xxxx] FR (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Clare T. Ireland, Jr., [xxx-xx-xxxx] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Clifford W. Hargrove, [xxx-xx-x...] R (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Woodrow A. Abbott, [xxx-xx-xx...] R (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Woodard E. Davis, Jr., [xxx-xx-x...] R (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Jack K. Gamble, [xxx-xx-xxxx] FR (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. James L. Price [xxx-xx-xxxx] FR (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Robert P. Lukeman, [xxx-xx-xxxx] R (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John O. Moench, [xxx-xx-xxxx] FR (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Warren D. Johnson, [xxx-xx-xx...] R (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Paul C. Watson, [xxx-xx-xxxx] FR (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Sanford K. Moats, [xxx-xx-xxxx] R (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Homer K. Hansen, [xxx-xx-xxxx] R (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Charles I. Bennett, Jr., [xxx-xx-x...] R (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. James A. Bailey, [xxx-xx-xxxx] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John W. Roberts, [xxx-xx-xxxx] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Ray M. Cole [xxx-xx-xxxx] FR (colonel, Regular Air Force), U. S. Air Force.

Brig. Gen. Maurice R. Reilly, [xxx-xx-xxxx] R (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Robert E. Hails, [xxx-xx-xxxx] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Geoffrey Cheadle, [xxx-xx-xxxx] R (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Foster L. Smith, [xxx-xx-xxxx] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Charles E. Yeager, [xxx-xx-x...] R (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Alfred L. Esposito, [xxx-xx-xxxx] R (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Donald H. Ross, [xxxx] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. James A. Hill [xxx-xx-xxxx] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Jimmy J. Jumper, [xxx-xx-xxxx] R (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Robert W. Maloy, [xxx-xx-xxxx] R (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Devol Brett [xxx-xx-xxxx] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Robert E. Huyser, [xxx-xx-xxxx] R (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Alton D. Slay [xxx-xx-xxxx] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Fred A. Heimstra, [xxx-xx-xxxx] FR (colonel, Regular Air Force Medical), U.S. Air Force.

The following-named officers for temporary appointment in the U.S. Air Force, under the provisions of chapter 839, title 10, of the United States Code:

To be major general

Brig. Gen. Maurice F. Casey, [xxx-xx-xxxx] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Henry L. Hogan III [xxx-xx-xx...] FR, Regular Air Force.

Brig. Gen. Charles W. Carson, Jr., [xxx-xx-xx...] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Robert A. Patterson, [xxx-xx-xx...] FR, Regular Air Force, Medical.

Brig. Gen. Dudley E. Faver, [xxx-xx-xxxx] FR, Regular Air Force.

Brig. Gen. Richard R. Stewart, [xxx-xx-xxxx] FR, Regular Air Force.

Brig. Gen. Harold C. Teubner, [xxx-xx-xxxx] FR, Regular Air Force.

Brig. Gen. Paul N. Bacalis, [xxx-xx-xxxx] FR, Regular Air Force.

Brig. Gen. David V. Miller, [xxx-xx-xxxx] FR, Regular Air Force.

Brig. Gen. Allison C. Brooks, [xxx-xx-xxxx] FR, Regular Air Force.

Brig. Gen. William S. Chairsell, [xxx-xx-xx...] FR, Regular Air Force.

Brig. Gen. Jones E. Bolt [xxx-xx-xxxx] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Frank M. Madsen, Jr., [xxx-xx-x...] FR, Regular Air Force.

Brig. Gen. William R. MacDonald, [xxx-xx-x...] FR, Regular Air Force.

Brig. Gen. Albert R. Shiely, Jr., [xxx-xx-xx...] FR, Regular Air Force.

Brig. Gen. James M. Keck, [xxx-xx-xxxx] FR, Regular Air Force.

Brig. Gen. Ernest T. Cragg, [xxx-xx-xxxx] FR, Regular Air Force.

Brig. Gen. John R. Kullman, [xxx-xx-xxxx] FR, Regular Air Force.

Brig. Gen. John B. Hudson [xxx-xx-xxxx] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John H. Buckner [xxx-xx-xxxx] FR, Regular Air Force.

Brig. Gen. William E. Bryan, Jr., [xxx-xx-x...] FR, Regular Air Force.

Brig. Gen. Leslie W. Bray, Jr., [xxx-xx-xxxx] FR, Regular Air Force.

Brig. Gen. Earl L. Johnson [xxx-xx-xxxx] FR, Regular Air Force.

Brig. Gen. John B. Kidd [xxx-xx-xxxx] FR, Regular Air Force.

Brig. Gen. Joseph G. Wilson, [xxx-xx-xxxx] FR, Regular Air Force.

Brig. Gen. Rexford H. Dettre, Jr., [xxx-xx-x...] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. George W. McLaughlin, [xxx-xx-...] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Roger K. Rhodarmer, [xxx-xx-x...] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Richard M. Hoban, [redacted] FR, Regular Air Force.

Brig. Gen. John O. Moench, [redacted] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Sanford K. Moats, [redacted] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Robert E. Hails, [redacted] FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John C. Giraudo, [redacted] FR, Regular Air Force.

Brig. Gen. Jimmy J. Jumper, [redacted] FR (colonel, Regular Air Force).

Brig. Gen. Robert W. Maloy, [redacted] FR (colonel, Regular Air Force).

U.S. NAVY

Vice Adm. Lawson P. Ramage, U.S. Navy, for appointment to the grade of vice admiral, when retired, in accordance with the provisions of title 10, United States Code, section 5233.

U.S. MARINE CORPS

Lt. Gen. Herman Nickerson, Jr., U.S. Marine Corps, for appointment to the grade of lieutenant general on the retired list in accordance with the provisions of title 10, United States Code, section 5233, effective from the date of his retirement.

Maj. Gen. Keith B. McCutcheon, U.S. Marine Corps, having been designated, in accordance with the provisions of title 10, United States Code, section 5232, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade of lieutenant general while so serving.

The following U.S. Marine Corps general officers for appointment to the grade of lieutenant general on the retired list, in accordance with the provisions of title 10, United States Code, section 5233, effective from the date of their respective retirements.

Lt. Gen. Henry W. Buse, Jr.

Lt. Gen. Lewis J. Fields.

Lt. Gen. Frank C. Tharin.

The following-named (Naval Reserve Officers Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Beagley, Larry E. Ekle, Thomas L.
Braun, Frank, IV Rickman, Dwight G.

U.S. CIRCUIT JUDGE

Malcolm R. Wilkey, of New York, to be a U.S. circuit judge for the District of Columbia circuit.

U.S. ATTORNEY

Whitney North Seymour, Jr., of New York, to be a U.S. attorney for the southern district of New York for a term of 4 years.

U.S. MARSHAL

John L. Buck, of Pennsylvania, to be U.S. marshal for the middle district of Pennsylvania for the term of 4 years.

U.S. FOREIGN CLAIMS SETTLEMENT COMMISSION

Lyle S. Garlock, of Virginia, to be a member of the Foreign Claims Settlement Commission of the United States for a term of 3 years from October 22, 1969.

HOUSE OF REPRESENTATIVES—*Tuesday, February 24, 1970*

The House met at 12 o'clock noon.

Rev. Andres Taul, Estonian Evangelical Lutheran Church, New York City, N.Y., offered the following prayer:

Almighty God, Holy Spirit, come now and gather together our wandering thoughts. Envelop with Thy power our restless minds.

You know that the world in which we are called to serve is exceedingly complex. It is a world where truth so easily fades into half-truth, where compromise so often is called a just solution, where love is dispensed according to expediency. In this world of conflicting issues, O God, grant us the judgment of a righteous mind.

Let not, our Father, diplomacy blind us to suffering nor complacency lead us to indifference.

Grant us a vision of the day.

When truth shall conquer falsehood.

When justice shall be triumphant.

When all nations, great and small, may live out their own destinies.

Armed with the vision and the power of Thy Spirit let us strive mightily to achieve the same. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

REV. ANDRES TAUL

(Mr. KOCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KOCH. Mr. Speaker, I would like to extend my appreciation to Rev. Andres Taul, a constituent of mine, for coming to this House today and sharing his devotions with us. I know that my colleagues join with me in appreciation for his most eloquent and moving prayer.

Reverend Taul is pastor of the Estonian Evangelical Lutheran Church in New York. He ministers to a community of 10,000 and a congregation of 3,500. His congregants are very fortunate to have such an outstanding pastor.

THURSDAY, A DAY OF PRAYER IN SUMTER COUNTY AND THE CITY OF AMERICUS, GA.

(Mr. BRINKLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRINKLEY. Mr. Speaker, the Book of Proverbs teaches that we should seek wisdom.

Thus, great personal sacrifices have been made to sustain the little red schoolhouse in critical times; trustees come from among the most enlightened and concerned citizens of the area; people will rake and scrape and finance to the hilt in order to move into a neighborhood served by a good school.

The schoolhouse itself is especially dear to the hearts of parents. Here is where their most valued possessions live and learn, grow and make lifelong friends. Neighborhood schools are community centers, recreational centers, places of friendly competition, and sources of local pride.

The crucial concern of Sumter County and the city of Americus for its schools, and their good example in seeking guidance through a day of prayer on Thursday, is a distinct credit to the civic character of one of the Nation's finest areas.

SECRETARY ROMNEY IS WRONG ABOUT RENT CONTROL

(Mr. RYAN asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. RYAN. Mr. Speaker, it is a sad day when a Cabinet member, the Secretary of Housing and Urban Development, chooses to side with New York City's landlord lobby against tenants who are struggling for decent housing. I refer to the recent assault on New York City's rent control law by Secretary Romney. Last Thursday the Secretary said it is "absolutely ridiculous" to expect landlords to properly maintain their buildings while under rent control. This statement, for all its validity, might as well have come from a real estate lobbyist.

Following the news conference at which the Secretary took this position, his press secretary added that Secretary Romney "is not for rent control in any form." Does not the Secretary realize that there are thousands of landlords in New York City who are properly maintaining their buildings while their tenants enjoy the protection of rent control? Does he not realize that local law guarantees a fair return. The law defines a reasonable rate of return as income equal to 6 percent of the building's valuation, or the sales price, plus 2 percent depreciation. Taking into account the fact that the typical landlord has not completed payment, but has a large mortgage, he may be earning 20 percent or more on his actual cash investment.

Any landlord who is not making a fair return may apply to the local rent administrator for rent increases.

Secretary Romney's statement is a disservice to the hundreds of thousands of New York City tenants caught in a market with a near zero vacancy rate. Without rent control New York City would indeed be a city of the rich and the poor and would lose its middle-income groups.

The Secretary has injected the pressures of the Federal Government into a matter of peculiarly local concern. In doing so, he has placed his prestige along with the real estate lobby in the effort to scuttle rent control. His remarks show an insensitivity to urban affairs.

I would hope that the Secretary of Housing and Urban Development hereafter would ascertain all the facts before speaking, and I urge him to recognize the desperate plight of New York City residents.

DEFAMING THE CHARACTER OF A DEAD MAN

(Mr. HECHLER of West Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous material.)

Mr. HECHLER of West Virginia. Mr.