# SENATE—*Thursday, April 9, 1970*

The Senate met at 9:30 o'clock a.m. and was called to order by Hon. JAMES B. ALLEN, a Senator from the State of Alabama.

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

God be in my head
And in my understanding;
God be in my eyes
And in my looking;
God be in my mouth
And in my speaking;
God be in my heart
And in my thinking;
God be at my end
And at my departing. Amen.

—From the Sarum Primer (1538).

## DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will read a communication to the Senate.

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
*Washington, D.C., April 9, 1970.*

*To the Senate:*

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

RICHARD B. RUSSELL,
*President pro tempore.*

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

## THE JOURNAL

Mr. MANSFIELD, Mr. President, I ask unanimous consent to dispense with the reading of the Journal of the proceedings of Wednesday, April 8, 1970.

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

## COMMITTEE MEETINGS DURING SENATE SESSION

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

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

## ORDER FOR ADJOURNMENT TO TOMORROW AT 9 A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns today, it adjourn until 9 o'clock tomorrow morning.

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

## ORDER FOR RECOGNITION OF SENATOR MOSS TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that immediately after the prayer, the Senator from Utah (Mr. Moss) be recognized for not to exceed 30 minutes.

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

## ORDER FOR RECOGNITION OF SENATOR HOLLINGS AND SENATOR McGOVERN TOMORROW

Mr. MANSFIELD. I ask unanimous consent that following the Senator from Utah (Mr. Moss), the Senator from South Carolina (Mr. HOLLINGS) and the Senator from South Dakota (Mr. McGOVERN) be recognized for not to exceed 30 minutes.

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

## ORDER FOR RECOGNITION OF SENATOR CHURCH TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that following those Senators the Senator from Idaho (Mr. CHURCH) be recognized for not to exceed 1 hour.

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

## ORDER FOR THE TRANSACTION OF ROUTINE BUSINESS TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that following the remarks of the Senator from Idaho (Mr. CHURCH), there be a period for the transaction of routine morning business, with a time limitation of 3 minutes on statements.

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

## ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, with the consent of the distinguished Senator from Wyoming (Mr. HANSEN), who is to be recognized now, and without taking any of his time, I would like to proceed for about 5 minutes.

Mr. HANSEN. Mr. President, I am very happy to yield to my distinguished colleague.

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

## DEMOCRATIC POLICY COMMITTEE CONSIDERATION OF SALT NEGOTIATIONS AND POSTAL RATES

Mr. MANSFIELD. Mr. President, on Tuesday the Senate Democratic policy committee met on two matters that I consider of the utmost importance. The first dealt with the pending SALT negotiations and Senate Resolution 211 seeking to propose a freeze mutually, and I stress the word "mutually"—entered into between the Soviet Union and the United States on the deployment and testing of new strategic nuclear weapons systems. The policy committee adopted a resolution informing the President of its backing on Senate Resolution 211. Included as well was the policy committee's full support and the full support of the Democratic leadership of an initiative along these lines taken by the President as the SALT negotiations get underway again next week in Vienna.

Mr. President, may I say that the resolution now before the Senate is a Republican-sponsored resolution and is the handiwork of the distinguished Senator from Kentucky (Mr. COOPER) and the distinguished Senator from Massachusetts (Mr. BROOKE). Such wide bipartisan support on this matter, I feel, is most significant.

I ask unanimous consent that the resolution on this matter adopted by the Senate Democratic policy committee or Tuesday be printed at this point in the RECORD.

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

Whereas, the Strategic Arms Limitation Talks are scheduled to reopen in Vienna later this month after successful preliminary discussions in Helsinki, and

Whereas, both the United States and the Soviet Union presently possess sufficiency in strategic nuclear weaponry according to the evaluation of each of themselves and of each other, and

Whereas, deployment by either country of new weapons systems could upset the present strategic equilibrium and intensify a commitment of resources by both countries to achieve the rough balance or parity that presently exists, and

Whereas, any deployment of new nuclear strategic weapons systems would complicate the SALT negotiations and might affect adversely their productivity;

Be it resolved that, the Senate Democratic Policy Committee urges the adoption of S. Res. 211, proposing a mutual freeze with proper verification on the deployment of new offensive or defensive strategic nuclear weapons systems, and

Be it further resolved, that the Senate Democratic Policy Committee will support the President of the United States in an initiative by the Government proposing such a mutual freeze at Vienna later this month.

Mr. MANSFIELD. On another matter, the policy committee considered the administration's recommended increase in postal rates including the suggestion that first-class mail charges be raised from 6 to 10 cents.

On that score, I would say it is doubtful that even a 1-cent increase of the cost of mailing a first-class letter is justified. Certainly, a proposal for a 4-cent boost is by every criteria unjustified.

To advocate that first-class mail rates be jumped by 67 percent is out of this world. To advocate that the third-class rates for bulk mail go up only 5 percent is unrealistic. The figures should be reversed and the burden placed on the junk mailers and not on the first-class mail users.

So for these and other reasons, the President's proposal has been unanimously opposed by the Senate Democratic policy committee, and it would be my personal anticipation that it would be unanimously opposed by the full Senate Democratic membership until there has been an equitable adjustment of postal rates; until businesses that use

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the mail for profit at privileged and unnecessarily favored rates are made to pay a more realistic share of the burden.

I ask unanimous consent that the resolution on postal rate increases adopted unanimously on Tuesday by the Democratic policy committee be printed at this point in the RECORD.

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

Whereas, the Majority Policy Committee having met and considered the matter of proposed postal increases, and

Whereas, considering that First Class mailers presently pay a disproportionate share of postal costs, it is hereby

Resolved, that there should be no increase in First Class postal rates until such time as mailers using other than First Class privileges pay their fair share of postal costs.

Mr. MANSFIELD. Mr. President, I thank the distinguished Senator from Wyoming for yielding to me.

The ACTING PRESIDENT pro tempore. Pursuant to the previous order, the Senator from Wyoming (Mr. HANSEN) is recognized for not to exceed 45 minutes.

Mr. GRIFFIN. Mr. President, will the Senator from Wyoming yield to me, without losing any of his time?

Mr. HANSEN. Mr. President, I am happy to yield to the distinguished Senator from Michigan.

Mr. GRIFFIN. Mr. President, I cannot allow the remarks of the distinguished majority leader to stand in the RECORD without some comment, particularly as they refer to the President's proposal to provide adequate revenues to finance the pay increase of postal workers.

In the political season, it is quite common to hear a charge, directed toward the party represented on the other side of the aisle, that they are quick to vote for spending but are not there when it is time to raise the money for the financing.

Nobody likes a 10-cent stamp. The junior Senator from Michigan does not like a 10-cent stamp. I wish we did not have to vote for an increase in the postal rate. On the other hand, if we are going to put pay increases into effect for postal workers and other Government workers—pay increases which are justified, which are needed and which are related to comparability and the cost of living—then we have got to find the money to pay for the pay increases.

Now, I do not know how many first-class letters the average person would write and mail in a year, but assuming that he might write 100 letters a year, we would be talking about an increased cost to him of $4 a year. Those who really will be hit by this proposal will be those who use the mails the most—the businessmen—not the average wage earner. Businesses are the big users of first-class mail. They are the volume mailers. There should be no implication left that big business would be let off easy by the President's proposal—or that the small wage earners would be better off if we were to raise income taxes to pay the cost.

I would not foreclose the possibility that some adjustments could be made so far as the other classes of mail are concerned. Perhaps the first-class rate should be 9 cents and there should be some compensating additional increases in second, third, and other classes of mail. But I am disappointed that the Democratic policy committee, just after the Senate has voted a 6-percent pay increase by almost a unanimous vote, would then flatly oppose the President's proposal to provide the wherewithal to pay for it—and suggest no alternative or counterproposal that would raise an equivalent amount of money.

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

Mr. GRIFFIN. I yield to the distinguished majority leader.

Mr. MANSFIELD. First may I say I am distressed that the acting minority leader has seemed to imply that what the Senator from Montana has just said had political connotations. I wish to assure him and the Senate that nothing was further from my thoughts.

Mr. GRIFFIN. Well, of course, it came from the Democratic policy committee.

Mr. MANSFIELD. Oh, yes.

Mr. GRIFFIN. And I would think I would be justified, perhaps, in assuming that there might be some political connotations. But perhaps not.

Mr. MANSFIELD. No, there were not, I assure the Senator. The policy committee has taken stands on a number of matters without regard to the politics involved, and I would hope that the Senator would take my word on that.

But we were concerned that the only aspect of the postal system operating on a sustained profitmaking basis—first-class mail service—should again be called upon, as it has been in the past, to bear at this time a 67-percent increase. It was our feeling that second-, third-, and fourth-class service, especially that used by junk mailers, should bear a more realistic share than is proposed by the administration. As the Senator has indicated, much originates out of various business concerns, and most of that mail, as far as I am concerned, usually finds its way quickly into the wastebasket. I, for one, have no interest in such mail and I do not like to be deluged with mail in which I do not have an interest or which is not of interest to my State.

The Senator may recall that yesterday the Senator from Montana did vote alternatively for selective pay increases, because he was aware of the cost of the bill presented by the Post Office and Civil Service Committee to the American people.

The Senator from Michigan has raised the question of alternatives. We do have alternatives in mind. For example, I would remind the Senator that Congress as an alternative last year reduced the President's budget requests by more than $6 billion. It even cut the budget for the next fiscal year by another $1.3 billion.

Along this line, I would point out that the President himself was responsible for about a $3 billion cut in expenditures, for which I commend him.

This indicates that we can work together; the President can cut expenditures further, we can continue to cut appropriations—at least as much this year as last. I think there is fat to be found in various agencies, in the Defense Department for instance and in NASA; their budget can be trimmed, and bloated budgets will be found elsewhere.

Then there is the matter of farm subsidies. I think on this question that something ought to be done about placing a limitation on them, and in that way find some of the funds necessary to make up the costs of the pay increases which the Senate agreed to on yesterday.

So we hope we are being constructive. I know the Senator himself is certainly not in favor of a 67-percent increase in the first-class postage rate—a jump from 6 to 10 cents. I do not know of any Senator who would be in favor of such a proposal. But there are other instruments, other means and manners. The burden can be placed on the junk mail users. Congress and the President working together can affect cuts in expenditures and appropriations in the areas I have mentioned, and in other areas as well.

This problem, I think, is not a Democratic nor a Republican problem, but a problem for all of us to face up to. We must devote our efforts to finding ways and means to cope with the problem and to compensate for such matters as the pay increases which were granted yesterday. In its wisdom the Senate decided to agree to the pay proposal and regardless of how we personally feel on the specifics of a given issue such as this, we must approach it realistically.

Mr. GRIFFIN. I thank the distinguished majority leader for his comment. I know he realizes that my remarks are not directed at him personally.

However, I feel that I should make it clear in the RECORD, as it has been made clear in the RECORD many times before, that as far as the argument about the so-called cuts of this Congress below the budget figures in the last fiscal year is concerned, that argument has been made over and over again and has been answered over and over again. I believe it is pretty well established that this Government faces a serious fiscal problem.

Mr. MANSFIELD. Will the Senator yield at that point?

Mr. GRIFFIN. Every indication is that with respect to the appropriation and authorization bills coming along now, the Congress is adding more and more millions on top of the budget requests of the President. Any expectation that the pay raise will be financed by reductions in appropriations is, I think, wishful thinking. That is the opinion of the junior Senator from Michigan.

The President has proposed, and I believe the Nation desperately wants, postal reform—establishment of a separate corporation to run the Post Office Department. I hope that such legislation will pass; and I believe it is very important that such a new postal corporation, when it does come into existence, be able to have not only the wherewithal to pay adequate salaries, but also that it be able to acquire the kind of modern equipment needed to bring the Post Office Department up to date.

The 6-cent postage rate that we now enjoy in this country is very low in terms of the postal rates in effect in most other

nations of the world. An increase in our postal rate is justified even if it is unpopular and a bit painful. I have said before, it may be that some further adjustment in the second- and third-class mail and junk mail, so-called, would be in order. But it would be a mistake to assume or contend that the necessary financing can be raised that way. The money in the postal business is in the first-class mail.

Mr. MANSFIELD. Will the Senator yield?

Mr. GRIFFIN. I yield.

Mr. MANSFIELD. Of course, you know, there is such a thing as milking the cow too dry; and there is also such a thing as bemoaning the fact that the figures furnished by the distinguished Senator from Louisiana (Mr. ELLENDER), in whom I have the greatest confidence, which were published in the RECORD, showed without fear of contradiction that this Congress—we ourselves—were responsible for a reduction in appropriations in excess of $6 billion. Instead of bemoaning that fact, I think we ought to be proud of it. After all, as the Congress, we did face up to our responsibilities. I hope we do the same this year.

There are areas in the Government in which expenditures can be cut. There are areas in which the administration and Congress, working in tandem, can bring about reductions. The means, in my opinion, can be found; and one of the best ways to start would be to bring this war in Vietnam to a close. The war in Vietnam, which now encompasses Laos, which may spill over into Cambodia, which costs this Government a tremendous amount of money—is another area in which sharp reductions can be made.

But I would hope that the Senator from Michigan would not be one of those who believes in eating his own air, and would seek to discredit the fact that, as the RECORD will indicate, reductions by Congress last year amounted to $6,370,935,390. We ought to get up on our hind feet, Democrats and Republicans, and brag about it, because we did do it. The figures speak for themselves.

As far as the postal reform bill is concerned, we have had nothing, really, before the Senate. I do not think it has even been considered by the Senate Post Office and Civil Service Committee. I believe it has in the House of Representatives.

Anything the President requests, of course, will be given the most serious and immediate consideration. But we cannot cross that bridge until we approach the water, and we will just have to wait and see. Any Presidential request, I assure the acting minority leader, will be given the most serious and immediate consideration. But we ought not to bemoan the fact of what we did, and I for one am never going to demean the Senate by saying that we did less than we actually did, as the records will prove. And if there is one man in this body who, more than any other, deserves credit for that accomplishment, it is the present Acting President pro tempore, the Sentaor from Alabama (Mr. ALLEN), who probably worked harder last year than anyone else to bring about that result.

Mr. GRIFFIN. Mr. President, the majority leader says the figures will speak for themselves. Will he furnish them for the RECORD?

Mr. MANSFIELD. Yes. I ask unanimous consent to have printed in the RECORD the chart to which I have referred, so that what I have been saying will be made clear.

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

ACTIONS ON BUDGET ESTIMATES OF NEW BUDGET (OBLIGATIONAL) AUTHORTY IN APPROPRIATION BILLS, 91ST CONG., 1ST SESS. AND 91ST CONG., 2D SESS., AS TO LABOR-HEW APPROPRIATION BILL, H.R. 15931, AND FOREIGN AID APPROPRIATION BILL, H.R. 15149 AS OF MAR. 5, 1970

[Does not include any "back-door" type budget authority; or any permanent (Federal or trust) authority, under earlier or "permanent law,[1] without further or annual action by the Congress.]

| Bill and fiscal year | Budget requests considered by House | Approved by House | Budget requests considered by Senate | Approved by Senate | Public Law | (+) or (−), Public Law amounts compared with budget requests to Senate |
|---|---|---|---|---|---|---|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
| Bills for fiscal 1970: | | | | | | |
| 1. Treasury-Post Office (H.R. 11582) (net of estimated postal revenues appropriated) | $2,314,714,000 | $2,272,332,000 | $2,314,714,000 | $2,280,195,000 | $2,276,232,000 | −$38,482,000 |
| Memorandums: Total, including authorizations out of postal funds | (8,821,727,000) | (8,779,345,000) | (8,821,727,000) | (8,787,208,000) | (8,783,245,000) | (−38,482,000) |
| 2. Agriculture (H.R. 11612) | 6,967,562,050 | 6,806,655,000 | 7,237,562,050 | 7,642,797,650 | 7,488,903,150 | +251,341,100 |
| 3. Independent offices-HUD (H.R. 12307) (including 1971 advance) | 15,380,413,600 | 14,909,089,000 | 15,512,969,600 | [3] 14,985,449,000 | 15,111,870,500 | −401,099,100 |
| Fiscal year 1970 amounts only | (15,205,413,600) | (14,734,089,000) | (15,337,969,600) | [2] (14,985,449,000) | (15,111,870,500) | (−226,099,100) |
| 4. Interior (H.R. 12781) | 1,390,096,500 | 1,374,286,700 | 1,390,856,500 | 1,382,766,900 | 1,380,375,300 | −10,481,200 |
| 5. State, Justice, Commerce, and Judiciary (H.R. 12964) | 2,475,704,600 | 2,335,634,200 | 2,475,704,600 | 2,382,354,700 | 2,354,432,700 | −121,271,900 |
| 6. Labor-HEW (H.R. 13111 vetoed by the President, Jan. 26, 1970) | (16,495,237,700) | (17,573,602,700) | (19,834,125,700) | (21,363,391,700) | (19,747,153,200) | [3](−86,972,500) |
| Fiscal year 1970 amounts only | (16,495,237,700) | (17,573,602,700) | (18,608,125,700) | (20,245,811,700) | (19,747,153,200) | [3](+1,139,027,500) |
| 7. Labor-HEW (H.R. 15931 signed by President March 5, 1970) | 18,608,125,700 | 19,181,920,200 | 19,834,125,700 | 19,381,920,200 | 19,381,920,200 | [4]−452,205,500 |
| Senator Cotton amendment Sec. 410; 2 percent reduction | | | | −346,776,624 | −346,776,624 | −346,776,624 |
| Fiscal year 1970 amounts only | (18,608,125,700) | (19,381,920,200) | (18,608,125,700) | (19,381,920,200) | (19,381,920,200) | (+773,794,500) |
| 8. Legislative (H.R. 13763) | 311,374,273 | 284,524,057 | 372,152,949 | 342,310,817 | 344,326,817 | −27,826,132 |
| 9. Public works (and AEC) (H.R. 14159) | 4,203,978,000 | 4,505,446,500 | 4,203,978,000 | 4,993,428,500 | 4,756,007,500 | +552,029,500 |
| 10. Military construction (H.R. 14751) | 1,917,300,000 | 1,450,559,000 | 1,917,300,000 | 1,603,446,000 | 1,560,456,000 | −356,844,000 |
| 11. Transportation (H.R. 14794) (including 1971 advances) | 2,090,473,630 | 2,095,019,630 | 2,090,473,630 | 2,147,152,630 | 2,143,738,630 | +53,265,000 |
| Fiscal year 1970 amounts only | (1,840,473,630) | (1,875,019,630) | (1,840,473,630) | (1,947,153,630) | (1,929,738,630) | (+89,265,000) |
| 12. District of Columbia (H.R. 14916) (Federal funds) | 228,842,000 | 188,691,000 | 228,842,000 | 173,547,000 | 168,510,000 | −60,332,000 |
| District of Columbia funds | (751,575,300) | (683,106,300) | (752,944,300) | (657,064,600) | (650,249,600) | (−102,694,700) |
| 13. Defense (H.R. 15090) | 75,278,200,000 | 69,960,048,000 | 75,278,200,000 | 69,322,656,000 | 69,640,568,000 | −5,637,632,000 |
| 14. Foreign assistance (H.R. 15149) | 3,679,564,000 | 2,608,020,000 | 3,679,564,000 | 2,718,785,000 | 2,504,260,000 | −1,175,304,000 |
| 15. Supplemental (H.R. 15209) | 298,547,261 | 244,225,933 | 314,597,852 | 296,877,318 | 278,281,318 | −36,316,534 |
| Total, these bills— | | | | | | |
| As to fiscal 1970 | 134,719,895,614 | 128,021,451,220 | 135,200,040,881 | [5] 129,106,910,091 | [5] 128,829,105,491 | [5] −6,370,935,390 |
| As to fiscal 1971 | 425,000,000 | 395,000,000 | 1,651,000,000 | 200,200,000 | 214,000,000 | −1,437,000,000 |
| Total, 1970 bills including 1971 amounts | 135,144,895,614 | 128,416,451,220 | 136,851,040,881 | [5] 129,306,910,091 | [5] 129,043,105,491 | [5] −7,807,935,390 |
| Bills for fiscal 1969: | | | | | | |
| 1. Unemployment compensation (H.J. Res. 414) | 36,000,000 | 36,000,000 | 36,000,000 | 36,000,000 | 36,000,000 | |
| 2. Commodity Credit Corporation (H.J. Res. 584) | [6] 1,000,000,000 | [6] 1,000,000,000 | [6] 1,000,000,000 | [6] 1,000,000,000 | [6] 1,000,000,000 | |
| 3. 2d supplemental (H.R. 11400) | 4,364,006,956 | 3,783,212,766 | 4,814,305,334 | 4,459,669,644 | 4,352,357,644 | −461,947,690 |
| Release of reserves (under Public Law 90-364) | (82,463,000) | (82,766,000) | (79,999,000) | (80,230,000) | (80,230,000) | (+231,000) |
| Total, 1969 bills | 5,400,006,956 | 4,819,212,766 | 5,850,305,334 | 5,495,669,644 | 5,388,357,644 | −461,947,690 |
| Cumulative totals | 140,544,902,570 | 133,235,663,986 | 142,701,346,215 | [5] 134,802,579,735 | [5] 134,431,463,135 | [5] −8,269,883,080 |

[1] In round amounts, the revised (April) budget for fiscal 1970 tentatively estimated total new budget (obligational) authority for 1970 at $219,600,000,000 gross ($205,900,000,000 net of certain offsets made for budget summary purposes only), of which about $80,700,000,000 would become available, through so-called permanent authorizations, without further action by Congress, and about $138,900,000,000 would require "current" action by Congress (mostly in the appropriation bills). Also, the April Review of the budget contemplates budget requests for advance fiscal 1971 funding in 4 items totaling $1,661,000,000.

[2] Reflects reduction of $175,000,000 for Appalachian highway program for 1970 and $175,000,000 for advance funding for 1971. Authorization Act provided for contract authority in lieu of new obligational authority, with payments for liquidation to be appropriated later.

[3] Although a reduction in the budget estimate of $86,972,500 is reflected in the total column of the bill, it must be made clear that the budget estimate column to the Senate includes $1,226,000,000 advance funding for ESEA for 1971 whereas none of these funds were included in the conference agreement. Deducting the $1,226,000,000, from the budget estimate column gives a comparison for fiscal year 1970 only and reflects the conference agreement over the budget estimates in the amount of $1,139,027,500.

[4] The budget estimate column to the Senate includes $1,226,000,000 advance funding for fiscal year 1971 for ESEA denied by the Congress.

[5] Includes reduction of $346,776,624 in the Cotton amendment, sec. 410 of Labor-HEW appropriation bill, H.R. 15931.

[6] Shifted from fiscal 1970 budget, a portion of which is technically classified in the budget as "liquidation of contract authorization" rather than as new budget (obligational) authority.

Mr. GRIFFIN. Obviously, the administration can spend no more money than Congress appropriates, and, indeed, if anything, it is spending less.

Mr. MANSFIELD. That is true. And I am happy that the Congress appropriated so much less than the administration requested.

Mr. GRIFFIN. The Congress is doing such a good job that the Federal Government is going more and more into debt every day. As the distinguished Senator from Delaware (Mr. WILLIAMS) continues to point out, we are doing so well that very soon it will be necessary again to increase the ceiling on the national debt. Obviously, we are not doing a good enough job.

Mr. MANSFIELD. I would agree with the Senator. He has stated a fact. We have to live with it and try to do something about it. I hope that together we will at least be able to alleviate the situation which confronts us, as the Senator has so cogently pointed out. I am confident—as I have said—that the Congress can again effectively reduce the appropriations requested by the administration and again do its utmost in the battle to stabilize this economy.

Mr. HANSEN. I should like to add one word to the colloquy that has just taken place.

Let me say that I joined with the distinguished majority leader yesterday in voting for several amendments that were proposed before a motion on final action came up before this body. I did that not because it was my conviction that those other civil service and Government employees were not eminently entitled to a pay raise, but, rather, it came about because of my strong conviction that we do face a financial crisis in this country. I believe that on March 23 we were within $396 million of having approached the legal limit of $377 billion that this country can go into debt. How anomalous it is that we have had balanced budgets, and we keep having to increase the national debt and we keep having to borrow money to finance a balanced budget.

It is a bunch of hokum, and it came about because of the unified budget that was put into effect in 1968. It is a farce. It is a travesty. There is nothing accurate about it. It simply tries to juggle figures to make things appear better than they really are. That problem must be met head on, even though the raises in salaries of many of our public servants are justified. Even so, the wage increases of these other employees ought not be encased in the postal reform situation which is now before us.

I joined with the distinguished majority leader yesterday several times in voting for amendments which would have lessened the burden we were putting on the Treasury by the action we finally took.

The trouble with the 10-cent stamp proposal and the trouble with the other rather hastily put together proposals that were made in order to finance this added drain on our national budget is that those proposals do not reflect the considered judgment they deserve. I say that because I firmly believe that postal reform is long overdue.

I introduced the bill that was recommended by the Kappel commission in 1968. No Democrat wanted to introduce the President's proposal. I introduced it because I thought it made sense, and I still think it makes sense.

I think it is too bad that too many people in Congress would rather keep in their grasp the influence—the inordinate influence—they presently exercise over civil service and postal employees; and, as a consequence, they do not want to take the step that most people agree should be taken and must indeed be taken if we are going to make order out of the chaos which presently reflects the situation in our Post Office Department.

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

Mr. HANSEN. I yield.

Mr. MANSFIELD. I think I should state for the RECORD that, while serving in the House and the Senate, on at least five different occasions I introduced proposals which would take away from Congress the right of appointment of postmasters, because I felt that a more meritorious system of promotions based truly on merit should be put into effect. We never got anywhere with them.

Mr. HANSEN. We probably will not this time. But I do think it ought not to go unstated that the need still exists.

It is too bad that some 84 percent of the postal employees retire after a long period of Government service in the same grade they began. What incentives does that sort of system offer any public servant? I think it is terrible. I think it is time it was done away with. I hope Congress will face up to the responsibility that is now before it and see that we change the system so as to give the inducement and the encouragement that is necessary in order to command top performance.

I yield to the Senator from Idaho.

Mr. CHURCH. I thank the Senator.

## SPEAKING FRANKLY AND WISELY

Mr. CHURCH. Mr. President, occasionally, in the endless world of words, there occurs a speech that makes us marvel at the skill of a gifted individual in shaping the English language to convey meaning with all its desired shadings, with grace and sensitivity. I listened to just such an eloquent address by Canadian Senator M. Grattan O'Leary when he spoke during the 13th meeting of the Canada-United States Interparliamentary Group that met in mid-March in this country.

In a spirit of concerned, but candid comradeship, Senator O'Leary conveyed some truths about Canada and the United States and their friendship with each other. Quite properly, he insisted that his Canada had a right to her separate identity because, although our "neighbor to the North," Canada is not a mutant of the United States, Canada is determined to fashion her own future, and to solve her own problems, as Senator O'Leary phrased it, "in the indispensable way of a sovereign society. A bit of this continent, from earth to sky, we want to call it our very own."

Senator O'Leary made his remarks in Houston, which is supported economically by the sinews of our space technology and the petroleum industry. But he reminded us that it is not our space effort or our industrial prowess that will make for us our mark in history. Rather it will be the status and priority we assign to the "quality of human life. This," he said, "is the example we must show to Afica, to Asia, to all the emerging nations."

Finally, and appropriately, Senator O'Leary noted that the United States, at a pinnacle of power, has "an awesome accountability to history." And in meeting this accountability, the United States, he insisted, must find a moral equivalent for war and must not mistake peace as a "pause to identify the next enemy."

I ask unanimous consent that the full text of Senator O'Leary's impressive remarks, delivered extemporaneously in Houston, be printed in the RECORD.

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

PARTIAL TEXT OF AN ADDRESS BY SENATOR M. GRATTAN O'LEARY

Friendships must be kept in repair. This is the true, compelling reason for the meetings of this group.

We can't take each other for granted. Before leaving Canada I read the message which your President sent to the Congress on the state of the nation and your relations with the rest of the world. It was an eloquent, moving statement, but, for us in Canada it had one disturbing omission. President Nixon dealt with Europe, with Africa, with Asia, with the Near East and Far East, and with the member nations of this Hemisphere, with what he called "the republics of this Hemisphere", but there was no mention of Canada. Our trade with you is greater than your trade with all the republics of this hemisphere put together, but Canada was forgotten. I am not suggesting that President Nixon meant to slight us. I suspect it was just your good, kind way of taking us for granted. And that, fellow North Americans, is a mistake.

I shall return to this later, but first may I say a word about what I saw here today.

Many years ago, Matthew Arnold wrote some memorable lines about—"Standing between two worlds, one dead, the other struggling to be born".

And what we saw here today were you, the American people, standing at the cradle of that new world struggling to be born—turning a new leaf of history. Yours is the energy, the courage, the enterprise, to launch the world on a new voyage through history. Where that voyage will end, we cannot know. Only can we know that your sending men to the moon, this is an age when old moorings are drifting, will have its impact on the world's thought, on its philosophies, on its old fighting faiths and beliefs, that more than ever, in the hard and stony places of the human spirit, men will be challenged to maintain the old truths that have been our stay in the past. I was struck today, as Mr. David Lewis was struck, by the wonderful Astrodome you have built here. But my friends, my good American friends, this is not the highest achievement of a nation. All your technical progress, all the grandeur of your material gain, cannot be despised, but material triumph is not enough. There remains the quality of human life—the truth that the greatness of a nation must be weighed in scales more delicate than the balance of trade. The truth that the know-why is a greater thing than the know-how—the understanding that there is no sense in pasting wings on man unless you can give him a winged nature.

We may send men to the moon, we may do other things of high achievement, but nothing can take the place of the quality of human life. This is the example we must show to Africa, to Asia, to all the emerging nations.

And now I want to say something about Canada, about our relations with your own great land. The people of Canada, like the people of the United States, are basically North Americans, inheritors of the thought and traditions of Europe, but also the children of geography, products of the environments, the emotions, the driving forces, the faith, the dreams and the forms of expression of the North American continent. Yet there is a difference—a difference I plead with you to not forget. For while Canada and the United States may have the same basic cultures, they each at the same time have domestic and other tasks and problems—political, social and economic—which differ widely. Canada's particular responsibilities, her government, her constitutional structure, her ideals and aspirations, her memories and milestones, even her discords, are facts in her existence which cannot be approached understandingly or usefully by another country, even though that country be as friendly as yours. Only Canadians can know and resolve such things, and we are determined to resolve them in our own way, in the indispensable way of a sovereign society. A bit of this continent, from earth to sky, we want to call our very own.

Wanting that, resolved to have it, we need not be enemies, but will pray always that as God has made us neighbors, justice must make us friends.

Measured by human history, yours is a young country. Yet standing at the cockcrow and the morning star, you are at a pinnacle of power, with an awesome accountability to history. If in discharge of that responsibility you seek peace, then we as an ally and friend will walk with you always. For if peace be but a pause to identify the next enemy, if our world be unable to find a moral equivalent for the hydrogen bomb, then despair will have the last word, death's pale flag be again advanced, and this planet will cease to be the abode of men. I end, then with the innovocation Vive Canada, and God bless and save America.

## RECOGNITION WELL DESERVED

Mr. CHURCH. Mr. President, on April 2, columnist Jack Anderson noted that traditionally we have reserved the national honors for those who engage in war, while ignoring those who render their service at home to make our country a better place in which to live, or who serve abroad in the cause of peace.

One of the young men singled out by Mr. Anderson for special attention is a 23-year-old Idaho youth who now spends his days in North Carolina organizing poor black farmworkers into self-help groups.

Steve Brown is a former employee in my Washington office, and, from firsthand experience with this remarkable young man, I can think of no one more deserving of recognition.

As Mr. Anderson stated in his column:

Perhaps our national scale of values needs readjusting. We should declare to our questioning youth, to their troubled parents and to a skeptical world that social service is as worthy as military service. We should show that Americans believe it is just as glorious to sustain life as it is to destroy life.

Mr. President, I commend Mr. Anderson's column to the Senate and ask unanimous consent that it be printed in the RECORD.

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

THEY ALSO SERVE

(By Jack Anderson)

As a nation, we reserve our medals for those who face enemy fire without flinchings. Not all our heroes, however, are made in Vietnam.

Like Steve Brown, a 23-year-old Idaho youth, who now lives near Warsaw, N.C., in the heart of tobacco country. His days are spent organizing destitute black farm laborers into self-help groups. His nights occasionally are interrupted by men in white hoods who call him ugly names and burn crosses.

Or like Tim Lyons, a 25-year-old native of Davis, Calif., who lives in the treacherous slums of Bogotá, Colombia. He is helping to rehabilitate abandoned street urchins, known locally as "gamines."

But neither, apparently, is much appreciated by his country. Steve Brown, Tim Lyons and thousands of volunteers like them work among the impoverished peoples of the world.

They teach children, build homes, plant crops, fight disease. They kill no Vietcong. They swab no decks, pump no bilges, pull no latrine duty. Their service, therefore, is considered inferior.

Perhaps our national scale of values needs readjusting. We should declare to our questing youth, to their troubled parents and to a skeptical world that social service is as worthy as military service. We should show that Americans believe it is just as glorious to sustain life as it is to destroy life.

To dramatize this, some senators have suggested that we should offer our highly motivated young people alternative ways to fulfill their obligations to their country. As long as the draft continues, we should give those who are drafted, at least, more choice of how they want to serve.

Under such a system, a young man would choose between military duty and welfare work. He could serve in the Peace Corps overseas or work in the ghettos at home. He would be entitled to the same honor whether he signed up with the Army or Vista, the Marine Corps or Neighborhood Youth Corps.

## BETTER FOOD FOR THE ELDERLY

Mr. CHURCH. Mr. President, as chairman of the Senate Special Committee on Aging Subcommittee on Consumer Interests of the Elderly, I have become increasingly aware of a question that must be answered every day by millions of elderly consumers.

During a time of rapidly spiraling inflation, how does an older person with a limited income plan for an adequate diet? Rising food costs have begun to affect the large middle class in this country—to an older couple who must make do on less than $3,000 a year—the answer is simply to eat one meal a day—and for too many, that meal consists of tea and toast.

The problem is compounded for the elderly who live alone in urban communities and rural areas.

Due to the congested and often violent nature of life in most large cities, the older individuals who reside there may be afraid to leave their homes. Many become increasingly isolated until they do not go out at all.

Since I am from a predominantly rural State, perhaps the saddest picture to me is of the elderly person who lives alone on his small farm or home: his spouse gone, his children moved away to the city. In such areas, the closest market is often miles away; and indeed, the closest neighbor may be as much as 5 to 10 miles away.

For these people, the problem is not only financial, but social as well—and it is an absolutely critical problem.

Loneliness is a poor dinner companion, and rather than eat alone, many of these older individuals skip meals or "nibble an occassional snack."

The Administration on Aging has been experimenting with a concept which could prove to be a workable solution to this multifaceted problem. A number of research projects have been funded by the administration which combine a daily hot meal with social activity. The 24 projects are located in urban, suburban, and rural communities across the country and many provide additional services, such as transportation, "take-home" meal packages, and nutrition education.

Theodor Schucat, in an article entitled "Better Food for the Elderly," published in the Washington Star on February 3, describes some of the projects.

Nutrition is a serious and growing problem that concerns all of us, and constructive research such as this deserves careful attention. Therefore, I ask unanimous consent that Mr. Schucat's article be printed in the RECORD.

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

BETTER FOOD FOR THE ELDERLY

(By Theodor Schucat)

"Millions of our older people are victims of inadequate nutrition in varying degrees," U.S. Commissioner of Aging John B. Martin admitted to a Senate committee.

"For these millions of older citizens," he continued, "a choice between rent and food often results in the rent being paid and another meal missed."

The White House Conference on Food, Nutrition and Health recommended recently that Uncle Sam provide that missing meal for millions of older people who need it.

Higher Social Security benefits and welfare payments were proposed by the conference as the first line of defense against a hungry old age. With enough money, older people will fare well—provided they know how to eat healthfully and arrange to take many meals with others.

Companionship at mealtime is good nutrition, experts tell us. Pilot programs of the U.S. Administration of Aging, headed by Martin, operate on this principle. In Detroit, for example, potluck dinners and weekend dining clubs for seniors are being tried out.

To tempt more lonely people out of their rooms, where they tend to snack or nibble instead of eating regular meals, the White House Conference recommended more experiments in getting good food into older people.

Special credit cards should be provided with which retirees could buy restaurant and other meals, the conference urged.

Just selecting the right food is a problem for many older people who were young in the days before vitamins and calories were part of growing up. Moreover, many have health problems that restrict their food choices. Taste buds definitely change with age, too.

Such problems are solved on a large scale by Mrs. Jeanette M. Martin, the nutritionist

who plans the meals for some 1,500 Chicagoans who eat regularly at 29 senior centers throughout the city.

Like any housewife, Mrs. Martin must prepare meals that meet the needs as well as the individual tastes of each member of her large family. All the meals she plans must be well-balanced and provide a third of the individuals' daily food requirement.

They must be varied, too, because each of the centers offers luncheons from two to five times a week, and most folks attend regularly. Also, the meals must be budgeted carefully and, of course, they must be tempting and satisfying.

"We look for foods that appeal to most people because only one menu is offered every day, but at the same time try to avoid being dull," Mrs. Martin explains. "I try to plan dishes that many of our diners don't prepare at home, either because they can't be cooked in small portions or because preparation is quite involved."

"Response to the food and to the social opportunities offered by the program is very positive," comments Mrs. Martin. "We listen to pros and cons from diners and try to incorporate changes that appeal to a great many people."

## OAS CHARTER REVISION

Mr. CHURCH. Mr. President, in one of the most important moments in the history of the inter-American system, the Permanent Council of the Organization of American States—OAS—agreed on March 18, 1970, to call the First General Assembly under the amended charter of the OAS. It will take place in the Dominican Republic on June 20.

The charter of the OAS, adapting the loose structure which existed for the last 20 years to the current demands for effective international action for development, was revised in a special conference in Buenos Aires in 1967.

After 3 years, a sufficient number of governments of the American countries have now ratified the revised charter. This will give the Organization an opportunity to demonstrate anew whether it can live up to the expectations that have been placed in it by millions of people in this hemisphere.

The Secretary General of the OAS, Galo Plaza, has expressed his intention to exert effort to revitalize the Secretariat. In a speech to the Council of the Organization, he set forth some of the measures he is proposing to bring new and more effective systems and management to the Secretariat.

Because I believe his recommendations are important, I take this opportunity to share them with the Senate. I ask unanimous consent that Galo Plaza's remarks of December 15, 1969, be printed in the RECORD.

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

THE ORGANIZATION OF AMERICAN STATES: INSTRUMENT FOR HEMISPHERIC DEVELOPMENT, DECEMBER 15, 1969

Eighteen months ago, when I assumed the office of Secretary General of the Organization of American States, I stated before this Council that I believed a sharp turn of the helm was essential for the General Secretariat. Program and procedure had to be reoriented to assure maximum responsiveness to the specific desires of the governments, to apply the most modern and effective systems of operations management, and to redirect activities to provide greater direct services to the Member States, close to the point of action and need . . .

Today I am pleased to present the results of the comprehensive review of all Secretariat programs and activities which I promised. I submit to you not only a view of new directions for the General Secretariat, but a view of new opportunities for the hemisphere; a program not only for introducing new vitality in the world's oldest effort in international cooperation, but for a beginning in converting that institution into one of our hemisphere's more responsive and finely tuned instruments for development.

The OAS has grown rapidly over the last decade. While its traditional role as a vehicle for peace and security has been and is of outstanding importance, the OAS is today also a vital development agency, with increasing responsibilities in the efforts of our hemisphere to achieve economic and social growth.

The annual review of each country's economic and social progress by the Organization's committee, CIAP, plays a central role in defining resource and external assistance needs. Its Regional Programs in Science, Technology and Education are now assuming a major role in spurring the utilization of technology among our nations. It is, today, a major supplier of technical advisory services among regional agencies; it furnishes over one third of all fellowships and scholarships that are provided to Latin America from public and private international sources. It is apparent, in short, that it has a vital role and that its machinery must be a decisive and effective instrument responsive to the needs and will of the Member States.

However, while its responsibilities for development increased, its systems and management remained set in old patterns. I was well aware of the task which confronted me when I assumed this office. I knew the unique opportunity which I had to change those patterns, and the rareness of the moment. I knew that this time we dared not fail.

The task was delicate, and, above all, had to be truly sensitive to the desires of the Member States. For this reason, I began by going to each of the countries of Latin America to meet and talk with the heads of state and other high officials. I learned about their universal desire for the development services to be made more relevant to the needs of our people; for the governments themselves to play a more direct and active role in program implementation; for a stop to the growing financial burden of international efforts without apparent commensurate benefit.

To this end, every mandate and every program has been reviewed; every system and every procedure has been re-examined. The most effective management systems in existence today have been analyzed to determine how their best elements could be applied to our needs. Throughout the entire process, we have constantly been guided by one of the fundamental precepts of effective and efficient service:—avoid dispersal of resources and concentrate effort for meaningful impact. While the needs of our hemisphere are many, the greatest need of all is for quality effort. Proliferation and dispersion of activities must be avoided.

The Program and Budget now being submitted to the Council is the first one developed in its entirety by this administration. It is a unique document of its kind in the management of international organizations. In order to provide the governments with the means to exercise better control of the programs based on full knowledge of intended impact and potential implications, it contains six year projections, set forth in biennia. So that the governments may know precisely what the Secretariat is doing and how it is interpreting their mandates, we have incorporated into the operating system a process of continuing evaluation of performance and results. And for them to have a greater voice in methods used by the Secretariat, we have grouped all expenditures related to specific program goals, regardless of fund source, and we have provided analysis of all expenditures by purpose as well as type of expenditure. The basic principle governing the preparation of this new Program and Budget is full disclosure of all aspects of operations and expenditures.

In sum, the Program and Budget 1970/72 will:

Narrow down the number of programs to be undertaken by the Secretariat to sixteen basic areas, from a previous total of thirty-one. These new programs will be the Secretariat's areas of concentration. This should provide more meaningful qualitative service to the Member States;

Orient each program predominantly to direct services to the governments, with principal emphasis on technical advisory services and training instead of publications and meetings as in former years;

Revamp and reorient the entire system of technical cooperation to place primary responsibility for decisions on implementation in the hands of the governments;

Initiate an internal management system combining long, medium and short term planning so that the governments will know exactly how their money is being used, will see the future implications of today's decisions, and will have the tools to evaluate the results of our performance.

Provide clear criteria for the use of regular quotas and voluntary funds.

Restructure each department to give maximum prominence and flexibility to the programs selected as areas of concentration.

I stated the reasoning behind this approach in my first budget message to this Council last year when I said that "The business of this Organization is service to the Member States. That service is defined, almost universally and on every level, by the type of program and program impact. . . . Our concern is with program; our working tools should drive toward program clarification. Our thinking and our critical inquiry should challenge program assumptions. . . . If we are to speak of effective allocation of resources, this must mean effective allocation to meaningful program ends. The reason is clear; it does us little credit, in service of the people of this hemisphere, to save pennies while we disregard the loss of dollars." . . .

Foremost in my mind was the need to seek unifying purpose among the diffused and varied programs that had evolved as a result of the growth of the OAS in the last decade. This purpose had to be sensitive and responsive to the specific needs and judgments of our Member States. Our specific task, as a development agency, is to help the Member States strengthen local capabilities to reach the point, in any particular field, where sufficient local talent is available to solve local problems without the need of outside assistance. Our function is to supplement local efforts where needed by mobilizing a broad range of international resources—human, technical and financial—to assist in the solution of problems of particular concern.

For this purpose, the OAS has a capability which is unique and still largely underutilized. The potential and scope of the resources which can be mobilized by the newly designed programs are from a wide variety of sources, from the United States, from Europe, from Japan, but most important, from carefully planned exchanges among the countries of Latin America themselves. It is essential for us to appreciate that, view-

ing our hemisphere as a whole, we have the skills and the trained people for development among us. Our task is to disseminate, make more widely available and multiply that knowledge. In that sense, our own technicians, familiar with our customs, understanding our capabilities, aware of our problems, have a much greater ratio of communicability and applicability than do foreign technicians who may know more about their subject but often have difficulty making it relevant and immediately applicable. This kind of intra-hemispheric assistance fostered by the OAS opens many opportunities, especially as we seek new ways to counter the brain drain which affects Latin America. . . .

The decisions we have made to formulate the Program and Budget proposal which we present today to the Council follow several specific criteria.

First, proliferation must end so that professionalization can begin.

Second, the necessary restructuring must take place, according to the repeated instructions of this Council, within existing resource limits.

The third criteria, and one which the governments will wish to consider carefully over the next few months, is that duplication among international agencies—whether they be world, regional or sub-regional—must end. Duplication of programs means duplication of administrative costs. It means duplication of precious talent drawn away from the countries. It means duplication in time demanded of government officials who must meet, confer, and review the work of the agencies. It is not the direct costs of duplicate coverage but the hidden, intangible costs that greatly burden our development efforts.

Because there are priorities for world development does not mean that each agency should attend the same priorities. There is room for rationalization. There is need for rationalization. I have begun by attempting to reduce Secretariat activities in areas which are well covered by other agencies. I will seek over the coming biennium, to further the process as we reach agreement with other organizations. In this way we can assure that the member governments will receive the full complement of services they desire.

Another critical area which required refashioning to make the OAS more responsive to the governments was the entire technical cooperation program. As one of the most important activities of the Secretariat, the first step was to centralize the administration of technical cooperation and place it in position to apply uniform management controls to all technical advisory services and training, regardless of fund source. It was apparent that the major problem impeding progress in this activity was the method of decisionmaking regarding the specific assistance to be sent to the countries. While the General Secretariat has always tried to respond to the requests of the member governments, it always did so by accepting ad hoc, uncoordinated requests from different government agencies, without uniform or clear orientation from the receiving government. In the field of international technical assistance there was little inter-relation and no effort toward systematic programming which would drive toward definition of the full range of technical advisory services and training needs to be satisfied by the total system of international agencies. Understandably, the countries were generally dissatisfied with the results. Most important, because of the dispersed, uncoordinated nature of the programs they hardly understood what benefits they were receiving.

It is time to change this too. In 1970 all technical assistance requests will be coordinated in the countries by a specic agency selected by the government; primary selection of fellowship students and trainees will be done within each country. The intimate knowledge and understanding of the countries themselves of their own needs will be the primary moving force in OAS managed technical assistance, and the assistance will be carefully coordinated with national development efforts and effectively used by the countries. The first national programs have been prepared by the Member States and have already been approved.

The new system has multiple benefits in the managerial sense as we seek to make economies in Secretariat operations. It will not only attune the Secretariat more finely to the needs of the Member States, but it will reduce the size of the staff needed for evaluation of projects and selection of candidates. Substantially increased volume will be handled with only limited changes in personnel. Greater proportional economies will permit releasing of personnel for direct field management and improved systems of technical assistance follow-up and quality control. In addition, a not insignificant benefit will be to open the opportunity for all international agencies to take advantage of the national programs being presented to the OAS. Our intention is to help the countries find any needed assistance through the informal inter-agency meetings that take place at each CIAP country review.

In charting new directions for the Secretariat, it became apparent that the old structures and internal systems would no longer be adequate. Emphasis on direct service and flexibility in execution required complete review of organization. Consequently, we have restructed every department, eliminated a multiplicity of non-operational divisions, and rationalized their management so as to define responsibility and accountability. We have centralized key services to place the full range of Secretariat facilities at the disposition of each major program. We have established stronger field management posts. With these controls, we can move to a greater degree of decentralized operating responsibility allowing each program to develop the most effective strategy to attain its objectives, including the placing of more activities directly in the field.

The above is a summary account of what I have attempted to accomplish to fulfill the pledge I made to you 18 months ago. To carry it out, I am presenting a total program budget of $94,000,000 for the biennium of 1970–72. It represents an average annual increase of 4.2% over the budgetary authorization for last year. * * *

The allocation of resources among different sectors are as follows: 29% are applied to economic and social matters, 35% to education, science and culture, 2% to political-legal matters, 6% to technical cooperation administration and unprogrammed assistance, 11% to management and 17% to common costs, publications, and contributions to other organs.

The budget projections to 1976, arranged in biennia, are a vital element in our effort to economize by conserving manpower, so much of which goes into budget preparations. The figures you have before you are firm for the programs we will undertake during the budget period 1970–72, and indicative for the projections 1973–76.

I cannot close without reviewing briefly the new administrative mechanism of the General Secretariat which I have used to make it possible for me to inform you as I have today on the structural and functional changes made in the institution. The advanced management and planning systems which have been employed put it in the forefront of international organizations and on a par with some of the most forward looking national institutions.

There has been a complete reorganization of every unit in the administrative area, new chiefs man the major services, new systems of finance control have been instituted with computerized financial and accounting programming devised by outside experts. Selection boards have been instituted for personnel appointments. A new Planning and Evaluation Staff directly responsible to me is monitoring the needs of the countries and the performance of our programs. Field mechanisms have been reinforced with a series of five regional offices, which will enable the Secretariat to locate more substantive activities in the Member States while, at the same time, maintaining better control of operations.

In sum, my announced goal of creating a comprehensive system of advance controls is now basically designed. It will enable me to move the Secretariat more rapidly to a modern system of greater decentralized operational responsibility, encouraging creativity and innovation in all program areas.

With this presentation, our task only begins. Our selection of areas of concentration this year, subject to the review and revision by you, has been based on our past experience. I have set forth for you, in each program description, the criteria determining our recommendations. But I have taken care to build into the system the tools to carefully monitor and check these preliminary decisions. Two instruments will be of prime importance. The specific country requests received as part of the national programs in technical cooperation will be our major testing device to determine whether the countries really desire the services we are offering. Second, the system of performance evaluation will examine results in relation to preset criteria. As we move forward over the next biennium we will maintain each program under constant review to prevent solidification of rigid bureaucratic formulas from frustrating the desires and needs of our member governments.

In the last analysis, however, it is the governments who must tell us whether these efforts really meet their needs. For our part, we shall be responsive and, I am sure, held accountable. Unless we learn to build into all our systems capacity for objective review and organized change, our best intentions will be stifled by the inertia of the institutions we establish to implement them.

I am pleased to place this proposal in your hands for decision by the governments. I hope and I trust that you will find, in the systems we are proposing, the mechanism and the instrumentalities by which you can mould this Secretariat into the kind of institution we all need to achieve the promise of the Americas . . . an instrument to help unite our people, pool our talent, resolve our differences, and to forge the tools to bring progress and prosperity to the peoples of our hemisphere.

## ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Chair recognizes the Senator from Wyoming (Mr. HANSEN), for not to exceed 45 minutes.

## PROBLEMS IN THE BEEF-PRODUCING INDUSTRY

Mr. HANSEN. Mr. President, on April 3, 1970, the Associated Press published an article, written by Don Kendall, which referred to a so-called secret report issued by the subcommittee on Special Studies of the House Government Operations Committee. The report purportedly calls for Federal regulation of the cattle-producing industry in order to determine the price to be paid by the consumer, the price to be received by the producer, and

the price to be received by the middlemen, including the packer.

This article has caused quite a stir in areas where the livestock industry has an impact on the local economy, and much concern has been generated with respect to the "secret" activities of this House subcommittee.

A copy of this report cannot be obtained from the subcommittee. My office was told by subcommittee staff members that the report could not be distributed to anyone because it has not yet been approved by the full House Government Operations Committee. I do not know why the subcommittee members are being so protective of this document. But since it apparently is of such a highly sensitive and confidential nature that only the press has been allowed access to it, I can only speculate on what it must mean to the future of mankind.

It is my understanding that the "secret" report which the Government Operations Committee will consider either today or tomorrow makes two basic recommendations:

First. The Meat Import Quota Act of 1964 should be changed so that foreign countries would be allowed to increase imports by an amount equal to the estimated gap between domestic production and consumer demand, with the estimated gap to be determined by a special commission which does not now exist.

Second. The Congress should establish a commission whose function would be to ascertain the adequacy of the meat supply for the American consumer at "reasonable" prices during the next 10 years, giving consideration to costs and profits of different segments of the industry at the producing, slaughtering, processing, and distributing levels.

Generally, the Subcommittee on Special Studies seeks to convey the impression that American consumers are paying excessive prices for their beef, and that the reason for this cost is that there is a "critical shortage" in the availability of beef. The report concludes that the way to reduce the cost to the consumer is to increase the supply by junking the import quota system and allowing greatly increased foreign imports, and to appoint a commission to investigate the supply of beef.

Mr. President, I disagree with the conclusions expressed in this report, and I reject the recommendations as hatched-up remedies to a hatched-up problem. I believe the subcommittee has made an inaccurate assessment of the real life beef industry in the United States, and I would like to point out a few of the facts which were overlooked in the subcommittee's report.

To suggest, as the subcommittee report does, that the consumer is paying an unreasonably high price for food, and in particular for beef, in the context of today's economic situation, today's income situation, and today's agricultural industry, is to display an ignorance of the facts.

Today's housewife spends an average of 16.5 percent of the family's income after taxes on food. This is the lowest percentage in history. Of this 16.5 percent, an average of 15 percent goes for meat products. When one takes a look at the overall situation and considers inflationary trends, the level of income, and the costs of other goods, it becomes obvious that food in America is more of a bargain than ever before in our history.

The subcommittee report attempts to prove that the upswing in beef prices in recent years exceeds the corresponding increase in the Consumer Price Index for the same period. If the writers of this report had been more interested in painting an accurate picture of the beef price situation, they would have pointed out in their report that the increase in beef price since 1958 has been below the amount of the increase in the Consumer Price Index for the comparable period.

In the past 12 years, the retail price of beef has gone up 30.6 percent, while the total of all consumer costs for the same period increased 31.3 percent. Average prices to producers of livestock did not make the journey from the supermarket to the producer, and did not reach the 1959 price level paid by the consumer, until 1968.

It is true that beef prices during the last year and a half have increased. I can not think of a single item, including income for most people, that has not increased dramatically in recent years. There are some reasons for these increases.

The surge in beef prices of a year ago directly reflected a bad winter, which caused increased death losses among herds and slowed down the rate of weight gain.

The major reason, however, for the recent increase in beef prices is that inflation is finally catching up with the cattle industry.

Total farm debt is the highest it has ever been. During the past several years, when producers were not receiving good prices for their product, they found it necessary time after time to borrow each year, using the value of their land as security, in order to stay in business. Skyrocketing interests rates have cut deeply into producer income, compounding problems which can only be met in ensuing years by adequate prices for the products which producers market. An industry cannot live forever on borrowed money.

Inflation, which affects each and every one of us, has meant that the cattle producer has to pay twice as much as he did 20 years ago for most kinds of machinery necessary to his operation. The cost of land, labor, and other products necessary to the operation of a cattle-producing unit, including the cost of transportation from farm to market, have accounted for the increase in beef prices at the ranch or stockyard.

But the major increases in prices have not originated at the ranch or feedlot level. The higher costs reflected at supermarket counters cannot be fully traced back to the man who raises the cow.

Three-fifths of all retail food prices is paid for labor. During the past 10 years, the labor cost per unit of food rose 58 percent. When we look at the total food bill of Americans each year, statistics show that the difference between what consumer pays for retail food and what the farmer receives is $160.6 billion. Labor costs accounted for one-half of this difference.

The report concludes that restrictions on foreign beef imports are not needed to protect the domestic industry because the forecast is that a shortage of beef will develop which will reach "some magnitude" between now and the end of 1975.

In testimony before the subcommittee, Dr. Herrell De Graff of the American Meat Institute testified that population expansion and demand for beef would require a herd of 114 million head in this country in 1975. This compared with 110 million in 1968. This would be an additional 4 million head of cattle.

In 1969, cattlemen added 2.5 million cattle and calves to their herds. As 1970 began, the total inventory stood at 112.3 million. It is estimated that in one State alone—the State of Iowa—cattle production could be doubled, should increases in consumer demand dictate the need for increased numbers. I think the writers of the subcommittee report are misinformed if they do not believe Americans can increase cattle numbers by an amount sufficient to meet demand in 1975.

The Secretary of Agriculture recently issued a statement which indicates that U.S. producers are turning out a sharply increasing volume of beef, at lower cost in relation to consumer hourly earnings, thus fulfilling consumer demand for quality beef. There is nothing to indicate that the industry will not continue to meet demands in the foreseeable future.

If Congress were to adopt the subcommittee's report and carry out its recommendations, all restrictions on foreign beef imports would be lifted. Our cattle industry would be competing directly with countries like New Zealand, Australia, and Ireland. We would be putting our ranchers in the position of competing with countries which pay their farmworkers an average of $20 to $23.50 a week, including room and board. The average farmworker in the United States receives $11.40 per day. If he puts in 5 days of work each week, that means he is earning a minimum of $57 each week. The Australian worker who produces the beef sent to this country does not pay one red cent in taxes to support the Government of the United States. The American producer helps support government at the Federal, State, and local levels, and in States like Wyoming accounts for the lion's share of the revenue in many counties. The Australian worker does not spend his income in the American market on tires, oil, and gas, feed for his cattle, products for his home, and machinery for his operation. The money he makes from the American consumer purchasing Australian beef goes back into the economy of Australia—not America. When we talk about reducing prices to the American consumer by inviting increased imports, we are talking about boosting the economies of foreign nations, while hurting our own economy by depressing our own industries.

Australia shipped 543 million pounds of beef to the United States in 1969. In

order to force exporters to seek markets other than in the United States, the Australian Meat Board instituted a regulation requiring exporters to ship 1 pound of beef to other nations for every pound of beef exported to the United States, even though they could receive far higher prices on the U.S. market.

This means that, instead of the 150 million pounds which the subcommittee would have us believe would be the maximum shipped into the United States with no quota system in effect, the fact is that 500 million pounds would be available from Australia alone, and there would be no reason to continue the requirement of shipments to other nations when Australians could have free access to the higher priced American market.

It is not exaggerating to suggest that an influx of cheaply produced foreign products which would compete on our markets with domestically produced products, would eventually put domestic industries out of business.

When certain members of Congress proposed policies which threaten domestic industries, they had better take a look at exactly what will be wrought.

In 1969, there were 10 million farm employees in America. One can only speculate as to how many additional thousands of jobs depend on the production of crop and beef products. Are the proponents of this report prepared to find jobs for the large number of unemployed who would find themselves without jobs as a result of the hold on our market by foreign nations?

Cattle consume large amounts of corn and other feed grains. As a matter of fact, the domestic beef cattle industry consumes the greatest proportion of all feed grains produced in the United States. Is the subcommittee prepared to pay out additional billions of dollars in farm program payments to control surpluses which would result from decreased consumption by the livestock industry, as a result of increased foreign imports?

Our trade balance—or rather our trade imbalance—must also be considered. The U.S. balance-of-trade deficit created a monetary crisis in 1968, and an increased flow of American dollars to Australia, New Zealand, and other beef-producing countries would certainly aggravate this problem.

The subcommittee members who endorsed the report professed throughout the document a deep concern for the consumer, whom they feel is troubled by excessive costs.

I suggest, Mr. President, that those who endorse the conclusions of the report apparently do not realize that when they make the domestic cattle industry the fall-guy for reducing prices to the housewife, it is not only the producer they are hurting. They are also hurting the housewife and all consumers, because they are depressing a vital force in the national economy, and particularly in the State and local economies of many areas.

Let me cite as an example what would happen to a particular community in my State of Wyoming, where agriculture is second only to natural resources development in the maintenance of the State's economy. The town of Torrington, Wyo., derives 83 percent of its revenues from agriculture. If American housewives start buying Australian beef because it is cheaper, the cowmen in Wyoming will suffer. The wheat and feed grains growers in Wyoming will suffer, because the cowmen will no longer be buying as much feed. The taxpayers will see more Federal dollars spent to handle wheat and feed grains surpluses. The small businesses in Torrington which depend for their existence on sales to agricultural producers of such items as tires, gasoline, oil, farm implements, seed, fertilizer, lumber, automobiles, insurance, and all other items, will suffer from the loss of business. The schools of Goshen County, in which Torrington is located, would suffer from the loss of revenues provided by taxes producers pay on vast land areas. The nonagricultural workers of Torrington would suffer because the businesses which employ them would suffer a loss of revenue and would no longer be in a position to pay labor costs.

Mr. President, I could go on and on citing examples of what would happen if the barriers were removed on foreign imports. It does not take a genius to figure out that the Australians can sell their beef in this country at a cheaper rate than the domestic industry, because they do not pay the costs to produce their product that the domestic producer pays. It stands to reason that the housewife is going to buy the cheaper product if she can, and it also stands to reason that the Australians would orient their entire industry toward producing for the American market if they thought they could ship unlimited quantities of beef across our borders. They practically are producing solely for the United States as it is.

The livestock industry makes a tremendous contribution to the economic and social well-being of this Nation, and the industry is not making an exhorbitant profit on its products. The originators of this report would do well to consider how the United States would replace the losses that would result from the policies they advocate in terms of taxes paid to the Government for all the various Federal programs, in terms of support to State and local economies, and in terms of meeting the very selective demands of the consumers of this country for a price that simply must be viewed as a bargain when all the facts are taken into consideration.

We have observed, in recent months, as campaign time nears, an emerging philosophy that the best way to reduce the cost of goods to the consumer is to force American prices down by inviting an influx of cheaper foreign products. We see this approach in the subcommittee's proposals and we have seen it expressed in connection with the oil import situation. In its face, this philosophy may sound good to the consumer, who is finding the cost of everything to be much higher than it was a few years ago.

Proponents of this approach, playing to the voter, are quick to make a popular demand for cheap imports without explaining the ramifications or the impact on the domestic economy, and without accepting the responsibility for the long-term consequences of such actions.

The cattle industry has managed to remain relatively stable throughout the years because it has remained free of Federal controls and regulations. I cannot think of a quicker way to throw the industry into chaos than to invite the Government to decide what the supply should be and how much the producer should be paid. We have only to look at the present situation with respect to Federal programs for wheat, feed grains, and cotton to know that the Government is the most inefficient farm manager there is.

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

Mr. HANSEN. Mr. President, I am very happy to yield to the distinguished Senator from Nebraska.

Mr. HRUSKA. Mr. President, the thrust of the subcommittee's report is certainly from the area of those who find themselves constrained to speak up on behalf of the consumers. We are all consumers, Mr. President, and I do not think there is anyone who is more concerned about consumers than the Senator from Wyoming or the Senator from Nebraska. But when we get into a matter such as the subject that was covered by the committee report in the other body, there are few principles that we just must recognize.

We must recognize the factor of inflation which has entered the picture. We must recognize that there is a difference between meat prices and cattle prices. The farmers and the ranchers do not sell meat. The farmers and the ranchers sell cattle on the hoof. Those are the first sales and the first purchases by those who process the meat.

Mr. President, I have a chart that I should like to introduce into the RECORD in due time which indicates that last year for the first time since 1952 the price of choice cattle exceeded $30 a hundredweight.

Here are the average prices for cattle, choice steers, in 20 markets during 1950, 1951, and 1952.

In 1950 it was $29.02.

In 1951 it was $35.24.

In 1952 it was $32.44.

Mr. President, from that year until 1969, there was never a year when cattle prices went over $30. Most of the prices were in the middle and low $20 price range.

The Senator has commented on inflation. I give these figures and ask the Senator if he has not come across them in his reading and study of the problem.

The farmer must live and support his family on what he is paid for crops and livestock. During the last 20 years, wages have more than doubled.

In 1950 the average wage rate in manufacturing, according to the Department of Labor, was $1.44 an hour. Today wages are $3.24. Yet, the price of cattle today is lower than it was during the years 1950, 1951, and 1952.

Is that the result of the Senator's study on this subject?

Mr. HANSEN. Mr. President, the Senator from Nebraska is entirely correct. There is no student of the cattle in-

dustry who is more astute or more knowledgeable, in my opinion, than is the Senator from Nebraska. He has often been recognized as the spokesman for the livestock industry. And the facts he is calling to the attention of the Senate are most relevant in the results of the charts, that there is nothing inflationary about the price of cattle.

Mr. HRUSKA. It certainly does not seem to be in the figures. It is distressing because we get letters all the time from consumers and restaurant associations saying that the prices of meat and cattle are at an alltime high. That just is not true. It is not true that cattle are at an alltime high. As a matter of fact, the table to which I refer has material in it to indicate not only the average price of steers in the first purchase, but the wholesale value of carcasses per hundred pounds, the retail value, and it shows there is no parallel between the retail value of that merchandise as compared with the first purchase of cattle for processing because whether it goes up or down in the value of choice steer, that up or down does not coincide with the up or down in the retail meat market.

To give an idea on the subject, in 1950 when cattle were selling for $29, their retail value was $60.28. In 1968, cattle were selling for $26.75, and the retail price was $64.56. There was no correlation between them.

I do not know where the causes are. That is something for the economists to figure out. But the figures in the cattle market necessary for the farmer and the rancher to meet those prices are easy to understand. I am informed that the purchasing power of the 1950 dollar in 1969, was 62 cents. If we consider that cattle are selling in the $30 range, up or down from that, and that is where they were 20 years ago, it means we would have to deduct 38 cents from the dollar he used to get in 1950, and that is what he is getting today because his labor costs more, his gasoline costs more, his tractor costs more, everything he uses costs more, and especially in the area of labor.

Mr. HANSEN. As I understand it, the Senator is saying the cattle rancher today is not nearly as well off, with the decreased value of the dollar today, as he was 20 years ago.

Mr. HRUSKA. That is right. Roughly he takes 40 percent off of every dollar to compare with the same $30 price he got in 1950 because the buying power of the dollar has decreased so much.

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

Mr. HRUSKA. I yield.

Mr. MANSFIELD. Mr. President, I was interested in the remarks made by the distinguished Senator from Nebraska. The Senator will recall that about 6 years ago he and I were responsible for the passage of an import quota for the first time based on beef and lamb frozen products from outside the United States.

What he has said about the decrease in the value of the dollar and the increase in the cost to the cattleman is true. We could spread it far beyond the cattle industry and take in a good deal of the rest of the agriculture economy—feed prices, for example—and find that prices have gone up as far as the consumer is concerned, but as far as the original producer is concerned—and this applies to both the wheat rancher and the cattleman—costs have gone up while prices have remained stable. Only in the last year and a half have cattle prices gone up to a reasonable level. Before that it was touch and go for a good many small producers. Too many people want to make the producers in the cattle industry the villains, just as they want to make the wheat farmers the villains in connection with, for example, the price of bread.

I congratulate the Senator from Nebraska and the Senator from Wyoming for setting the record straight and putting the facts down as they are and telling the story as it is. It is about time we began to do our thing and put in the RECORD the situation which confronts the American cattleman; and get away from the proposals, which I understand are originating in the House and which would make the situation of the cattleman that much more insecure and bring about a migration from the farm economy into our already overly congested areas.

These people have been getting by pretty much on what they have done themselves. They deserve a great deal of credit. The facts brought out by the Senator from Wyoming and the Senator from Nebraska should set the record straight.

The dollar, in the last year or so, has declined again because of inflation. However, costs have not decreased; as a matter of fact, they have increased. I do not know the figures but I imagine punchers today are paid $325 a month in addition to room and board. The same figures would apply to herders in the sheep industry, and herders are hard to come by.

These are added costs and they are an added burden on the sheep and cattle rancher and the wheat rancher. This is a situation which the urban east and the urban west does not fully understand. I think the two Senators have done a real service in laying the facts on the line today.

Mr. HRUSKA. Mr. President, I recall with pleasure the cooperation of the majority leader and other Members of the Senate during 1964 when we passed the import quota bill to which the Senator has referred.

We are importing about 1 billion pounds of beef today.

Mr. MANSFIELD. Over. It is a little over that.

Mr. HRUSKA. It is a little over 1 billion pounds, more or less, but it is not quite at the trigger point in that import quota law.

Demands are being made that that quota be relinquished because the price of meat is so high. When letters are received from the restaurant people, I recall the fact, which is a simple one, that if we consider in 1958 the price of a meal was $1, the price of a meal in December 1969 was $1.50. By that standard, if we had a $30 price on cattle back in 1950—not on meat, but on cattle, which is what the farmer and the rancher sell—we should be getting $45 a hundred for those cattle. We do not have it.

We have the wage earner who in 1950 was getting $1.44 an hour. He does not get $1.44 anymore. The national average is $3.28, more than double. If our beef prices were doubled we should be getting $60 for a hundred pounds of cattle on the hoof.

It does not make any sense to speak in terms of taking an industry like that and say, "Let us take into this country larger amounts of imports so that consumers will have cheaper meat prices." Why can that not be said of textiles, shoes, electronic parts, and a host of other things?

The Representative from Connecticut, I think it was, who headed the hearings on the other side, indicated that he had some concern about these imports because they are imports of industrial goods that come into America that hurt the industry in his State; so he had some sympathy with the idea that we should be a little careful about letting down the bars of other imports into this country.

Mr. COTTON. Mr. President, will the Senator yield to me on that point?

Mr. HRUSKA. I yield.

Mr. COTTON. Mr. President, I agree thoroughly with what the distinguished Senator from Nebraska has said. It does not make a bit of difference whether it is beef, shoes, or textiles, the same principle is involved.

The reason I asked the Senator to yield is that I wish to call attention to the fact, and I am sure the Senator will agree with me, that we have many very sincere and dedicated Members of Congress who are always talking about the consumer. They want to let down the bars and let in all of these products, whether it is manufactured goods, beef, or something else, in the interest of low prices to the consumers.

Although I live in the East, I am not one who represents a highly urbanized constituency. There is one thing that those who do forget: History has shown that as soon as foreign competitors, whether it is in manufactured articles or agricultural products or anything else, have run out of competitors and destroyed to a great extent their American competition, then prices go up. To a large extent those businesses have given up their investments, and there is less capability of production. Every time that happens, history shows that prices have gone up.

So some of our friends who, in complete sincerity, are saying, "I do not want quotas. I do not want any restrictions on imports because I am for the consumer" really, in the long run, are not for the consumer at all, because as soon as we impair our own productiveness for the consumer and have to rely upon imports of any kind, then the prices on those imports go back up and the consumer is in trouble.

Is that not true?

Mr. HRUSKA. That is true. The Senator from New Hampshire speaks well.

I would say this lest there be some misunderstanding or miscalculation

about it. It has not been the position of the beef industry or the cattle industry that imports should be shut off. We have said we will accept a reasonable quantity of imports. I believe it started, in 1964, somewhere in the neighborhood of 700 million pounds. The imports were geared to an increase which had to do with the consumption of beef in this country, so that as the market increased, there would be an increase in imports. Imports are now in excess of 1 billion pounds, not including canned beef and other prepared beef and veal.

The same thing is true in the thinking of the Senator from New Hampshire. If I misspeak him, he will correct me. It is not the position here at all—certainly it is not in the cattle industry—that we should bar all imports. We have to buy if we want to sell, but we should not buy in such quantities that we will destroy an industry in this country. When overalls or shoes or automobiles are involved, the manufacture of those products can be curtailed or stopped for a while. We cannot do that in the cattle industry. By the laws of nature, it takes so many months and years to develop a critter before he is ready for slaughter or the packer.

Mr. President, I ask unanimous consent to insert in the RECORD at this time a table which appears on page 34 of the hearings held by a subcommittee of the Committee on Government Operations of the other body. It is a table prepared by the Department of Agriculture and is self-explanatory. As to the years covered, the table runs from 1949 to 1969, and it has various statistics with reference to the average market price of a Choice steer, the wholesale value of carcass and byproducts, wholesale carcass value, retail value for 100-pound carcass, wholesale to retail spread, and farmer to retail spread.

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

| Year | Choice steer, average price, 20 markets [1] | Wholesale value, carcass and byproducts [2] | Wholesale carcass value, 100 lbs [3] | Retail value meat in 100# carcass [4] | Wholesale to retail spread [5] | Farmer to retail spread 100# [6] |
|---|---|---|---|---|---|---|
| 1949 | 25.56 | 27.65 | 42.81 | 54.75 | 11.94 | 29.19 |
| 1950 | 29.02 | 30.68 | 47.46 | 60.28 | 12.82 | 31.26 |
| 1951 | 35.24 | 37.02 | 56.88 | 70.55 | 13.67 | 35.31 |
| 1952 | 32.44 | 34.52 | 54.68 | 68.67 | 13.99 | 36.23 |
| 1953 | 23.50 | 26.19 | 41.03 | 54.35 | 13.32 | 30.85 |
| 1954 | 23.70 | 26.18 | 41.03 | 53.44 | 12.41 | 29.74 |
| 1955 | 22.84 | 25.36 | 39.91 | 52.17 | 12.26 | 29.33 |
| 1956 | 21.55 | 24.46 | 37.99 | 50.62 | 12.63 | 29.07 |
| 1957 | 23.06 | 25.90 | 40.12 | 53.65 | 13.53 | 30.59 |
| 1958 | 27.19 | 26.76 | 46.04 | 60.98 | 14.94 | 33.79 |
| 1959 | 27.62 | 30.48 | 46.69 | 61.85 | 15.25 | 34.23 |
| 1960 | 25.92 | 28.94 | 44.50 | 59.90 | 15.40 | 33.98 |
| 1961 | 24.55 | 27.51 | 41.92 | 58.57 | 16.65 | 34.02 |
| 1962 | 26.80 | 29.85 | 45.30 | 61.42 | 16.12 | 34.62 |
| 1963 | 23.75 | 27.28 | 41.56 | 59.93 | 18.37 | 36.18 |
| 1964 | 22.48 | 26.44 | 39.82 | 57.48 | 17.66 | 35.00 |
| 1965 | 24.93 | 28.30 | 42.70 | 60.20 | 17.50 | 35.27 |
| 1966 | 25.74 | 29.26 | 43.61 | 62.36 | 18.75 | 36.62 |
| 1967 | 25.35 | 29.20 | 44.24 | 62.24 | 18.00 | 36.89 |
| 1968 | 26.75 | 30.66 | 46.67 | 64.56 | 17.89 | 37.81 |
| July 7, 1969 | 32.75 | 37.38 | 57.13 | 75.26 | 18.07 | 42.51 |

[1] Average of price quotation for choice grade steers at 20 leading public stockyards.
[2] Wholesale value of carcass and byproducts per 100 pounds live weight.
[3] Average of price quotations for choice grade carcasses in New York, Chicago, Los Angeles, San Francisco, and Seattle.
[4] Calculated from average retail prices of major retail cuts of meat in urban areas, published by the Bureau of Labor Statistics. The retail value per 100 pounds carcass weight is 74 percent of the average retail cost of 100 pounds of retail cuts for beef.
[5] The difference between wholesale price and retail value.
[6] The difference between price of steers([1]) and retail value in 100# carcass([4]).

Mr. HRUSKA. Mr. President, last week the Associated Press carried a wire story about a most extraordinary House subcommittee proposed report dealing with the Nation's beef supply. This proposed report contains such alarming and almost unbelievable implications that it seems necessary to hold it up to the light, examine it, and make clear to the public just what some of those implications are, and where they might lead us.

The report referred to came from a curious source to be advising us where and how to get our meat supply. It did not come from a subcommittee of the House Committee on Agriculture, which knows all about the cattle industry, which produces our beef supply. It did not come from the House Ways and Means Committee which has jurisdiction and knowledge on our system of meat import controls. It did not even come from the House Committee on Interstate and Foreign Commerce which traditionally has handled legislation aimed at protecting the consumer.

It did not come from any of these groups which traditionally have expertise and jurisdiction over such a matter. Instead, it came from what is called the Special Studies Subcommittee of the House Committee on Government Operations, which subcommittee is headed by Congressman MONAGAN, of Connecticut. It is difficult to understand what possible claim such a subcommittee could have to jurisdiction over measures relating to our beef supply, or to special knowledge on such a subject.

Perhaps that fact explains the extraordinary and ill-advised suggestions contained in the subcommittee's draft report.

The central concept in the subcommittee's recommendations is that the Government should take the beef industry in hand, pass judgment on its manner of operating, decide on the prices and incomes that ought to be received by each segment of the industry—from the ranch and the feedlot through the packinghouse and wholesaler to the retailer—and then take steps to make sure that consumers are supplied with the meat they require, and "to assure a stable market at reasonable prices."

What a breathtaking concept it is. It is almost as if beef were to be treated as the model for a fully planned and controlled economy. It is true the report does not suggest that the Government should take physical control over the meat as it moves through the channels of trade. However, it does propose governmental intervention into the pricing at every level.

Some of my friends in the livestock industry have spoken of this report as a proposal to treat the beef industry like a public utility. But it goes further than that. Ordinarily in the case of a public utility only the price of the end product is regulated. All else is left to management to determine.

In this proposed Monagan report it is recommended that a Government commission should pass judgment on "the share of the retail price going to each major subdivision of the above three segments of the industry, the costs incurred and the profits realized by each." Then, Government policies, particularly over imports, are to be manipulated to achieve the effects on prices and profits that are desired by the planners.

Mr. President, it is well to face the full implications of such a line of thought before we take the first step along the path that leads to that result. In a moment I shall discuss the beef industry in this country briefly in terms of its record of accomplishments, its own problems and needs, and the present situation.

Before I do, however, let me remind the Senate that if top-to-bottom price manipulation—from the producer to the consumer—can be imposed on the beef industry, it can also be imposed on any other food industry, on the textile and garment industries, on the construction industry and the chemical industry and the fishing industry and every other industry in this country. It is no use taking the first step unless we are willing to follow the path to the very end.

I do not believe the Congress or the country is willing to join the Monagan subcommittee in such a massive assault on the private enterprise system. I sincerely hope that the House Government Operations Committee will take second thoughts before it puts its stamp of approval on such a strange, ill-considered proposal.

Let me now discuss briefly the beef situation and some of the points about the future of our beef supply which seem to trouble the House subcommittee.

I recognize that many consumers have been upset by increases in the price of meat. Parenthetically, let me remind the Senate that the cattleman does not sell meat, he sells cattle. Changes in the retail price of meat are not always necessarily reflected in the price received by the producer or feeder when selling his cattle.

The Monagan subcommittee, having noted recent fluctuations in beef prices, unfortunately leaps to the conclusion that there is some kind of danger of a future shortage of beef in this country. In fact, the wording of its conclusions implies that the Department of Agri-

culture and the American Meat Institute forecast a shortage to occur about 1975.

Now the fact is that the Department of Agriculture has made no such forecast, and neither has the American Meat Institute. An official of the Department of Agriculture stated that he was confident that beef production would be expanded adequately over the next few years, if beef producers received favorable prices. Dr. Herrell DeGraff, president of the American Meat Institute, pointed out that beef production probably would not be increased unless cattle prices were permitted to rise somewhat from the depressed levels of cattle prices experienced during the last few years up until the past year. Mr. DeGraff stated it quite bluntly in saying:

I have to say to consumers that, on a continuing basis, they cannot have both the beef supply they seem to want and the lower level of beef prices they also seem to want.

Mr. DeGraff expressed no doubt, however, about the possibility of securing an expansion of the domestic beef industry at a properly remunerative level of prices, consistent with the increased level of costs of the cattleman.

Statistically, the expansion to be accomplished is not so gigantic as to be frightening. Our population is increasing at the rate of about 1 percent per year. The public appetite for beef is also increasing on a per capita basis, and experience indicates that this increase may be at the rate of not over 2 percent per year. Thus, it is necessary to think in terms of an increase in production on the order of 3 percent per year, or perhaps a trifle less.

Dr. Upchurch, Administrator of the Economic Research Service in the Department of Agriculture, presented the subcommittee with a tabulation showing that a steady increase in the inventory of cattle and calves on farms between 1970 and 1975 from 110 to 118 million head was entirely possible provided beef prices continue to be remunerative, and that this could be accomplished without unduly shortening current supplies. By this tabulation the civilian supply would rise from 110.7 pounds per capita to 117.6 pounds per capita.

Mr. DeGraff presented a tabulation on a slightly different basis which calculated that our cattle inventory could be increased to 114 million head by 1975 and from this inventory, together with imported live animals from Canada and Mexico and beef imports at the same level as at present, there could be provided a beef supply of 120 pounds per capita in 1975.

Both Dr. Upchurch and Mr. DeGraff pointed out that cattle prices would have to be adequately remunerative to producers in order to permit this expansion to be accomplished.

In fact, the domestic industry has accomplished much greater prodigies of expansion than this in the past. By Mr. DeGraff's calculation, for example, beef and veal production would be increased from 21.1 billion pounds in 1970 to 24.8 billion pounds in 1975.

By comparison, during the 10-year period between 1959 and 1969 beef production was increased from 13.5 billion pounds to over 21 billion pounds, a gain of over 50 percent in 10 years or about 5 percent per year. It was a rate of gain far greater than that which must be accomplished to give us the beef we need during the coming 5 years.

In all candor the worst possible prescription for action is that proposed by the Monagan subcommittee that the floodgates of our quota system be opened and prices in our cattle markets be pushed down by a mounting tide of imports. Such a course of action would destroy any hope that the domestic industry will gear itself for expansion.

I am grateful to the Senator from Wyoming for having brought this subject up, because it is about time that the literature started building up to produce the true facts, not the facts that are selectively depended upon for such documentation as the alleged report of the other body, but the true facts and the overall picture.

When the Senator from Wyoming indicates that the cattle industry accounts for the consumption of most of the feed grains in this country, and the raising of feed grains and the raising of cattle are representative of a vast industry which would be seriously impaired and would affect all of the economy, he has done a great service and I am grateful to him for having done so.

Mr. HANSEN. I appreciate the kind words of my distinguished colleague.

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

Mr. HANSEN. I yield to the distinguished majority leader.

Mr. MANSFIELD. I want to join in the remarks of the distinguished Senator from Wyoming relative to the purported report of the House committee, which I read with distress. If anybody wants to investigate prices, then they ought to investigate at the consumer level, not at the production level, because there it is a matter of public record. The questions ought to be asked about what happens when the product reaches from the rancher to the packinghouse to the middleman and eventually to the consumer. That is where the questions ought to be asked, not at the point of origin, where it is already a matter of public knowledge.

Mr. DOLE. Mr. President, I want to join with my colleagues who are concerned with the livestock industry and point out the producer who may be the culprit. The livestock producer receives less for his product now than he did in 1951.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter written to the President on March 10, 1970, signed by 17 Senators, suggesting that meat come into this country only through bills of lading, because, as I understand, the quota system is being circumvented by shipment through third countries, primarily Canada.

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

U.S. SENATE,
*Washington, D.C., March 10, 1970.*

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

MY DEAR MR. PRESIDENT: As you are aware, the evasion of our meat import quota system through the shipment of meat through third countries has become an increasingly serious problem last year and thus far this year.

Under our present regulatory system each of the principal supplying countries has agreed to a quota (under sec. 204 of the Agricultural Adjustment Act of 1956) on the quantity of meat which may be shipped to the United States. However, last year a practice grew up within the trade of shipping meat from Australia and New Zealand to Canada, and then transshipping it across the border into this country. We understand that approximately 18 million pounds of meat entered in that manner. The purpose of this practice, of course, was to gain the profit from selling quantities of meat in this market over and above the established quotas.

It is our further understanding that the practice is still continuing and that about one million pounds of meat has been coming across our borders in this manner per week since the first of the year, over and above the legitimate quotas agreed to by the foreign governments That is a substantial quantity of meat. The effect of these excess shipments is to disrupt our markets and break down the stability of the import quota system.

You have under consideration an executive order which would prohibit the entry of meat except on through bills-of-lading. This proposal would put a stop to an unsavory trade practice whose sole purpose is to evade our quota system; it would do no harm to any legitimate business interest. It has been concurred in by the governments of the foreign countries concerned, under the terms of their sec. 204 agreements with the United States.

We endorse this proposal, and we strongly urge your prompt action in issuing such an executive order.

Yours sincerely,

TED STEVENS, ROMAN HRUSKA, CLIFFORD P. HANSEN, PAUL FANNIN, PETER H. DOMINICK, HENRY BELLMON, JAMES B. PEARSON, JACK MILLER, GORDON ALLOTT, MILTON R. YOUNG, GEORGE L. MURPHY, BOB DOLE, WALLACE F. BENNETT, CARL T. CURTIS, MARLOW W. COOK, NORRIS COTTON, JOHN TOWER.

Mr. DOLE. Also, Mr. President, I ask unanimous consent to have printed in the RECORD at this point an article from the April 1970 Reader's Digest which explains very clearly that if beef prices are high, it is not the fault of the livestock producer.

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

ARE BEEF PRICES OUT OF LINE?

(By O. K. and Marjorie Armstrong)

Last summer a group of women in Levittown, N.Y., launched a movement to boycott the buying of meat. "Meat—especially beef—is too high!" they declared. "Some middleman is making too much profit. Bring down the prices!"

The ladies had a point. Meat prices in the preceding year had gone up an average of 13 percent across the nation, and beef prices 16 percent, while consumer prices in general had risen only 5.8 percent. Although retail beef prices have dropped about four percent since last August's peak, they still remain well above 1965–68 levels.

Why is this? Is someone making an unconscionable profit? Can consumers do something about it?

To find the answers—vital because beef makes up 15 percent of the entire food bill of the average American family—we have just followed the complex course of a piece of beef from farm to housewife. We started out with Bill House in Cedar Vale, Kan. A tall, bronzed man, ranch-born, House is a graduate of the University of Kansas and past president of the American National Cattlemen's Association. He has a herd of Hereford brood cows and bulls and raises some 1200 calves a year on 10,000 acres in southern Kansas and northern Oklahoma.

"Remember, this business of raising beef is absolutely free enterprise," House told us as we bounced from one pasture to another in his pickup truck, unloading great sacks of pelleted feed. "We get not one penny of subsidy from the government, as cotton and wheat and many other farm products do."

There is $2.4 million invested in land, buildings and stock, and House has another $90,000 in ten trucks, seven tractors and many other items of mechanical equipment. Gas, oil and repairs run him $10,000 a year. He spent $30,000 on commercial feed last year, in addition to the costs of raising 29,000 bales of hay and 160 acres of wheat for supplemental feeding. County and school taxes cost him $8000, and the labor of his ranch hands about $18,000 more. All told, it cost House $169 to produce a 650-pound yearling last year. "If the price holds steady until spring of 1970," he said, "I should make an average of $9.50 per head. Considering that about 92 percent of my yearlings live to marketable age, that's about $9000 for the year's work."

The economics of cattle raising is such that when the animals are about two years old, and weigh some 650 pounds, most of the larger ranchers send them to commercial feedlots, to be grown and fattened on grain and feed-concentrates for five or six months until they weigh 1100 pounds and are ready for the packer. So we followed the trail from Bill House's ranch to a feedlot near Arkansas City, Kan., where some 12,000 cattle munched contentedly at a gigantic series of feed pens.

"We spend about $103 per animal to put on about 450 pounds and to get him from the ranch to here and from here to the packer," William Baucus, the feedlot manager, told us. "We are paid about $319 for an 1100-pound animal on the hoof, in which we have about $296 invested. We're lucky to make a profit of five percent on our investment. The public may find it hard to believe, but ranchers and feeders are actually getting less for their cattle today than they did in 1951." (U.S. Department of Agriculture figures confirm this: in 1951, the average paid for the live animal was just over $35 per hundred pounds. Last December it was below $30.)

If not the rancher or feeder, who *is* the culprit?

We followed the beef animals from feedlots to packing plants. They rode in big double-decker trucks, and in the slaughter rooms were floored without pain. They swung along conveyor belts, losing hide, hoofs, entrails, and much of the bone, and soon they were "dressed carcasses" in the cooling room, ready for cutting into pieces for shipment. The 1100-pound animal was now down to 660 pounds, which the packer will wholesale to the retailer for a current price of about 58 cents a pound.

An unconscionable price hike? Not at all. The packer paid about $319 for an 1100-pound animal. At 49 cents a pound, he gets $323.40 for his 660-pound dressed carcass. In addition, he can sell the hide and byproducts for about $25 an animal, which brings him a total of $348.40 per animal. Out of the $29.40 difference he pays for plant investment, maintenance, labor, machinery, etc., which average between $10 and $12. And he must pay for transportation of the carcass to the retailer, which runs about $10. So the packer is lucky to be left with a profit margin of two percent. Here again, USDA figures are instructive: in 1951 the wholesale value of choice dressed beef averaged $57.22 per hundredweight; last December it was $46.

We now followed the beef to the retail store. There the meat handlers cut the meat and trim out fat and bone—a process which takes off about 30 percent of the 660-pound carcass weight. Then they wrap the pieces in plastic packages for the fastidious customers and slap on the price tag.

How are the retail prices determined?

The head of a chain of supermarkets in Florida told us: "Our price on beef is approximately 18 percent above what the carcass cost us. Labor expenses in cutting and preparing the meat take care of about eight of this 18 percent markup, and our other costs of doing business run another eight, which leaves us—we hope—a two-percent net profit before taxes."

So nobody is making an unreasonable profit, yet beef prices continue to rise. Why?

On our travels we learned that the big surge in beef prices of a year ago directly reflected a bad winter which increased death, losses among cattle and slowed down the surviving animals' rate of weight gain in the feedlots. But the long uptrend reflects two quite different conditions.

The most obvious is inflation, which has been just as active in the beef industry as it has elsewhere. Based on the consumer-price index of 1957–1958, inflation in a 12-year period has pushed prices of all consumer items up 31.3 percent: dairy products have gone up 27.6 percent, fruits and vegetables 32.1, restaurant meals 50.2, housing 30.5, wearing apparel 30.8, medical care 58.1; beef and veal have gone up 30.6 percent.

As in many other areas of the economy, the most significant factor in the inflation of beef prices has probably been the increased costs of labor all along the line—from ranch to feedlot to packing house to retail store. The experience of Kenneth T. Broughton, acting director of the Kansas State Board of Agriculture, is typical: "In 1953 I worked in a meat-packing plant where the labor scale was about $1.50 per hour. Now it is more than double that figure, and the more skilled jobs pay up to $5.50 an hour. In 1960 I switched over to work in a retail meat market. A good meat cutter made from $100 to $125 a week. Today he is paid from $150 to $200 a week."

In addition to simple inflation, the rising costs of beef can be attributed to the customer's ever-growing insistence on only the best cuts. This high demand, combined with the relative scarcity of such cuts (sirloin steaks, for example, make up only seven percent of the dressed carcass), drives their prices up. A meat-department manager in an eastern city told us: "Women complain about the high price of the best cuts, so I suggest, 'Ma'am, have you tried some of our good liver, or heart, or brains, recently? They're much cheaper.' They usually say 'Oh, my family won't eat anything but steaks and the best rump roast.' "

The livestock industry *is* making earnest efforts to reduce costs. A company in Wichita turns rough alfalfa hay into compact pellets, thus eliminating the costly transportation of bulky hay crops. Numerous commercial feedlots are locating in the heart of the cattle country, to cut the costs of transporting the animals for fattening. Packers and processors are replacing outdated facilities with new, efficient meat-handling operations. And instead of paying the freight to ship entire carcasses of beef into the retail outlets, packers are breaking the carcass down into small cuts ready to be placed on the saw at the retail store without further work.

But none of these efforts will offset the present rate of price rises. Only curbing inflation will do that.

Mr. DOLE. Mr. President, in reference to the Associated Press article by Don Kendall, let me say that Don Kendall is an outstanding writer from Kansas, and has performed a service by alerting the livestock producers in rural areas of this secret report.

I would like to correct some misinformation that has been reported to my constituency in the State of Kansas. I have received a good number of telephone calls and letters the past few days concerning a report that a House committee is to recommend a Federal commission to "Ride Herd on Cattlemen"—quote from Don Kendall's Associated Press wire story—according to this news story a commission should be established to determine the adequacy of the meat supply for American consumers at reasonable prices with reasonable return to the producers, packers, and distributors.

The report, according to my letters, indicates a critical shortage of beef by 1975.

Let us look at some figures. According to the livestock and meat situation, published by the U.S. Department of Agriculture, cattlemen added 2½ million cattle and calves to their herds last year. The American Meat Institute indicates we will need 4 million more cattle and calves in the Nation by 1975 compared with 1968. The 1969 increase alone is already over half of the needed increase for the next 6 years.

Over the past years, cow herds have increased in numbers and the calf population has steadily increased. I would suggest that the cattle population of the United States will far exceed the reported need of 114 million by 1975. I base this statement on what is happening in my State of Kansas. The expansion of the cattle feeding business is one of the biggest growth factors in the State. According to statistics from the Kansas State Board of Agriculture, in January of this year, Kansas had an all-time-high number of cattle on grain feed for slaughter markets with over 800,000 in the feedlots. Compare this with just over 200,000 in 1959. Kansas will not stop there. If you drive West this year on vacation when you pass through Kansas you will see new sights: cattle feeding operations are located all over the State.

Some feedlots are large—10,000 head and up—but many are smaller, handling from 1,000 to 2,500 cattle. Kansas farmers are marketing considerable grain production in the form of beef. There is no way the State can report the feedlots that are planned, but indications are that the increase will continue at the same rate for many years. And Kansas is not the only State providing more beef. These beef factories in the form of feedlots are springing up throughout the Nation. Accompanying these feedlots are small efficient packing plants that provide economic stimulus to the smaller cities of the Nation. The beef industry has prospects of becoming healthy and showing more growth at this time than in its history. If this complaint, discussion or report is based on high meat

prices, I say that it is ridiculous. The full range of beef cattle prices has fluctuated only 12 cents from a disastrous 22 cents to 34 cents per pound during the past 10 years. This range in prices has not been a constant trend upward; the prices have fluctuated erratically. Feedlot expansion has brought more stability to the beef market and we now see a steadier healthy growth that is providing a firm foundation for the beef industry.

Higher prices have resulted from other inflationary factors such as the increase of butcher and meat cutters' wages from $75 per week a few years back to $150 to $200 in most areas today. General inflation is the culprit in higher beef prices, not the cattlemen.

Mr. HANSEN. I thank the distinguished Senator from Kansas.

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

Mr. HANSEN. I yield to the distinguished Senator from Alabama.

Mr. SPARKMAN. I commend the distinguished Senator for bringing up this matter, and I also commend all those who have participated in the colloquy. I particularly enjoyed the remarks of the distinguished Senator from Nebraska (Mr. HRUSKA).

I think this is a very vital matter. My State is not the big producer of cattle that some of the other States are, yet the cattle business is a very important segment of its economy. We are in the beef producing field. I know something about it. I have been in it myself on a very small scale.

There are so many misunderstandings, generally, regarding beef prices, an adequate supply of beef, and those things, that I think a very fine thing has happened, through this discussion this morning, in spreading the facts on the RECORD, in order that some of the facts may be thus made known and the true story may be told.

Mr. HANSEN. Mr. President, I thank the distinguished Senator from Alabama. He certainly is one of the most knowledgeable Members of this body insofar as the operations of our agricultural economy are concerned. I know that he understands better than most exactly how our economy works, the interrelationships between supply and demand, and the important role that labor plays, among other things, in increasing costs to the consumer.

When we look at the prices of food, as I pointed out in my statement, there has never been a time in the history of America, or any other country, when food has been the bargain it is today. It takes only 16.5 percent of the take-home pay, after taxes, of the average American to buy all of the food that he consumes here in this great country of ours today. We have the highest standard of living of any nation in the world. Yet there are those who look at the little trickle of money that gets back to the producer, the man who tills the soil and tends the herds and flocks, and say he is getting too much.

Of course, I raised the question, and it was responded to by the Senator from Nebraska, What are we going to do if we put these people out of business? Who will take up the slack in providing the jobs that will be lost, if we put this great agricultural economy of ours more nearly on the rocks than it is today? I know the Senator from Alabama has raised this point many times, and I am particularly appreciative of his presence here this morning, and of his kind remarks.

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

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

Mr. HANSEN. I ask unanimous consent to proceed for 5 additional minutes.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. HANSEN. I yield to the distinguished Senator from South Carolina.

Mr. THURMOND. Mr. President, I congratulate the able and distinguished Senator from Wyoming for a fine presentation here today on a topic which should be of great importance not only to his State but to people all over the Nation.

I might say that the same point that he is raising here with regard to beef applies also to textiles and many other things.

I think America's first obligation is to the people of America. It seems to me we are very unwise to allow imports of beef, imports of shoes, imports of textiles and many other goods, supplies, or merchandise, where such imports put American people out of jobs.

Many thousands of people are being put out of jobs by textile imports. In my State, several thousand people have been put out of their jobs in the last 2 weeks because of excessive imports from Japan and some other countries.

Why cannot America give its first obligation and responsibility to its own citizens? I do not mean by that that we should not trade with the world. I think we should trade in every way possible with all the countries of the world. I think it is good for the economies of the various countries to do that. But I say when it comes to the point that Americans are being deprived of their own livelihood, so that unemployment results, and the situation becomes chaotic, when it destroys the economy of any section of the Nation or of any particular class of people, then I think it is time for our Government to step in and protect American citizens.

Again I commend the distinguished Senator from Wyoming for what he has said here today, and I hope our colleagues and the people of this country generally will read his speech and will give it consideration, because this principle applies not only to beef, but, I repeat, it is a principle that will apply to many other things.

Mr. President, I grew up on a farm. I worked with livestock. I worked with cotton and other farm crops. I know how hard it is to make a living farming. Of all people who deserve special consideration, if any special consideration is to be given, it is our farmers. They receive less for their hard work and labor than any other segment of the American people, in my judgment.

What the farmers buy has gone up. The gap is widening more and more. They have to pay more and more for machinery, more and more for clothes, and more and more for everything they purchase, while they have not been getting more for their farm products in proportion.

Again I commend the Senator.

Mr. HANSEN. I thank my distinguished colleague.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. At this time, pursuant to the previous order, the Senator from South Carolina (Mr. THURMOND) is recognized for not to exceed 25 minutes.

Mr. DOLE. Mr. President, will the Senator from South Carolina yield me 1 minute?

Mr. THURMOND. I am pleased to yield to the distinguished Senator from Kansas.

## CARSWELL CONCEDES

Mr. DOLE. Mr. President, I believe the measure of a man is sometimes how he accepts defeat. Therefore, I ask unanimous consent to have printed in the RECORD at this point a statement by Judge Carswell, made following the vote yesterday in the Senate rejecting his nomination by a vote of 45 to 51.

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

CARSWELL STATEMENT

First of all, let me say this to you: It's a relief.

It is, of course, always disappointing to not win especially when you know you have so many fine friends and supporters who express confidence in you. I'll always be deeply appreciative of the confidence of the President of the United States in making the nomination and the many fine Senators who fought so hard in support of this particular nomination.

Not the least in this group, however, are those of my profession—the legal profession—my fellow judges who have expressed great confidence in me and in my ability to have taken this assignment. This has been an agonizing experience for me, my family and my friends, but to have taken up the gauntlet and joined the debate would have been unbecoming of a nominee to the Supreme Court of the United States.

There are many personal compensations, however, about today's action. On a purely personal basis, we have no intention of becoming bitter or remorseful, for there is no basis for it. The President has urged me to stay, at my present assignment, and I intend to do so. After a little rest, we'll be back on the job.

I thank you very much.

Mr. DOLE. His statement, of course, indicates disappointment. It also indicates relief.

It must, indeed, have been a grueling experience for Judge Carswell, with his family and his friends, to sit by, day after day, while baseless charges were made on the Senate floor, and not be in a position to defend himself. I say again perhaps the measure of a man is how he accepts defeat. Judge Carswell has indicated again to many of us that he is a

man of stature, a man of dignity, and a great American.

Mr. President, I renew the suggestion made yesterday that perhaps, in view of the great difficulty the President is having in filling the vacancy on the Court, it would be very appropriate to take his case to the people this November.

## INHUMANE TREATMENT OF PRISONERS OF WAR BY NORTH VIETNAM

Mr. THURMOND. Mr. President, I rise to speak on a subject that is close to the heart of every American. The entire Nation must share a part of the grief and anxiety that it has caused. I am speaking of the plight of our courageous men who are prisoners of war of North Vietnam and the contempt our country has for Hanoi's inhumane treatment of our men.

It is time for our Nation to mobilize the condemnation of the world against Hanoi for its barbarous treatment of our brave men held captive. More than 1,450 soldiers, sailors, marines, and airmen are either prisoners of Hanoi or are missing in action. At least 430 are known to be prisoners. More than 2,600 next of kin in all 50 States are enduring a tragic state of anxiety for their loved ones.

Our Nation must find a way to convince Hanoi that America and the world will no longer tolerate the inhumane treatment of our men. The incredible torture being perpetrated on American servicemen is enough to bring the wrath of the civilized world down on Hanoi. Surely, our friends and allies could help mobilize a stronger force of world opinion to bring Hanoi to its senses.

We all know that there are 123 nations, including North Vietnam, bound by the Geneva Convention to guarantee humane treatment of prisoners of war. It is time for the United States to use its power and influence to pressure these countries to do something for America in behalf of human decency.

Mr. President, it is encouraging that actions toward this humanitarian goal have been started in the United States and other nations during the past year. The momentum must be maintained. Hanoi and the Vietcong must be held accountable to the world for their uncivilized actions. The world must demand that North Vietnam comply with the Convention which requires Hanoi to:

Identify the prisoners;

Exercise humanitarian treatment;

Release the sick and wounded;

Protect U.S. prisoners from public abuse;

Allow inspection by a neutral party;

Allow the flow of letters and packages; and

Negotiate exchange of prisoners.

These are the Geneva Convention provisions which must be pursued relentlessly by all nations and international organizations to secure Hanoi's compliance. Each of these simple international standards of conduct are being violated by North Vietnam.

Hanoi signed the Geneva Convention relative to the treatment of prisoners of war on June 28, 1957, which provides for the humanitarian objectives sought by 122 nations. However, North Vietnam blatantly refuses to abide by this pledge.

Mr. President, Hanoi is defying the other 122 signatory nations. These nations should join with the United States in every possible political, diplomatic, economic, and psychological action to force Hanoi to abide by the convention.

Hanoi makes the false claim that the convention is not binding because the participants in the Vietnam war have not declared war. This is simply not true. Contrary to Hanoi's view, the convention applies to "any other armed conflict which may arise between two or more of the high contracting parties, even if the state of war is not recognized by one of them."

Prisoners taken by the United States and her allies in Vietnam are given humane treatment. Specially constructed prisoner-of-war camps have been established for their welfare. They are provided with adequate shelter, clothing, food, medical care, and opportunities for exercise.

Representatives of the International Committee of the Red Cross inspect these camps. Representatives of the world press can, and have, seen for themselves that the United States and South Vietnam treat their prisoners with the common standards of decency. The United States is complying with the Geneva Convention while Hanoi flaunts it in the face of the world.

Mr. President, the International Conference of the Red Cross adopted a resolution without dissent which obtained the support of 114 nations, calling upon the parties of the conflict to abide by the Geneva Convention in the humane treatment of prisoners of war. In addition, this resolution states:

> That, even apart from the Convention, the international community has consistently demanded humane treatement for prisoners of war, including identification and accounting for all prisoners, provisions of an adequate diet and medical care, that prisoners be permitted to communicate with each other and with the exterior, that seriously sick or wounded prisoners be promptly repatriated, and that at all times prisoners be protected from physical and mental torture, abuse and reprisal.

This resolution reflects the humanitarian feelings expressed by the civilized world through the International Red Cross, the Geneva Convention, and more than 100 members of the United Nations.

It reflects the conscience of America.

It reflects the sense of justice of the United Nations.

In this regard the Secretary General of the United Nations stated North Vietnam "ought to give an international humanitarian organization such as the League of Red Cross Societies access to the Americans detained in North Vietnam."

Mr. President, this administration, as everyone knows, has adopted a new policy of public condemnation of the North Vietnamese, the Vietcong, and the Pathet Lao for their barbaric treatment of our men. These courageous Americans who are prisoners have given their consent to this policy to tell it like it is to the world in spite of possible reprisals. I believe this new policy may bring results if we continue. There have been some encouraging actions already, but we must consider the likelihood that any relenting by Hanoi so far could have been for the purpose of propaganda exploitation.

That this Congress is united in achieving humane treatment for our men is a matter of record. The Senate and the House of Representatives unanimously passed a concurrent resolution calling for compliance with the rules of the convention. This is commendable, but it has not brought relief to our men in the prison camps.

Mr. President, we all heard the story of torture related by some prisoners who have been released.

There is irrefutable evidence of inhumane treatment.

This uncivilized treatment of our men by Hanoi is well known to all of us and to most of the world. The brutality has been described in detail by some of our men who have been released. Lt. Robert Frishman and other former POW's have related the brutal facts. The world now knows the truth. We are witnessing the plight of disappointed wives of the prisoners in their plea to us for help. They have appealed to Hanoi and the press, and they have banded together in a common cause for human dignity. Our hearts go out to the relatives, but they need more concrete support.

Even those nations sympathetic to the North Vietnamese Government have shown impatience with the enemy's cruel treatment of our men and their families. Even our own critics of the war here at home are disillusioned on this issue.

Some American publications are doing a magnificent job of telling the world the truth about the plight of prisoners in North Vietnam. I especially commend the Reader's Digest for its excellent coverage.

Further, I urge the world press, my colleagues here in the Senate, and public-spirited citizens everywhere to keep reminding the world that Hanoi refuses to abide by the Geneva Convention. Hanoi must stand judgment in the court of world opinion for the following acts:

The North Vietnamese have tortured our men.

They refuse to provide a list of Americans held captive.

They will not permit inspection by a neutral party.

They refuse to release the sick and the injured.

They deny the prisoners the right to correspond with their families, with few exceptions.

Mr. President, we must not let these brave Americans and their families be forgotten. Our perseverance in this crusade must be maintained.

Recently, I urged the Honorable Philip C. Habib, Ambassador of the U.S. mission to the Vietnam talks in Paris, to demand that Hanoi demonstrate an understanding of human decency. Ambassador Habib assured me that "the U.S. delegation at the Paris meetings on Vietnam will continue to give the highest priority to the question of our missing and captured men." He said that in his recent discussions with the President, the Secretary of State, and the Secretary of Defense there was complete agreement

"to keep this issue at the forefront in talks."

The Honorable Ellsworth Bunker, our Ambassador in Saigon, has made continuous efforts in behalf of our men. Last week, Mr. Bunker again expressed America's concern to the world when he spoke with H. Ross Perot, a dedicated American, and the members of the world press in Saigon. Mr. Bunker reaffirmed the demand of 122 countries when he called upon Hanoi for humane treatment of our men.

Ambassador Bunker said:

Our government and the South Vietnamese government are adhering to the Geneva Convention while North Vietnam has shown flagrant disregard for all basic humanitarian considerations, even to the point of refusing to provide a list of Americans held as prisoners of war.

He told Mr. Perot and members of the press:

North Vietnam made a mistake when they assumed that world opinion would not judge them harshly.

The free world is reaching an end of its patience on the impervious attitude of Hanoi.

Mr. President, I would like to commend Mr. H. Ross Perot. Although his effort to take an American Christmas to our men held captive was denied by Hanoi, he recently took members of the U.S. and foreign press to prison camps in South Vietnam to show the world that America and her allies are complying with the Geneva Convention.

Mr. Perot reported last week when he visited South Vietnam's POW camps near Danang with the press that he "was very impressed." He said:

These camps exceed what is required by the Geneva Convention by teaching the prisoners a trade.

Hanoi should take note of this humanitarian treatment of their men. Mr. Perot deserves the admiration of the world for his crusade in behalf of human decency.

President Nixon, the State Department, and the Department of Defense have been and must keep on doing everything possible to bring relief to Americans held captive and comfort to their families.

President Nixon has stated that the—

United States government will do everything it possibly can to separate out the prisoner issue and have it handled as it should be as a separate issue on a humanitarian basis.

I commend the President for this, and urge that he continue relentlessly, and take every possible action to arrange, if possible, a prompt exchange of prisoners of war.

Mr. President, meanwhile many of my distinguished colleagues have spoken eloquently in this Chamber in behalf of our men. I urge them to continue to speak out here and in their public addresses, and I assure my distinguished colleagues that I will do the same. The American press and the world media also must help. If we are united in this effort, we can keep the issue continuously in public view until it is resolved.

Not only will this offer some hope and encouragement to the thousands of wives, parents, and children, most of whom do not even know whether their loved ones are dead or alive, but also it might hasten an early solution to this important problem.

Mr. President, it is especially appropriate to address my distinguished colleagues today on this vital issue. I would like to direct their attention to the fact there are present in the Capitol today Mrs. Jane Denton and Mrs. Katherine Plowman. Mrs. Denton's husband, Capt. J. A. Denton of the U.S. Navy, has been a prisoner of war since July 18, 1965, almost 5 years. At that time, Captain Denton was a navy commander. Mrs. Plowman's husband, Lt. James Plowman, U.S. Navy, has been missing in action since March 24, 1967, more than 3 years. Both of these heroes are Navy pilots.

Mrs. Denton and Mrs. Plowman represent the courage and hope of more than 2,600 next of kin of over 430 of our men who are held prisoners. These Americans represent the real spirit and determination of our country. My heart goes out to Mrs. Denton and Mrs. Plowman and to all of the families who are enduring such hardship and anxiety.

Mr. President, the world is impatiently waiting for Hanoi to abide by the terms of the Convention and to negotiate for the exchange of prisoners.

Mr. President, I should like to announce that a meeting is to be held in Constitution Hall on May 1, 1970, at 8 o'clock p.m., in order to honor these prisoners of war and to let the people of this Nation, in this manner, tell their families that they have not been forgotten.

A press release was published on this subject by the distinguished Senator from Kansas, BOB DOLE, who is spearheading this particular meeting, and I commend him for his efforts.

Mr. SPARKMAN. Mr. President, will the Senator from South Carolina yield?

Mr. THURMOND. I am pleased to yield to the distinguished Senator from Alabama.

Mr. SPARKMAN. I am glad that the Senator from South Carolina has taken up this matter. Of course, we are all in agreement with what he has said. I think that we must mobilize not only the thinking and the action of our own people but also the thinking of those people throughout the world who believe in fair and decent treatment and consideration for those who are, unfortunately, prisoners of war.

I have had some correspondence with many of the wives of prisoners of war. Just yesterday, two young ladies came by my office. One of them is from my State and the other from another State. One of them has a husband who is listed as missing in action. She has not been able even to find out whether he is a prisoner of war. The other wife has received some correspondence, the limited amount that is allowed, from her husband. He has been a prisoner for 5 years.

In the meantime, she is left with seven young children to take care of and, of course, she endures the gnawing fear as to what may be the ultimate outcome.

I would believe that our Government must do everything it can, through all the channels it can possibly find in which to operate, in order to get word regarding these prisoners. Not only that, to make an arrangement whereby prisoners can be released on some kind of workable agreement.

It does not make any sense among the fair-thinking peoples of the world for a prisoner to be held for 5 long years.

Certainly, some decent arrangement can be provided to exchange prisoners of war, with some kind of method by which they can be released.

I commend the distinguished Senator from South Carolina for his treatment of this matter. I certainly join him wholeheartedly in the hope that we will continue to exert every effort possible, to the end that something can be achieved.

Mr. THURMOND. Mr. President, I wish to thank the distinguished Senator from Alabama for his splendid remarks and the contribution he has made to this important topic which is of such great urgency today in this country and in the world.

Mr. DOLE. Mr. President, will the Senator from South Carolina yield?

Mr. THURMOND. I am pleased to yield to the Senator from Kansas.

Mr. DOLE. Mr. President, first, I wish to emphasize the long and continuing interest of the Senator from South Carolina in this matter. I believe it exceeds the efforts of anyone I know of in either the House or Senate.

The wives and the men themselves, if they could express their appreciation, would do so.

I have visited with many of the wives in the past several months. They feel a speech on the Senate floor, a statement by a Member of this body or the other body offers hope and, many times, results in better treatment of their husbands and sons because the enemy knows we are alert. The enemy knows that we are watching.

With reference to the meeting scheduled for May 1, occurs on Law Day. One of the themes of Law Day is international justice. The theme of the tribute to American prisoners of war and Americans missing in action on that day, May 1, will be international justice.

About 2 months ago, I participated in a program at Constitution Hall designated as a freedom rally, a nonpartisan, nonideological rally, to pay tribute to American prisoners of war and Americans missing in action.

Mr. President, Constitution Hall seats about 3,811 people. There were about 250 at the meeting. As I saw the disappointment written on the faces of the wives present, I was convinced more could and should be done. We should not lose interest because so few are involved.

On the evening of May 1, we intend to fill Constitution Hall to demonstrate to the American people and, above all, to the wives of prisoners of war and those missing in action that Americans do care.

This is a committee, a nonpartisan committee composed of six Democrats and six Republicans, House and Senate Members. We have differing views on the war in Vietnam, but that is not the point. The point is that we will pay tribute to Americans. And that is all the meeting will be. It will be a tribute. It is expected some 500 or 600 wives from all across the

country will be there—wives and mothers and fathers of those who have been prisoners of war or missing in action.

I trust every Senator will be present that evening. We want to demonstrate, as Americans can demonstrate, in a very proper way our concern, our nonpartisan or bipartisan or nonideological concern for the very things the Senator from South Carolina has emphasized this morning.

All we ask for American prisoners of war is that they be identified, that the enemy provide humanitarian treatment, that they release the sick and wounded, that they protect our prisoners of war from public abuse, that they allow them to communicate with their families, and that negotiations for the exchange of prisoners may be had.

I believe everyone knows that the American prisoners have been mistreated.

The honorable chairman of this event on May 1 is the man the Senator from South Carolina paid tribute to this morning, H. Ross Perot. He will be there because of his concern for American prisoners of war and those missing in action.

I again thank my distinguished friend, the Senator from South Carolina, for his remarks today which will be most helpful on May 1.

We plan to fill Constitution Hall with Americans from all walks of life—rich or poor, white or black—Americans concerned about other Americans who have made a greater sacrifice than any of us can imagine.

Reference has been made to Lt. Robert Frishman. We could also make reference to Maj. Nicholas Rowe, a prisoner of war for 5 years before his escape.

They will be present along with many other Americans to pay tribute to these great Americans. Again, I thank the Senator from South Carolina for his remarks.

Mr. THURMOND. Mr. President, I thank the distinguished Senator from Kansas for his splendid remarks.

I commend him for the outstanding leadership he has shown in the matter of prisoners of war for everything he has done to help on this particular question. No one in the country has done more than the distinguished Senator from Kansas.

## THE 6TH FLEET IN THE MEDITERRANEAN

Mr. THURMOND. Mr. President, recently, several of my colleagues and I were privileged to attend the Inter-Parliamentary Union in Monte Carlo. While we were there, we had the opportunity to go a bit farther south to Cannes and visit the Navy's attack carrier, U.S.S. *Forrestal*. It was a great experience to participate in Easter services aboard this mighty ship, and to visit with the crew. We were given a complete tour of the *Forrestal*, and we were able to see an excellent example of the fine job our Navy is doing under difficult circumstances.

This experience gave me a first-hand insight to some of the problems of this sector of the world, and caused me to reflect on how they have changed in recent years. It was brought home to me that despite the fact so much of our time and so many of our thoughts are preempted by the affairs of Southeast Asia, it is imperative that at the same time we address ourselves to this area of the world, the European and South European complex, and specifically to what is going on in the Mediterranean. As we all know, for centuries this body of water has been the world's most sensitive strategic lake. Perhaps never more so than it is today.

Because of the will to use its newfound competence at sea the Soviet Union has created a Mediterranean climate that is vastly different from what we have known heretofore. The U.S. 6th Fleet now finds itself operating alongside its own mirror image in numbers of Soviet warships; NATO finds a menace on its southern flank; the Middle East is now open to new pressure and influences from the Red camp; Western Europe's oil system is accessible for tampering; and in the long view, Egypt could well become a Russian gateway to the rest of Africa.

It is clear, Mr. President, that the largest and most effective single restraint to more overt Soviet action and maneuvering in the Mediterranean is our American 6th Fleet. It is effective because it is visible, and it is visible because it provides a recognized presence—a flexible presence without large naval bases. An indirect proof of the worth and value of the 6th Fleet to us has been the Soviet complaint about its presence during the past 20 years. Further, when words failed to make the 6th Fleet go away, the Soviets began the more substantial strategy of fashioning their own seapower to the point where a year ago, a Soviet admiral could remind us: "We now have a 6th Fleet too, you know."

And so they do. The arguments of numbers of ships in the two fleets, or the mix of naval weaponry, or the great numbers of submarines the Soviets possess, or our superiority and their deficiency in attack aircraft carriers are well known. There is no need to rehearse them here. But there is a need to look carefully into our own 6th Fleet and to become aware of what is transpiring in the material sense. I saw it and it is my obligation to report to my colleagues and to the American people.

The key to what is transpiring is time, time that has already passed. The warships of the U.S.S.R. are young and vigorous; too many of our own are old and tired. In a large measure, our Navy still operates from platforms built for World War II. Yet, it is in direct confrontation on the center saltwater stage in the world with a Soviet Navy that has been built since the 1958 Lebanon crisis and the 1962 Cuban missile crisis.

You have heard often that about 50 percent of our Navy's ships are 20 years old or older and that less than 1 percent of the Soviet Navy's is that old. While this is true, our Navy is giving us an incomparable total performance in every way, even when too many of its ships are simply wearing out.

The fact that the ships of the Soviet Union are new reflects many things. First of all, they show acute observation of American use of Naval representation in the cold war years of the 1950's. Their ships are the floating proof of understanding that Soviet interests far from their Eurasian landmass cannot be fully supported without the effective global options afforded by a first-rate and modern sea power.

It goes even further than that. The Soviets are showing a modern grasp of what Western nations have known since before the days of Nelson—that no nation can be a world leader without outstanding strength at sea. The fact that the U.S.S.R. has chosen to exhibit their seagoing wares first and foremost in the hot political waters of the Mediterranean also has its meaning. It is perfectly clear that here is no reckless gambit sailing for nuisance value, but that it is the permanent stationing of a fleet to negate our own and the Soviets are doing this in a full confidence in the excellence of their ships.

The Soviet presence in the Mediterranean has imposed upon our own Sixth Fleet the requirement of constant surveillance. Our Navy has to know at every minute what the Soviet ships are doing and where they are doing it, whether they are making port calls at Latakia, transiting the Bosporus or convoying arms shipments to Egypt.

Inevitably, the close proximity of two navies could lead to incidents. Sometimes the Soviet ships intrude physically into U.S. formations, at times penetrating the destroyer screen around our carriers. Soviet-built planes from Egyptian fields have disrupted our carrier takeoff and landing patterns. Much of the navigational disturbances they have caused has the earmark of deliberate harassment and a kind of seagoing gamesmanship.

It has been said that the U.S. naval presence in the Mediterranean today shows a qualitative superiority in naval weaponry, but if this can be said, it can be said for only one reason: our attack aircraft carriers. It is in these great ships that we find the substance of our favorable balance of naval representation.

Soviet sea-power planning has not included a counterpart to the U.S. sea-based naval air arm. They rely upon land-based aircraft for their aviation work at sea. Yet they have built at least two helicopter carriers of more than respectable size, *Moskva* and *Leningrad*, both of which are in the Mediterranean. Regardless of their tactical worth, *Moskva* and *Leningrad* still make their points in Mediterranean ports as examples, not only of new Soviet naval presence, but of technological excellence.

Mr. President, there can be little doubt that what the Soviets respect most in the Mediterranean are our two carriers with their two mobile-based air wings. And since there can be little hope that either country or either navy can withdraw its forces from that area, the prospect is for a long and continual presence of both. This again brings about the problem of what is going to represent us on the sea. Since this representation must include aircraft carriers, let us look at the need in terms of modern ships and see if enough of them will be nuclear-powered. Also, let us look to the rest of the Fleet.

We cannot expect to maintain a fleet in the Mediterranean indefinitely when supplied by a bridge of ships from Norfolk—especially when both the support

ships and the warships are even now wearing out.

In my judgment, the United States has not been too logical in ship construction. We have the technology to build the best in the world, and we do just that in individual warship types; but we have taken a piecemeal approach.

The U.S.S. *Enterprise* is a good example of excellence in ship construction. It is the world's largest and best aircraft carrier and it is propelled with nuclear energy. But the *Enterprise* was commissioned in 1961, and now, almost 10 years later, she is still the only one of her type in commission. Also, we know how to build 20-knot amphibious warfare ships, but far less than half of amphibious force ships are of that performance.

Mr. President, what is happening in the Mediterranean perhaps is a kind of message to the American people. In the eyes of the world, our country is shown to be confronted with a formidable new power on the sea, and in that confrontation our country is in danger because of the obsolescence of many of our ships. Because of the condition of our fleet, and the delay in replacing older ships, the purpose of the United States in terms of promoting peace and stability in the whole Mediterranean area is likely to suffer.

The United States is accustomed to handing difficult jobs to our great Navy. To date, the performance of our naval force has been all that could be asked. But the time is coming, if indeed it is not already upon us, when we have to ask ourselves whether the Navy has the ships, and the modern weapons to do today's jobs. The Navy tells us they need new ships, desperately, including a new carrier this coming year to replace one of the older carriers. There is no doubt in my mind that we have given the Navy the toughest of assignments without the tools needed. Unless we correct this situation in the weeks ahead, our military posture in the Mediterranean, as well as in other remote strategic areas of the world, will suffer.

## ORDER OF BUSINESS

Mr. SPONG. Mr. President, I ask unanimous consent that the previous order be amended to allow me to proceed for 5 minutes.

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

Mr. PASTORE. Mr. President, I make the same request. I ask unanimous consent that, upon the conclusion of the remarks of the Senator from Virginia, I be permitted to proceed for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Virginia may proceed for 5 minutes, to be followed by the Senator from Rhode Island for 5 minutes.

## OBSERVATIONS IN THE AFTERMATH OF THE SECOND CONSECUTIVE REJECTION OF A SUPREME COURT NOMINEE

Mr. SPONG. Mr. President, in the aftermath of the Senate's second consecutive rejection of a Supreme Court nominee and its third in the last four nominations, I would like to make a few brief observations.

First, the record shows that on a crucial vote in three cases—the cloture vote on Justice Fortas and the final votes on Judge Haynsworth and Judge Carswell—nine of the 17 members of the Senate Judiciary Committee, a majority, voted in opposition to the nominee. I do not mean to be critical of the committee, for I understand that on a matter as important as nominations to the Supreme Court, any committee member is justified in wanting the entire Senate to express its judgment. Nevertheless, the facts are that many of those who had the benefit of actual, oral testimony by the witnesses saw reason after subsequent events to oppose the nomination.

My second observation concerns the American Bar Association's procedures for recommending Supreme Court nominees. A selection committee of 12 members is hard pressed to speak for a total American Bar Association membership of more than 140,000 lawyers, let alone for the 54 percent of the practicing attorneys in this country who are not members of the American Bar Association.

But, that aside, there is considerable question over the selection committee's recommendations. It now appears to mean different things to different members. Perhaps this situation has been confused by the committee's revision of its rating designations following the rejection of Judge Haynsworth. Inasmuch as circumstances have seemed each time to dictate the recall of the committee after the hearings, perhaps the American Bar Association might further consider how its procedures might be improved.

Finally, I want to say a word about the active participation of Federal judges on both sides of the Carswell controversy. I believe the Federal judiciary should be above politics and that it damages public confidence for judges to inject themselves into this kind of national debate. This can only heighten the atmosphere of a convention which, unfortunately, has surrounded these debates. In a matter of this gravity, the American people have a right to expect more from their appointed and elected officials than a public wrangle with the news media acting as scorekeeper.

I make these observations without further comment for I believe the facts speak for themselves.

## EQUAL-TIME REQUIREMENTS FOR CANDIDATES FOR PUBLIC OFFICE

Mr. PASTORE. Mr. President, in reporting S. 3637 the Commerce Committee unanimously agreed that its provisions were the minimum steps necessary if the electorate were to receive the full benefit of the electronic media. The spiraling costs of campaigning via this media make it imperative that something be done. S. 3637 is a step in the right direction.

In all candor, however, Mr. President, S. 3637 is only a beginning. Campaign costs have gotten completely out of hand, and the cost of broadcasting, especially television, has climbed steadily.

Human nature being what it is, each candidate feels compelled to match or outdo his opponent in the use of radio and television. And the wealthy candidate is able to inundate his poorer opponent.

Now we are all keenly aware of the great potential this media has for reaching the electorate and informing them, and the contribution it has made to political campaigning. But somewhere a saturation point is reached, and further use of the media simply escalates the cost of campaigning. The electorate begins to wonder why a candidate is willing to spend hundreds of thousands of dollars, and in some cases millions, for a job that pays $42,500 a year.

I could cite all kinds of statistics which dramatically illustrate the seriousness of the situation, but I would only be belaboring a point which my colleagues in this Chamber know all too well.

## SUSPENSION OF FURTHER DEPLOYMENT OF OFFENSIVE AND DEFENSIVE NUCLEAR STRATEGIC WEAPONS SYSTEMS

The PRESIDING OFFICER. Two hours having elapsed, the Chair lays before the Senate the unfinished business, which will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. Senate Resolution 211, seeking agreement with the Union of Soviet Socialist Republics on limiting offensive and defensive strategic weapons and the suspension of test flights of reentry vehicles.

## ORDER OF BUSINESS

Mr. SPONG. Mr. President, notwithstanding the fact that the morning hour is concluded, I ask unanimous consent that special orders be continued until conclusion.

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

## EQUAL-TIME REQUIREMENTS FOR CANDIDATES FOR PUBLIC OFFICE

AMENDMENT NO. 580

Mr. PASTORE. Mr. President, solutions, however, do not come easily, and no one is more aware of the difficulties involved than I. Through the years I have listened to the arguments of all the experts—the political scientists, the broadcasters, the FCC, and the most expert of all—the candidates themselves.

While all agree that something should be done, no one has come forth with a solution that is acceptable to all. And this is understandable because the subject is so complex, and the solution, to be effective, must be very simple and clean-cut.

As the report accompanying S. 3637 states, the committee decided to withhold any further recommendations in this area so that the entire Senate might have the benefit of considering various proposals on the subject when S. 3637 was before it.

The amendment I intend to offer to S. 3637 is designed to afford further relief to candidates for Federal elective office.

This amendment provides that the total of first, the amounts expended on the electronic media—that means radio and television—by any legally qualified candidate for Federal elective office in an election other than a primary election, and second, the amounts expended by others on behalf of such a candidate on the electronic media shall not exceed an amount equal to 5 cents multiplied by the number of votes cast for all legally qualified candidates for such office in the last preceding election, or $20,000, whichever is greater. In the event there has been no election for the office of U.S. Senator in the immediate preceding 2 years, the limitation on the amount expended shall be 5 cents multiplied by the total highest popular vote cast for any statewide office in the preceding 2 years, or $20,000, whichever is greater.

The Federal Communications Commission, by regulation, would require broadcast licensees to ascertain from an authorized spokesman of the candidate that the money expended for the time he wished to purchase would not exceed the ceiling which the bill sets out.

The program logs which the stations are now required to keep would further aid the implementation of this provision.

This amendment deliberately refrains from imposing a ceiling on State offices in recognition of the prerogative of the States to determine their own policies with respect to those offices. I would hope, however, that if this amendment is enacted each State would take whatever action it deems necessary to deescalate the spiraling costs of campaigns.

I am aware that there are other approaches to this problem, and many of them have commendable features. As many know, I have long been concerned with the problem, and I might say in all modesty and deference to my esteemed colleagues, no one has studied it more thoroughly and listened to more of the experts. I believe the amendment to S. 3637 which I am now offering is the simplest and most effective way of meeting this situation which we will agree must be corrected.

Simply stated, it goes to the heart of the problem. It puts a ceiling on the amount of money a candidate or anyone on his behalf may spend on the electronic media.

The provisions of the amendment have, I believe, two features which are essential to any requirements in this area.

First, they are crystal clear and clean cut. There are no formulas in the amendment susceptible of ambiguity or uncertainty by anyone. It is vital that licensees know their obligations, candidates their rights, and the FCC be able to administer both expeditiously.

Second, the amendment leaves discretion with the candidate as to time periods and formats. After all, who is a better judge than the candidate himself of what he wants to say, how he wants to say it, and when.

I ask that the amendment be ordered to lie on the table and to be printed. I intend to propose it as an amendment to S. 3637 when that bill is being considered by the Senate.

Mr. President, also, at this time, for the convenience of Members of the Senate, so they may know the bill and may know my proposed amendment, I ask unanimous consent that the text of the bill, which is Calendar No. 747, S. 3637, be printed in its entirety at this point and that my proposed amendment be printed in its entirety following it.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie at the table; and, without objection, the bill and the amendment will be printed in the RECORD, as requested.

The text of the bill (S. 3637) is as follows:

S. 3637

A bill to amend section 315 of the Communications Act of 1934 with respect to equal-time requirements for candidates for public office, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) the first sentence of section 315(a) of the Communications Act of 1934, as amended (47 U.S.C. 315(a)), is amended by striking out the colon and inserting in lieu thereof a comma and the following: "except that the foregoing requirement shall not apply to the use of a broadcasting station by legally qualified candidates for the office of President and Vice President of the United States:".

(b) Section 315(b) of that Act is amended to read as follows:

"(b) The charges made for the use of any broadcasting station by any person who is a legally qualified candidate for any public office shall not exceed the lowest unit charge of the station for any time period."

The amendment submitted by Mr. PASTORE is as follows:

AMENDMENT NO. 580

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

"SEC. 2. (a) Section 315 of the Communications Act of 1934 is further amended by redesignating subsection (c) as subsection (d) and by inserting before such subsection the following new subsection:

"'(c) The total of (1) the amounts expended on the electronic media by any legally qualified candidate for the office of President or Vice President of the United States, United States Senator or United States Representative for such office in an election other than a primary election, and (2) the amounts expended by other persons, associations, groups, or committees on behalf of such candidate on the electronic media, shall not exceed an amount equal to five cents multiplied by the number of votes cast for all legally qualified candidates for such office in the last preceding such election, or $20,000, whichever is the greater: *Provided,* That where there has been no election for the office of United States Senator in the immediate preceding two years, the limitation on the amount expended shall be five cents multiplied by the total popular vote cast for any statewide office in the preceding two years, or $20,000, whichever is greater.'

"(b) The amendment made by this section shall be effective after thirty days following the date of enactment of this Act."

## ORDER OF BUSINESS

The PRESIDING OFFICER. What is the pleasure of the Senate?

Mr. GRIFFIN. 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. McINTYRE. 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. McINTYRE. Mr. President, I ask unanimous consent that I may make a speech at this time and that the time allotted to the Senator from Maryland (Mr. TYDINGS) be postponed for the interval that I take for my short statement.

The PRESIDING OFFICER. Is there objection?

Mr. GRIFFIN. Mr. President, what was the request?

The PRESIDING OFFICER. The request was that the allotted time of the Senator from Maryland (Mr. TYDINGS) be postponed until the conclusion of the speech of the Senator from New Hampshire.

Mr. GRIFFIN. How much time is allotted to the Senator from New Hampshire?

Mr. McINTYRE. It will take me about 5 minutes.

The PRESIDING OFFICER. Is there objection to the request? Without objection, it is so ordered.

## S. 3699—INTRODUCTION OF THE SMALL BUSINESS AMENDMENTS OF 1970

Mr. McINTYRE. Mr. President, I am introducing for myself, the Senator from Illinois (Mr. PERCY), the Senator from Texas (Mr. TOWER), the Senator from New York (Mr. JAVITS), the Senator from Oregon (Mr. PACKWOOD), the Senator from Nevada (Mr. BIBLE), and the Senator from Wisconsin (Mr. PROXMIRE) a bill entitled "The Small Business Amendments of 1970."

This is the administration's bill sent to Congress by the Administrator of the Small Business Administration, Hilary Sandoval, Jr. pursuant to the President's message on small business dated March 20, 1970. It is the outgrowth of a report by the President's Task Force on Improving the Prospects of Small Business. The task force was made up largely of distinguished businessmen and was headed by Mr. J. Wilson Newman, chairman, finance committee, Dun & Bradstreet.

The bill amends the Small Business Act and the Small Business Investment Act of 1958. According to Administrator Sandoval's letter of transmittal the bill:

First. Augments the authority of the Small Business Administration in connection with the financial assistance programs established by the Small Business Act, the Small Business Investment Act of 1958 and the Economic Opportunity Act of 1964.

Second. Makes certain additions and amendments to the Small Business Investment Company—SBIC—program.

Third. Further amends the Small Business Investment Act of 1958 to authorize

a surety bond guarantee program under title IV of that act.

This part of the bill is very similar in many respects to S. 2609, introduced by the distinguished Senator from Indiana (Mr. BAYH), on July 14, 1969.

I want to commend the President for taking the initiative in seeking solutions to some of the myriad problems facing the small business community today. It is my opinion that this important sector of our economy is vital to the well being of our Nation. Much needs to be done to assure its strength

I have not had an opportunity to study the provisions of this legislation and the task force report in depth. Therefore, I do not feel that I am in a position to pass judgment on each of the specific proposals at this time.

There are several provisions which will require extensive hearings and discussions before the bill can be reported to the Senate. There may be other areas in which the proposed legislation does not go far enough in seeking to solve the problems of small business. In such event, it may be necessary to make additions to the bill.

In any event, I can assure the Senate that the Small Business Subcommittee, of which I am chairman, will hold hearings on this bill as soon as possible. I look forward to working very closely with the ranking minority member of the subcommittee (Mr. PERCY), who has a deep interest in the problems confronting small business and is cosponsoring this legislation.

Mr. President, I ask unanimous consent that a copy of the letter of transmittal, the bill, and a section-by-section analysis be printed in the RECORD at this point.

The PRESIDING OFFICER (Mr. HUGHES). The bill will be received and appropriately referred; and, without objection, the bill, letter of transmittal, and section-by-section analysis will be printed in the RECORD.

The bill (S. 3699) to clarify and extend the authority of the Small Business Administration, and for other purposes, introduced by Mr. MCINTYRE, for himself and other Senators, 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. 3699

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Small Business Amendments of 1970".

TITLE I

SEC. 101. In connection with the financial assistance programs established by the Small Business Act, the Small Business Investment Act of 1958, and by title IV of the Economic Opportunity Act of 1964, the Small Business Administration is authorized—

(1) to make loans in cooperation with persons or organizations not normally engaged in lending activity, as well as with banks or other lending institutions, and to enter into agreements with respect to the servicing of these loans;

(2) when authorized in appropriation acts, to extend guarantees to banks or other lending institutions, or to persons or organizations not normally engaged in lending activity, without requiring that advance approval be obtained from the Administration for each of the related loans. Where a guarantee is extended without such a requirement, loan approval decisions shall be made by the recipient of the guarantee, in conformity with criteria to be specified in regulations prescribed by the Administration. The Administration may adopt measures necessary to ensure compliance with the criteria, including periodic reviews of the books and records of such recipient. A guarantee issued under this subsection shall not be in excess of 90 per centum of the balance of the loan outstanding at the time of disbursement; and

(3) to make interest subsidy grants to small business concerns which receive financial assistance from the Administration, through the cooperation of banks or other lending institutions or through the cooperation of persons or organizations not normally engaged in lending activity. In no case, however, shall the annual amount of such a grant exceed the product of the amount of the loan multiplied by the least of (A) 3 percent; (B) one-third of the prevailing rate of interest applicable to the loan; or (C) the difference between the prevailing rate of interest applicable to the loan and five and one-half percent. No grant shall be made under this subsection relating to interest due on a loan later than three years from the time the loan was disbursed, and each grant under this title shall be charged, in the amounts thereof relating to each of said years, to the respective appropriations current at the time the grant agreement is entered into and to the appropriations current on the respective anniversaries thereof.

SEC. 102. (a) The Small Business Administration is authorized to extend grants to public or private organizations to pay all or part of the costs of providing business management assistance and related technical aid to socially or economically disadvantaged persons.

(b) The purposes of the grants made under this section may include the following:

(1) planning and research, including feasibility studies and market research;

(2) the identification and development of new business opportunities;

(3) the furnishing of centralized services with regard to public services and government programs;

(4) the establishment and strengthening of business service agencies, including trade associations and cooperatives;

(5) the encouragement of the placement of subcontracts by major businesses with small business concerns owned by socially or economically disadvantaged persons, including the provision of incentives and assistance to such major businesses so that they will aid in the training and upgrading of potential subcontractors or other small business concerns;

(6) the furnishing of business counseling, management training, and legal and other related services, with special emphasis on the development of management training programs using the resources of the business community, including the development of management training opportunities in existing businesses, and with emphasis in all cases upon providing management training of sufficient scope and duration to develop entrepreneutral and managerial self-sufficiency on the part of the individual served;

(7) payment of all or part of the costs, including tuition, of the participation of socially or economically disadvantaged persons in courses and training programs for the development of skills relating to any aspect of business management; and

(8) provision of guidance or advice to socially or economically disadvantaged persons seeking government assistance relating to the establishment or continuance of small businesses.

(c) To the extent feasible, services under this section shall be provided in a location which is easily accessible to the individuals and small business concerns served.

(d) Section 406 of the Economic Opportunity Act of 1964 is hereby repealed.

SEC. 103. The Small Business Administration may conduct research and studies with a view to identifying categories of small business which lack growth possibilities, as distinguished from small business built around innovations promising rapid growth, and with a view to identifying the nature and causes of small business failures. Where necessary for the successful conduct of such research or study, or of any other research or study which it is authorized to undertake, the Administration shall employ the services of experts and consultants.

SEC. 104. Appropriations are authorized in such amounts as may be necessary for the purposes of the programs under sections 101, 102, and 103.

TITLE II

SEC. 201. Section 103 of the Small Business Investment Act of 1958 is amended—

(1) by striking "and" from paragraph (6);

(2) by striking the period at the end of paragraph (7) and inserting in lieu thereof"; and"; and

(3) by adding the following new paragraph:

"(8) The term minority enterprise small business investment company, hereinafter called MESBIC, means a small business investment company, the investment policy of which is that its investments will be made solely in small business concerns which will contribute to a well-balanced national economy by facilitating ownership in such concerns by persons whose participation in the free enterprise system is hampered because of social or economic disadvantages."

SEC. 202. Section 301 of the Small Business Investment Act of 1958 is amended by adding the following new subsection:

"(d) Notwithstanding any other provision in this section, a MESBIC may be organized and chartered under State nonprofit corporation statutes, and may be licensed by the Administration to operate under the provisions of this Act.

SEC. 203. Section 302 of the Small Business Investment Act of 1958 is amended by adding the following new subsection:

"(d) Notwithstanding subsection (b)(2) of this section, or any other provision of law, shares of stock, other equity or debt securities issued by a MESBIC shall be eligible for purchase by banks and other financial institutions, subject to the 5 percent limitation of subsection (b)(1) of this section. MESBICs shall not be deemed ineligible for any assistance under this Act because of such purchases."

SEC. 204. Subsection 303(b) of the Small Business Investment Act of 1958 is amended:

(1) by inserting the following in lieu of the first sentence thereof: "To encourage the formation and growth of small business investment companies the Administration is authorized (but only to the extent that the necessary funds are not available to said company from private sources on reasonable terms) when authorized in appropriation acts, to purchase, or to guarantee the timely payment of all principal and interest as scheduled on, debentures issued by such companies. Such purchases or guarantees may be made by the Administration on such terms and conditions as it deems appropriate, pursuant to regulations issued by the Administration. The full faith and credit of the United States is pledged to the payment of all amounts which may be required to be paid under any guarantee under this subsection.";

(2) by inserting "or guaranteed" following "purchased" each time it appears in paragraphs (1) and (2) thereof and in the second sentence thereof;

(3) by inserting "or guarantees" following "purchases" in the last sentence of paragraph (2) thereof; and

(4) by inserting "or guarantee" following "purchase" in paragraph (3) thereof.

SEC. 205. Subsection 304(a) of the Small Business Investment Act of 1958 is amended by adding the words "and unincorporated" after the word "incorporated" in said subsection.

SEC. 206. Subsection 305(b) of the Small Business Investment Act of 1958 is amended by deleting the second sentence thereof.

SEC. 207. This title may be cited as the "Small Business Investment Act Amendments of 1970".

TITLE III—SURETY BOND GUARANTEES

SEC. 301. Title IV of the Small Business Investment Act of 1958 is amended—

(1) by striking out the title heading and inserting in lieu thereof the following:

"TITLE IV—GUARANTEES

"PART A—LEASE GUARANTEES";

(2) by striking out "this title," wherever it appears in sections 401 and 402, and inserting in lieu thereof "this part";

(3) by amending section 403 thereof to read as follows:

"SEC. 403. There is hereby established a revolving fund for use by the Administration in carrying out the provisions of parts A and B of this title. Initial capital for such fund shall consist of not to exceed $10,000,000 transferred from the fund established under section 4(c) of the Small Business Act: *Provided*, That the last sentence of such section 4(c) shall not apply to any amounts so transferred. Into the fund established by this section there shall be deposited all receipts from the guarantee programs authorized by this title. Moneys in such fund not needed for the payment of current operating expenses or for the payment of claims arising under such programs may be invested in bonds or other obligations of, or bonds or other obligations guaranteed as to principal and interest by, the United States; except that moneys provided as initial capital for such fund shall not be so invested but shall be returned to the fund established by section 4(c) of the Small Business Act, in such amounts and at such times as the Administration determines to be appropriate, whenever the level of the fund herein established is sufficiently high to permit the return of such moneys without danger to the solvency of the programs under this title. The Administration shall pay into miscellaneous receipts of the Treasury, as of the close of each fiscal year, interest on the net outstanding disbursements of the initial capital from the fund, at rates determined by the Secretary of the Treasury, taking into consideration the average yield on outstanding long-term interest-bearing marketable public debt obligations of the United States as of the month of June preceding such fiscal year."; and

(4) by adding at the end thereof the following:

"PART B—SURETY BOND GUARANTEES

"DEFINITIONS

"SEC. 410. As used in this part—

"(1) The term 'bid bond' means a bond conditioned upon the bidder on a contract entering into the contract, if he receives the award thereof, and furnishing the prescribed payment bonds and performance bond.

"(2) The term 'payment bond' means a bond conditioned upon the payment by the principal of money to persons under contract with him.

"(3) The term 'performance bond' means a bond conditioned upon the completion by the principal of a contract in accordance with its terms.

"(4) The term 'surety' means the person who (A) under the terms of a bid bond, undertakes to pay a sum of money to the obligee in the event the principal breaches the conditions of the bond, (B) under the terms of a performance bond, undertakes to incur the cost of fulfilling the terms of a contract in the event the principal breaches the conditions of the contract, or (c) under the terms of a payment bond, undertakes to make payment to all persons supplying labor and material in the prosecution of the work provided for in the contract if the principal fails to make prompt payment.

"(5) The term 'obligee' means (A) in the case of a bid bond, the person requesting bids for the performance of a contract, or (B) in the case of a payment bond or performance bond, the person who has contracted with a principal for the completion of the contract and to whom the obligation of the surety runs in the event of a breach by the principal of the conditions of a payment bond or performance bond.

"(6) The term 'principal' means (A) in the case of a bid bond, a person bidding for the award of a contract, or (B) the person primarily liable to complete a contract for the obligee, or to make payments to other persons in respect of such contract, and for whose performance of his obligation the surety is bound under the terms of a payment or performance bond. A principal may be a prime contractor or a subcontractor.

"(7) The term 'prime contractor' means the person with whom the obligee has contracted to perform the contract.

"(8) The term 'subcontractor' means a person who has contracted with a prime contractor or with another subcontractor to perform a contract.

"AUTHORITY OF THE ADMINISTRATION

"SEC. 411. (a) The Administration may, upon such terms and conditions as it may prescribe, guarantee and enter into commitments to guarantee any surety against loss, as hereinafter provided, as the result of the breach of the terms of a bid bond, payment bond, or performance bond by a principal on any contract up to $500,000 in amount, subject to the following conditions:

"(1) The person who would be the principal of the bond is a small business concern.

"(2) The bond is required in order for such person to bid on a contract, or to serve as a prime contractor or subcontractor thereon.

"(3) Such person is not able to obtain such bond on reasonable terms and conditions without a guarantee under this section.

"(4) The Administration determines that there is a reasonable expectation that such person will perform the covenants and conditions of the contract with respect to which the bond is required.

"(5) The contract meets requirements established by the Administration for feasibility of successful completion and reasonableness of cost.

"(6) The terms and conditions of any bond guaranteed under the authority of this part are reasonable in light of the risks involved and the extent of the surety's participation.

"(b) Any contract of guarantee under this section shall obligate the Administration to pay to the surety a sum not to exceed 90 per centum of the loss incurred by the surety in fulfilling the terms of his contract as the result of the breach by the principal of the terms of a bid bond, performance bond, or payment bond.

"(c) The Administration shall fix a uniform annual fee which it deems reasonable and necessary for any guarantee issued under this section, to be payable at such time and under such conditions as may be determined by the Administration. Such fee shall be subject to periodic review in order that the lowest fee that experience under the program shows to be justified will be placed into effect. The Administration shall also fix such uniform fees for the processing of applications for guarantees under this section as it determines are reasonable and necessary to pay administrative expenses incurred in connection therewith. Any contract of guarantee under this section shall obligate the surety to pay the Administration such portions of the bond fee as the Administration determines to be reasonable in the light of the relative risks and costs involved.

"(d) The provisions of section 402 shall apply in the administration of this section."

SEC. 302. This title may be cited as the "Surety Bond Assistance Act of 1970".

The material presented by Mr. McINTYRE is as follows:

SMALL BUSINESS ADMINISTRATION,
*Washington, D.C., March 23, 1970.*

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

DEAR MR. PRESIDENT: Enclosed for appropriate reference are copies of a draft bill in three titles which (1) augments the authority of the Small Business Administration in connection with the financial assistance programs established by the Small Business Act, the Small Business Investment Act of 1958, and the Economic Opportunity Act of 1964; (2) makes certain additions and amendments to the small business investment company (SBIC) program established by the Small Business Investment Act of 1958; and (3) further amends the Small Business Investment Act of 1958 to authorize a surety bond guarantee program under title IV of that Act.

As explained in the accompanying analysis, copies of which are also enclosed, this legislation will broaden the authority of the Small Business Administration to extend assistance of various kinds to small business concerns, including especially those small concerns owned and operated by socially or economically disadvantaged persons.

The Bureau of the Budget advises that enactment of this proposed legislation would be in accord with the program of the President.

I am hopeful that the bill will be promptly enacted by the Congress.

Sincerely,

HILARY SANDOVAL, JR.,
*Administrator.*

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SECTION-BY-SECTION ANALYSIS

TITLE I

*Section 101*

Section 101 of the bill authorizes SBA, in connection with the financial assistance programs established by the Small Business Act, by the Small Business Investment Act of 1958, and by Title IV of the Economic Opportunity Act of 1964, to make loans in cooperation with persons or organizations not normally engaged in lending activity, as well as with banks and other lending institutions, and to service these loans; to extend guarantees to banks or other lending institutions, or to persons or organizations not normally engaged in lending activity, without requiring that advance approval be obtained from SBA for each of the related loans; and to make interest subsidy grants to persons who borrow from SBA, through the cooperation of banks or other lending institutions or through the cooperation of persons or organizations not normally engaged in lending activity. In no case, however, shall the amount of such a grant exceed the product of the amount of the loan multiplied by the least of (A) 3 percent; (B) one-third of the prevailing rate of interest applicable to the loan; or (C) the difference between the prevailing rate of interest applicable to the loan and five and one-half percent. No grant shall be made under this section relating to interest due on a loan later than three years from the time the loan was disbursed.

*Section 102*

Section 102 of the bill authorizes SBA to extend grants to public or private organizations to pay all or part of the costs of providing business management assistance and related technical aid to socially or economically disadvantaged persons. Included among the purposes of these grants is the payment of the costs, including tuition, of the participation of such persons in courses and training programs for the development of skills relating to any aspect of business management. Repealed by section 102 is section 406 of the Economic Opportunity Act of 1964.

*Section 103*

Section 103 of the bill authorizes SBA to conduct research and studies with a view to identifying categories of small business which lack growth possibilities, as distinguished from small business built around innovations promising rapid growth, and with a view to identifying the nature and causes of small business failures. This section makes it clear that where necessary for the successful conduct of such research or study, or of any other research or study which it is authorized to undertake, SBA is to employ the services of experts and consultants.

*Section 104*

Section 104 of the bill provides that appropriations are authorized for the purposes of the programs under sections 101, 102, and 103 in such amounts as may be necessary.

TITLE II

*Section 201*

Section 201 amends section 103 of the Small Business Investment Act of 1958 (SBI Act of 1958) by adding a new paragraph (8), which defines a minority enterprise small business investment company (MESBIC) as a small business investment company (SBIC) whose investment policy states that its investments will be designed to contribute to a well-balanced national economy by facilitating ownership of small business concerns by persons who, because of social or economic disadvantages, have been hampered in their participation in the free enterprise system.

*Section 202*

Section 202 adds a new subsection (d) to section 301 of the SBI Act of 1958, providing that a MESBIC may be organized and chartered under the nonprofit corporation laws of any State, and providing as well that a MESBIC so chartered may be licensed by SBA to operate under the provisions of the SBI Act of 1958.

*Section 203*

Section 203 adds a new subsection (d) to section 302 of the SBI Act of 1958, providing that, notwithstanding the 50% limitation of subsection (b) (2) of this section or any other provision of law, shares of stock, other equity and debt securities issued by a MESBIC may be purchased by banks and other financial institutions, subject to the present limitation which prohibits bank ownership of the shares of SBICs in an aggregate amount exceeding 5 percent of a bank's capital and surplus. This allows whole or partial ownership of MESBICs by such banks and other financial institutions.

*Section 204*

Section 204 authorizes SBA, to the extent that the necessary funds are not available to the companies involved from private sources on reasonable terms, to purchase or to guarantee the payment of principal and interest on debentures issued by SBICs on such terms and conditions as SBA deems appropriate, and pledges the full faith and credit of the United States to the payment of all amounts required to be paid under any guarantees so issued. This strengthens SBA's authority to guarantee loans to SBICs, including the power to guarantee an SBIC debenture for the original amortization terms.

*Section 205*

Section 205 amends subsection 304(a) of the SBI Act of 1958 to authorize SBICs to invest in unincorporated as well as incorporated business concerns.

*Section 206*

Section 206 deletes from subsection 305(b) of the SBI Act of 1958 the present 90 percent limitation on SBIC deferred participation in loans to small business concerns. This amendment authorizes 100 percent SBIC guarantees on loans made to small concerns by other lenders.

*Section 207*

Section 207 provides that Title II of the bill may be referred to as the "Small Business Investment Act Amendments of 1970."

TITLE III

*Section 301*

Section 301 establishes a program of surety bond guarantees by authorizing SBA, upon such terms and conditions as it may prescribe, to guarantee and enter into commitments to guarantee any surety against loss as the result of the breach of the terms of a bid bond, payment bond, or performance bond by a principal on any contract up to $500,000 in amount. Authority for the program is incorporated into title IV of the Small Business Investment Act of 1958, which title presently specifies SBA's lease guarantee authority; and funding for the program is provided by the revolving fund already established by that title. A guarantee or commitment to guarantee under this program is only to be available (1) where the principal is a small business concern; (2) where such bond is required in order for the small concern to bid on a contract, or to serve as a prime contractor or subcontractor thereon; (3) where such concern is not able to obtain the required bond on reasonable terms and conditions without such a guarantee as this section provides; (4) where SBA determines that such concern will be able to perform the contract with respect to which the bond is required; (5) where the contract meets requirements established by SBA for feasibility of successful completion and reasonableness of cost; and (6) where the terms and conditions of any bond guaranteed are found to be reasonable. A contract of guarantee under this section obligates SBA to pay to the surety 90 percent of the loss which he incurs in fulfilling the terms of his contract because of the principal's breach of a bid bond, payment bond, or performance bond. The section also provides that SBA shall fix such uniform annual fees as it deems reasonable and necessary for guarantees issued under this section, and shall also fix uniform fees for the processing of applications for guarantees.

*Section 302*

Section 302 provides that title III of the bill may be referred to as the "Surety Bond Assistance Act of 1970".

Mr. PERCY. Mr. President, it is a source of real satisfaction to me to be able to join the distinguished chairman of the Small Business Subcommittee of the Committee on Banking and Currency (Mr. McINTYRE) in cosponsoring this package of bills directed toward the problems of minority enterprise. The satisfaction stems both from the association and the legislation. I know through my work on this subcommittee that the chairman has a deep understanding of small business problems and a strong commitment to legislate in light of this understanding. The legislation itself is the first major input from the administration directed toward minority entrepreneurs, and it has been eagerly awaited and already enthusiastically received.

Mr. President, last December we conducted extensive hearings to examine the status of Federal Government programs in the area of minority enterprise. We heard from Government officials, administrators, university professors, community leaders—black and white, participants in various Government programs who have had the assistance—financial and consultative—in setting up their businesses, and private businessmen who are expanding both their operation and social perspectives by involving their time and money and expertise in working out solutions to these problems. Throughout the course of these hearings each witness affirmed the theory that the real needs and best interests of all minorities will be met only when there exists a full integration of minority entrepreneurs into the marketplace.

The hearings also confirmed the urgent need for a national commitment to the interests of minority enterprise. Thus I am particularly gratified by the vigorous fresh leadership the President is assuming in this area. For millions of America's minority citizens, the President's commitment marks the beginning of their full assimilation in the marketplace, a goal which will bring with it a new economic stability and independence, a new manpower market, a new source of technical and managerial expertise, and a new and broadened political base interested in and concerned about the workings and improvement of our society as a whole. These are not only the potential results of economic power; they are also the results of a new sense of human dignity.

The bills which I am cosponsoring today, through a series of changes in the law, promise greater successes by minority entrepreneurs because they provide for greater involvement of the private sector, because they extend and simplify Government programs and because they liberalize the conditions under which applicants can secure much-needed capital. These are, as President Nixon has said, "specific practical things that can be done now to get private enterprise into the ghetto, and the people of the ghetto into private enterprise."

Mr. President, the problems of minority enterprise have occupied much of my thinking and certainly much of my senatorial time over the last few years. I have studied, discussed, dreamed, grappled, and watched. While I would be the first to confess that I am just now beginning to develop what I would consider a working perspective in this area, I have been able to reach a preliminary understanding of what is needed if we are to succeed in offering full access to the marketplace to America's minority citizens.

First, we need a national commitment to this goal; I have discussed this already at some length, and would like to reiterate my special pride in the Presi-

dent's dedication and leadership in developing this commitment.

But in addition we need a sense of perspective. We must be realistic, we must know the legitimate needs of the business community, we must thoroughly and fairly evaluate the gifts of men who wish to participate in the economy but who for one of several reasons lack specific skills needed to succeed.

Finally, as a nation and as a government we desperately need a spirit of boldness and creativity. The problems we encounter in this area and the ones for which we must devise solutions will never be tackled if we rely on a few selected Government leaders to do the job. As we have seen time and time again, the real impetus and ingenuity come so often from the private sector. But in this area of minority enterprise we need the best of both worlds. I am convinced that anything short of this will leave us critically wanting.

I am therefore pleased to have the opportunity to cosponsor legislation which will advance the cause of minority enterprise. The goal and the legislation are in our own national self-interest and promise a new morality in dealing with the real needs of individual citizens.

## ORDER OF BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senator from Maryland (Mr. TYDINGS) was supposed to be recognized at this time. Does the Senator ask unanimous consent to proceed notwithstanding that order?

## 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 April 7, 1970, the President had approved and signed the act (S. 2593) to amend the Immigration and Nationality Act to facilitate the entry of certain nonimmigrants into the United States, and for other purposes.

## EXECUTIVE MESSAGE REFERRED

As in executive session, the Presiding Officer (Mr. HUGHES) laid before the Senate a message from the President of the United States submitting the nomination of Robert McClintock, of California, a Foreign Service Officer of the class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary to Venezuela, which was referred to the Committee on Foreign Relations.

## EXECUTIVE REPORT OF A COMMITTEE

As in executive session, the following favorable report of a nomination was submitted:

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

Stephen S. Davis, for reappointment as a member of the Board of Directors of the District of Columbia Redevelopment Land Agency.

## BILLS INTRODUCED

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

By Mr. PACKWOOD:

S. 3698. A bill to authorize the Secretary of the Interior to hear, determine, and pay certain claims arising out of an interruption in the water supply to a grazing area operated by the Bureau of Land Management; to the Committee on the Judiciary.

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

By Mr. MCINTYRE (for himself, Mr. PERCY, Mr. TOWER, Mr. JAVITS, and Mr. PACKWOOD):

S. 3699. A bill to clarify and extend the authority of the Small Business Administration, and for other purposes; to the Committee on Banking and Currency.

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

By Mr. KENNEDY:

S. 3700. A bill to authorize appropriations for activities of the National Science Foundation; to the Committee on Labor and Public Welfare.

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

By Mr. HATFIELD (for himself and Mr. PACKWOOD):

S. 3701. A bill to establish the Oregon Dunes National Recreation Area in the State of Oregon, and for other purposes; to the Committe on Interior and Insular Affairs.

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

By Mr. HOLLAND:

S. 3702. A bill for the relief of Dr. Nahid Mansoori Diaz; to the Committee on the Judiciary.

By Mr. MONTOYA:

S. 3703. A bill for the relief of Joan M. Brush; to the Committee on the Judiciary.

By Mr. MUSKIE:

S. 3704. A bill to authorize the Secretary of Health, Education, and Welfare to enter into an agreement with the Roosevelt Campobello International Park Commission extending, to employees of such Commission who reside in the United States but work in Canada, coverage under the insurance system established by title II of the Social Security Act; to the Committee on Finance.

S. 3705. A bill to amend the act of August 3, 1956, relating to the payment of annuities to widows of judges; to the Committee on the Judiciary.

By Mr. MANSFIELD (for Mr. HARTKE) (for himself, Mr. MAGNUSON, Mr. CANNON, Mr. HART, Mr. MOSS, Mr. TYDINGS, and Mr. HOLLINGS):

S. 3706. A bill to provide financial assistance for and establishment of a national rail passenger system, to provide for the modernization of railroad passenger equipment, to authorize the prescribing of minimum standards for railroad passenger service, to amend section 13(a) of the Interstate Commerce Act, and for other purposes; to the Committee on Commerce.

(Subsequently, the bill was reported, without amendment. The remarks of Mr. MANSFIELD, when he reported the bill appear later in the RECORD under the appropriate heading.)

By Mr. JAVITS:

S. 3707. A bill to amend title V of the Higher Education Act of 1965 (relating to education professions development) to authorize training programs for teachers in order that they may teach other grades or subjects in which there is a teacher shortage; to the Committee on Labor and Public Welfare.

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

By Mr. BURDICK (for himself and Mr. MCGOVERN (by request)):

S. 3708. A bill to provide for the distribution of the Sisseton and Wahpeton Tribes of Sioux Indians of their portion of the funds appropriated to pay judgments in favor of the Mississippi Sioux Indians in Indian Claims Commission dockets numbered 142 and 359, and for other purposes; to the Committee on Interior and Insular Affairs.

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

## S. 3698—INTRODUCTION OF A BILL RELATING TO CERTAIN CLAIMS ARISING OUT OF AN INTERRUPTION IN THE WATER SUPPLY TO A GRAZING AREA

Mr. PACKWOOD. Mr. President, today I am introducing legislation directing the Secretary of the Interior to hear, determine, and pay the claims of certain cattlemen in Oregon, arising from a tragedy at Owyhee Butte Seeding in Malheur County, when the water system maintained by the Bureau of Land Management failed to function properly.

To my mind there is no doubt but that financial retribution should be made to these ranchers whose cattle died last August as the result of a serious water shortage on this BLM operated grazing area. Hundreds of head of cattle were lost through no fault of these ranchers. To the contrary, as a result of negligence and great apathy on the part of Bureau of Land Management personnel, a pump failed, tanks were not filled, and troughs emptied. Hundreds of cattle died.

The deaths of the cattle could have been avoided if the BLM had given proper attention to this management area and had corrected the water system deficiencies.

Every rancher in the countryside came forth to hand-feed dying cattle and to bring equipment to obtain water. But confusion was obvious as carcasses of cattle dotted the range. Cows even jumped over the Owyhee Rim on the west in an effort to obtain water from the Owyhee River a few hundred feet away.

The cattle could see and hear the water running below, but could not reach it. So they jumped off cliffs several hundred feet high. Dead cattle also were found with their heads thrust through fences or caught in cattle guards.

As I flew over the site following the disaster, everyone was doing everything possible to save the cattle. Even the children of the ranchers assisted, but in spite of all efforts, the cattle died, and graves had to be dug to bury the bloated animals.

The death of these cattle, however, was not the only loss to the ranchers. The after effects were alarming—cows continued to abort and give birth to dead calves; many died after being moved to home ranches, and others lost weight.

How such a tragedy could occur soon became the subject of much investigation. The FBI became involved, but as far as I know, there was no negligence on the part of ranchers. But there was great

apathy and gross negligence on the part of BLM personnel.

Mr. President, I ask that the full text of the bill I am introducing be printed in the RECORD at this point.

The ACTING PRESIDENT pro tempore (Mr. ALLEN). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3698) to authorize the Secretary of the Interior to hear, determine, and pay certain claims arising out of an interruption in the water supply to a grazing area operated by the Bureau of Land Management, introduced by Mr. PACKWOOD, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 3698

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized and directed to hear, determine, and pay the claims of Fred Eiguren, Glen Caywood, Domingo Urquiaga, and Robert Dowell, residents of Oregon, arising out of the failure in August 1969, of the Bureau of Land Management, Department of the Interior, properly to maintain and repair equipment supplying water to the Owyhee Butte Seeding, a grazing area for cattle, located in Malheur County, Oregon, such failure having caused an interruption in the water supply to such area which resulted in the death and injury of cattle owned by the aforenamed persons.

## S. 3700—INTRODUCTION OF A BILL AUTHORIZING APPROPRIATIONS OF THE NATIONAL SCIENCE FOUNDATION

Mr. KENNEDY. Mr. President, as chairman of the Special Subcommittee on the National Science Foundation. I am today introducing an authorization bill for the Foundation. The crucial feature of my bill is that it calls for a $50 million increase over the authorization provided by the administration.

The administration requested $500 million for the NSF in fiscal year 1971. From the standpoint of the NSF this represented a small increase over fiscal year 1970. But from the standpoint of scientific research generally the administration request marked the continuation of a disastrous decline. This is because the mission-oriented agencies of the Federal Government—Department of Defense, NASA, AEC, and HEW—have been cutting back sharply on their support for research. Overall, the percentage of the Federal budget going to scientific research and development has dropped from 13 percent in 1965 to under 9 percent in 1970.

The primary reason for the most recent cutbacks in research by the mission-oriented agencies is budgetary belt tightening. I recognize the need for such belt tightening in a period of inflation. But even in a period of inflation, a responsible government must choose its priorities wisely; it cannot blindly slash every Federal program. And it is my belief that no government with a proper set of priorities can, at this moment in history, seriously consider reducing its commitment to scientific research.

The necessity for scientific research is greater today than ever before. We need science's help to devise a more balanced transportation system, to overcome our housing shortage, to develop a more comprehensive health delivery system, to design more effective teaching methods, to fight crime and to protect our environment from the ravages of pollution. It is true that science and technology have themselves contributed to many of our problems, in particular the environmental crisis, but it is also true that only with the assistance of science and technology can we resolve these problems. For over a generation, the scientific community has been substantially hindered in dealing with our civilian needs by our Nation's emphasis on military and space affairs. But now, finally, this country is beginning to reorder its priorities. We are just on the verge of freeing many of our scientists to work on domestic problems. Can this, then, be the time to cut back on scientific research?

I do not think so. Nor, I am happy to say, does the House Committee on Science and Astronautics. That committee just recently added $27.6 million to the President's authorization.

The House committee's increases focussed on five specific areas: graduate traineeships, support for academic projects dropped by other agencies, the college science improvement program, environmental research in Federal laboratories, and State and local intergovernmental science policy planning programs. I agree that all of these areas deserve increased appropriations. I am not sure, however, that the increases proposed by the House committee are sufficient.

For example, the House committee increased the authorization for the State and local science policy planning program from $370,000 to $500,000. I believe one of the most crucial needs in this country is to enable State and local governments to utilize science and technology to resolve their own communities' problems. Unfortunately, few programs are designed to meet this need. In fact, just this year, the Office of State Technical Services in the Commerce Department was abandoned. I think, therefore, that NSF needs more funds so that it can develop a format by which mission-oriented agencies at every level of government can best make use of advances in science and technology.

Another area where it appears that the House committee did not authorize a sufficient increase is support of academic science projects which are being dropped by DOD, NASA, and other Federal agencies. The committee itself estimated the total of such dropped projects at about $60 million and this is probably a conservative estimate. Furthermore, the committee conceded that the projects were of high quality. Yet, it authorized only $20 million to compensate for the dropouts, $10 million more than did the administration. This means that the NSF will be forced to choose between funding the high-level projects dropped by other agencies—some of which are led by Nobel Prize winners—or funding other worthy projects, many of which are led by young scientists at our smaller universities. I think that we should relieve the NSF of at least part of this dilemma by authorizing $30 million more than the President did for support of academic science projects.

There are other items which may require additional support. First, it may well be that the unmet capital needs in the science field are mounting at an alarming rate. Capital expenditure for research facilities and equipment was $41.2 million in 1967 and only $8.2 million in 1971. This reduction deserves examination at our hearings.

At our hearings I also hope to explore whether the NSF's present commitment to the social sciences is adequate. It is true that the Foundation has been increasing its expenditures for the social sciences at a more rapid rate than that of the other sciences. However, it is also true that out of a total of $190 million requested by NSF for science research project support in fiscal year 1971, only $17.3 million, or 9 percent is requested for all of the social sciences. Is this enough to strengthen the social sciences and learn to apply them successfully to society problems?

Mr. President, I have been emphasizing the role which science and the National Science Foundation must play in solving pressing social problems. But I wish to make clear that scientific research cannot just focus on problems which are currently in the public eye. It must prepare to solve problems which most of us have not even begun to foresee. Therefore, we must train experts and gather knowledge in every area of science. Only then can we have any hope of meeting the dangers which the future holds in store.

There is one last point I should like to make. In his authorization bill, Senator PROUTY, my distinguished colleague on the National Science Foundation Subcommittee, proposed a 2-year authorization and requested "such sums as may be necessary" for fiscal year 1972. I agree wholeheartedly that a 2-year authorization is desirable, and I have incorporated Senator PROUTY'S provisions in my bill. But I cannot agree with Senator PROUTY'S statement on the floor that the 1972 authorization should not remain open ended and that an exact dollar figure should be proposed at the end of our hearings this year. The amount of support that scientific research will receive from the other agencies of the Federal Government in 1971 is still unclear. There may be substantial cutbacks of extremely worthwhile projects. In such a fluid situation, I do not believe that we would serve the cause of scientific research and education by proposing a specific NSF authorization for 1972 at this time. Let us wait and see what the scientific community and the Nation truly require.

Mr. President, I request that my bill be printed in the RECORD immediately following these remarks.

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

The bill (S. 3700) to authorize appropriations for activities of the National

Science Foundation, introduced by Mr. KENNEDY, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 3700

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to the National Science Foundation $548,000,000 for the fiscal year ending June 30, 1971, and such sums as may be necessary for the succeeding fiscal year, to enable it to carry out its powers and duties under the National Science Foundation Act of 1950, as amended, and under title IX of the National Defense Education Act of 1958.

SEC. 2. Appropriations made pursuant to authority provided in section 1 shall remain available for obligation, for expenditure, or for obligation and expenditure, for such period or periods as may be specified in Acts making such appropriations.

SEC. 3. Appropriations made pursuant to this Act may be used, but not to exceed $2,500 in any fiscal year, for official reception and representation expenses upon the approval or authority of the Director of the National Science Foundation, and his determination shall be final and conclusive upon the accounting officers of the Government.

SEC. 4. In addition to such sums as are authorized by section 1 hereof, not to exceed $2,000,000 is authorized to be appropriated for each of the fiscal years ending June 30, 1971, and June 30, 1972, for expenses of the National Science Foundation incurred outside the United States to be paid for in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States.

SEC. 5. This Act may be cited as the "National Science Foundation Authorization Act of 1971".

## S. 3701—INTRODUCTION OF A BILL TO ESTABLISH THE OREGON DUNES NATIONAL RECREATION AREA

Mr. HATFIELD. Mr. President, as our country's population continues to expand at an alarming rate, as our cities become increasingly crowded and living conditions for the vast majority of Americans suffer because there are just too many people, automobiles, and ribbons of concrete and steel around us, the need for an occasional escape becomes critical.

From time to time, the Congress of the United States has recognized this need, and established national parks and wilderness and recreation areas for present and future generations to enjoy. Man must be able to breathe clean air, swim in unpolluted water, picnic and camp in our magnificent forests, or enjoy the solitude of a desolate beach.

The typical American citizen is becoming even more conscious of his environment and of the need to set aside certain areas throughout the country for the purposes just described. State and local governments have responded to this awakening and have taken the initiative by establishing parks, campgrounds, and manmade lakes. In Oregon, the State parks are recognized as among the finest in the country. Concerned citizens throughout the land have realized that government at all levels must act soon, if we are to preserve enough areas to meet the recreation and other needs of future generations.

Today, my colleague from the State of Oregon, Senator ROBERT PACKWOOD, and I are introducing a bill which is designed to help meet the recreation needs of not only the citizens in our State, but of citizens in every State in the Union. This bill, which would establish the Oregon Dunes National Recreation Area, is a product of over 10 years of struggle to provide for the general public outdoor recreation use and enjoyment of a section of Oregon's shoreline and magnificent dunes, forested areas, fresh water lakes, and recreational facilities.

During these past 10 years there were various proposals as how best to establish an Oregon Dunes national seashore or park or recreation area. At one point the other body passed a measure which would have established a national seashore. However, the Senate did not act on the measure, largely because of the conflict over condemnation. There are volumes of hearing records and page after page of floor statements made in both bodies concerning the fate of Oregon's dunes. However, no bill was ever passed into law.

If no action is taken soon, what will happen to this magnificent area? I believe that if the 91st Congress does not move quickly and pass into law this bill which is introduced today, this country will not find itself in the position of being able to enjoy all that the dunes area has to offer.

Let me assure my colleagues in this great body that I am not crying wolf. Commercial interests in and out of the State of Oregon have been eyeing the dunes area and have even formulated plans calling for major commercial development. Surely this kind of development would prove incompatible with the recreation area concept. Land developers have watched this area for 10 years and could move in if we do not take action.

Congressman JOHN DELLENBACK, representing Oregon's Fourth Congressional District, has come up with what I consider an excellent plan, and it is a duplicate of his bill which Senator PACKWOOD and I are introducing today. I am pleased to join Congressman DELLENBACK now in his efforts to fulfill the pledge of providing protection for this valuable area.

Congressman DELLENBACK during the 90th Congress introduced H.R. 17904 calling for the establishment of the Oregon Dunes National Recreation Area. The 90th Congress failed to act on this measure. However, during the duration of the 90th Congress, Congressman DELLENBACK welcomed and considered comments and suggestions from all interested parties. The comments were primarily favorable, but when he reintroduced the bill last January 3—when the 91st Congress convened—he had incorporated certain suggestions as improvements to his original bill. His new bill, H.R. 778, is now in the House Interior and Insular Affairs Committee and hopefully will receive action during this session of the 91st Congress.

As I stated previously, the bill which Senator PACKWOOD and I have introduced today embodies Mr. DELLENBACK's plan and is a companion bill to H.R. 778. Briefly, it calls for administration of the area by the U.S. Forest Service in cooperation with State and local governments. The Forest Service has given its assurance that it stands ready to assume the responsibility of administering the Oregon Dunes National Recreation Area in accordance with the provisions of the bill and with the national recreation area concept. The Forest Service presently holds title to 18,290 acres of this 31,910-acre plan. It has had considerable experience in the administration of recreation areas and will move to accommodate the potential of the dunes area through the development of needed roads, recreation trails, parking facilities, beach developments, camp and picnic grounds, interpretive services, and sanitary facilities. The bill is strongly and widely supported in Oregon.

As a member of the Senate Interior and Insular Affairs Committee during the past 3 years, I have become evermore aware of the recreation requirements of this country. I am also keenly aware of the potential of the Oregon Dunes National Recreation Area and take great pride in introducing this bill today with Senator PACKWOOD.

As I said, this proposal has wide support in Oregon. At this point in the RECORD, I ask unanimous consent that several editorials appear in support of the Oregon Dunes Recreation Area: Medford, Oreg., Mail Tribune, December 29, 1969; Portland, Oreg., Oregon Journal, December 20, 1969; Portland, Oreg., the Oregonian, June 27, 1968; Eugene, Oreg., Register Guard, February 18, 1967; Eugene, Oreg., Register Guard, February 23, 1967.

Mr. President, I also ask unanimous consent that a letter of support from John Parker, chairman of the Western Lane Taxpayers Association, appear in the RECORD, along with a letter to the Eugene Register Guard from Mr. Parker.

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

The bill (S. 3701) to establish the Oregon Dunes National Recreation Area in the State of Oregon, and for other purposes, introduced by Mr. HATFIELD (for himself and Mr. PACKWOOD), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The editorials and letters, presented by Mr. HATFIELD, are as follows:

[From the Medford, Oreg., Mail Tribune, Dec. 29, 1969]

DUNES RECREATION AREA: A NEW CHANCE

Probably never before have chances been better for some sort of national recognition for the Oregon Dunes—that area of beaches, fresh-water lakes, trees, streams and dunes that has been described thus:

"The area is adjudged to be of national importance, not only for the manifold opportunities for seashore recreation but also for the inspirational worth of the resources to the American citizen. The many superlative values found here are of such high importance as to warrant permanent preservation for the nation as a whole."

That quotation was contained in a report compiled in 1958—nearly 12 years ago—for the Department of the Interior.

If anything, the deterioration of the quality of the unprotected environment in Oregon has lifted the Dunes into an even loftier spot in the regard of sensitive people than ever before.

The proposal for the creation of an Oregon Dunes National Seashore—first made by the late Sen. Richard L. Neuberger—stalled along for years, held back by a variety of circumstances too complex to be described briefly here, but chiefly by the unexplained opposition of then-Sen. Wayne L. Morse.

The more recent proposal, by Congressman John R. Dellenback, is for an Oregon Dunes Recreational Area (not a National Seashore), and it is less ambitious than the earlier plan. It also embodies some proposals and concepts that are pretty much untried.

But the situation now appears to be more favorable than before for its enactment. Both Oregon Senators, Mark O. Hatfield and Bob Packwood, and particularly the latter, are showing a heightened sensitivity to the Oregon landscape and its protection, and the enhancement of esthetic, environmental and recreational matters. Wayne Morse's effective obstructionism in the Senate is now absent. And the tide is running high for preserving America's beauties.

Not that the Dunes area is seriously threatened in its core—and most important—area. This is now under the protective administration of the Forest Service.

Congressman Dellenback's bill for a Recreation Area would leave the principal administration with the Forest Service, but it would also encompass some areas of state and county ownership, as well as some privately-owned land, and would depend in large part upon the zoning authority of the counties involved, as well as the cooperative attitude of all the participating entities, to save the fringe areas from becoming honky-tonk slums.

Its chief value, it seems to us, is that it would give national recognition to a nationally-important area, would provide controls and directions for development and protection now absent in the Forest Service's multiple-use plans, and would provide a test to see if local governments can really measure up to the task of protecting the environment—a test that most of them have failed dismally in the past.

It is no secret that we would prefer National Seashore designation with the National Park Service in charge. But lacking that (and no one on the political scene seems anxious to resurrect that plan), we'd like to see the Recreation Area plan given a try.

We hope that our cautious optimism, and our reading of the sentiment of members of Oregon's Congressional delegation, are not in error.

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[From the Portland (Oreg.) Journal, Dec. 20, 1969]

DUNES PARK IDEA REBORN

Perhaps the time has come for a serious, second-round attempt to establish a national recreation area in the Oregon dunes south of Florence.

About 18 months ago, Rep. John Dellenback, R-Ore., introduced a bill which would create such an area, covering about 32,000 acres, to be administered by the U.S. Forest Service. He reintroduced it in January of this year.

Dellenback's proposal was a substitute for the National Park Service seashore concept conceived by the late Sen. Richard Neuberger during the Eisenhower administration and fought for through nearly a decade.

The battle was carried on by former Sen. Maurine Neuberger. One version of it was approved by the House of Representatives through the efforts of former Rep. Robert Duncan. While that plan was strongly opposed by a group in the Florence area, it had wide support elsewhere on the Oregon Coast, in the state generally and in the Congress. There is little doubt that it would have passed the Senate and that a seashore park would now be in existence except for the adamant opposition of former Sen. Wayne Morse.

Now the circumstances and the actors are all changed. There is no push from any government quarter for the National Park Service seashore idea. The Dellenback plan is approved by people in the Florence area. It appears to have little real opposition anywhere.

But impetus for it has been lacking in the closing months of the Johnson administration and the first year of the Nixon administration. More important issues have commanded the attention of Congress.

Now Sens. Mark Hatfield and Bob Packwood have agreed jointly to introduce in the Senate a measure identical to the Dellenback bill.

Congress in 1970 will still be confronted by many issues more vital to the nation than the dunes legislation. But there should be time to give this one the attention it deserves. The proposal is in line with a growing national interest in conservation.

Most of the land involved is already administered by the U.S. Forest Service. But giving it seashore status will pave the way for greater protection of its values and development for public use. Under this plan it would serve many of the same purposes embodied in the original National Park Service concept.

The Journal consistently supported the earlier plan. That is no longer politically possible. We believe that the legislation proposed by Dellenback and embraced by Sens. Hatfield and Packwood will be in the public interest.

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[From the Portland Oregonian, June 27, 1968]

SOUND DUNES PLAN

It has been our view that the Oregon Dunes on the coast between Florence and Reedsport could be preserved and developed for recreational uses without establishing a national seashore under rather rigid National Park Service administration. Most of the dunes area is publicly owned, and cooperation between federal, state and county agencies would do the job, we believe.

Congressman John Dellenback has introduced a bill in the House which follows the same line of thinking. It would establish an Oregon Dunes National Seashore Recreation Area under the Forest Service within whose Siuslaw National Forest a greater part of the area already lies.

Sustained yield management of private timberlands on the eastern edge of the area would be permitted, so long as access to lakes and streams was granted and the natural beauty of lake and stream banks and of roadsides was protected.

Condemnation of private homes and other property, on which the national seashore proposals of the Senators Neuberger and Congressman Robert Duncan ran hard aground, is ruled out in Mr. Dellenback's bill. Property needed for the area would be subject to purchase by negotiation "only with the consent of the owners." Owners of homes acquired by the government could choose to retain lifetime occupancy. Commercial property in use before Dec. 31, 1965, in the "inland sector," also would be subject to purchase by negotiation.

State and county lands could be acquired only by the consent of the state or county. Hunting, fishing and trapping would be permitted in accordance with federal and state laws, with due regard for public safety, administration, public use or enjoyment. Withdrawal of ground water from the dunes under state laws and permits would continue, as would existing piping rights across the area for disposal of domestic and industrial wastes in the ocean.

The Dellenback bill forms a basis for solution of a problem which has had heated attention for a decade. All sides will have an opportunity to be heard on it before Congress takes action. It appears to us a reasonable compromise which will preserve and develop the dunes and at the same time protect the interest of property owners who have objected so strenuously to condemnation and some other facets of national seashore management.

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[From the Eugene (Oreg.) Register Guard, Feb. 18, 1967]

HOPE FOR THE DUNES

Representative Ed Elder has introduced a legislative memorial asking that the Oregon dunes be declared a national recreation area, under the U.S. Forest Service. In Washington, Representative John Dellenback is working toward the same end.

And that's probably the best we can do. Any idea of getting National Park Service protection for this unique area is preposterous now. The National Seashore idea, under the Park Service, does not have friends in the right places. It came close last time. The House agreed to National Seashore status. But the Senate did not pass it because of the objections of Senator Wayne Morse. Its best friends were Senator Maurine Neuberger and Representative Robert Duncan, both of whom were often at odds with the senior Senator.

Senator Morse blustered about a condemnation feature he objected to. When friends of the National Seashore concept gave in to the Senator, the Senator promptly demonstrated that he didn't have enough muscle to get his own bill through. The bill, with the condemnation feature, would have passed easily, save for the opposition of the Senator.

Representative Duncan and Senator Neuberger have been replaced by Mr. Dellenback and Senator Mark Hatfield, neither of whom is friendly to the Seashore concept. Neither opposes it with the vehemence of Senator Morse, but neither will do anything to advance it.

So it looks as if the Forest Service is the best bet. For reasons unknown, the Forest Service doesn't stir up the local animosities the Park Service arouses. The important consideration is to get something going down there. It is a unique area. It deserves protection from logging and commercial encroachment, also sound planning and a place on the maps. A well-managed area, properly publicized, could prove to the people of the Florence, Reedsport, and Coos Bay areas that a bumper tourist crop is worth three sawmills and half a dozen real estate developments.

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[From the Eugene, (Oreg.), Register Guard, Feb. 23, 1967]

ZONING NEEDED, TOO

Bandwagon sentiment seems to be growing for creation of a national recreation area in the Oregon dunes region. And earlier ideas for a national seashore preserve encompassing the uniquely intermingled ecological features of this region seem to be dead.

So be it. As was said on this page several days ago, the important consideration is to get something going to insure protection of the dunes country for the enjoyment of future generations. The national seashore plan was designed to keep more of the dunes region in its natural state. The recreation area plan, which would be administered by the U.S. Forest Service, includes less land and will permit more alterations of the natural characteristics of the dunes country.

But, again, so be it. There are many thousands of acres of shifting sand mountains which would be included in the proposed

national recreation area, dozens of unusual little lakes in valleys between the sand mountains, large forests that are gradually being buried by the sands and sizable areas where wild rhododendrons, wax myrtles and other botanically invaluable species thrive and provide cover for equally invaluable biological species.

If the national seashore plan is dead, it now becomes most important that the recreation area be established as soon as possible—and that the Forest Service be charged with safeguarding its priceless assets.

It also becomes imperative that Lane, Douglas and Coos counties carry out plans to provide protective zoning along coastline areas that will not be under Forest Service jurisdiction—or that of the Oregon State Parks Department. Several years ago, it was generally agreed by representatives of these three counties that fringes of the dunes should be zoned—not to outlaw all commercial development, but to contain it in rational fashion and prevent irrational despoliations. To date, only Douglas County has done anything to carry out such aims, and even that county has not done all it should.

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WESTERN LANE
TAXPAYERS ASSOCIATION,
*Florence, Oreg.*

Hon. MARK O. HATFIELD,
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR HATFIELD: As you know, our Congressman from the Fourth District, John Dellenback, has a bill to create an Oregon Dunes National Recreation Area under the administrtaion of the U.S. Forest Service.

We know, of course, that you are very familiar with the dunes controversy of some ten years' standing. There appears to be almost unanimous support for Congressman Dellenback's proposal. The Oregon State Assembly passed a memorial last session with the House voting unanimously and the Senate 26 to 4.

Among groups favoring the project are the Pomona Grange, Oregon Coast Association, State Association of Soil Conservation Districts, Farm Bureau Federation, port districts in Coos Bay, Reedsport and Florence, the Siuslaw School District, Lane County Chamber of Commerce, chambers in Florence, Reedsport and Coos Bay, the North Bend Coos Bay Water Board and so forth. Even *The Register Guard* which, as you remember, was for the Interior Department's dunes park, feels now that the Dellenback proposal should receive support. The Lane County Board of Commissioners last week voted in favor.

We hope that a companion bill will be sponsored in the U.S. Senate and that this long controversy can, at last, be resolved. We would appreciate hearing from you.

Respectfully yours,
JOHN S. PARKER, *Chairman.*

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[From the Eugene (Oreg.) Register-Guard, Oct. 3, 1969]

DUNES PLAN FAVORED

Answers to the question in Senator Robert Packwood's poll, "In your opinion what should be done with the Oregon dunes along the coast?" clearly indicated that Oregonians felt it should remain under the administration of the U.S. Forest Service. Results showed that 33.1 per cent wanted it made into a national recreation area and 31.8 per cent wanted it to remain as it is. In either case the dunes would be under the Forest Service according to the wishes of 64.9 per cent of citizens who expressed opinions. Only 23.3 per cent wanted a national park; 11.8 per cent voiced no preferences.

Most of the dunes are within the boundaries of the Siuslaw National Forest, which has established excellent recreation areas with some 300 campsites, access roads, launching ramps and other public facilities. Most citizens are well satisfied with the present setup. However, there are some (33.1 per cent) who think that not only should the Forest Service continue to administer the dunes but the area should be definitely established as an Oregon Dunes National Recreation Area, under the Forest Service, by an act of Congress. This, they maintain, would be helpful in several ways: it would end the long 10-year controversy over who should administer the dunes, permit the Forest Service to go ahead with its plan of more recreation facilities, including visitors' centers, make federal funds more available, and give publicity and nationwide recognition to this coast area. There are, at present, only four such recreation areas in the United States.

A bill sponsored by Congressman John Dellenback (HR 778), now in the House Interior Committee, would accomplish this. His proposal has almost unanimous support along the coast where people are familiar with the situation. A memorial favoring such a recreation area was passed by the Oregon State Legislature by a unanimous vote in the House and by a 26 to 4 vote in the Senate.

Governor Tom McCall, in a recent letter to the Western Lane Taxpayers' Association, expressed his support, declaring, "It is my hope that Congress will act favorably upon it." Senator Hatfield is prepared to introduce a companion bill and Senator Packwood, himself, in writing to the tax group during the campaign last fall said if he were elected he "would go to Washington, D.C. to work with members of both houses of Congress to implement the Dellenback bill."

JOHN S. PARKER.

Mr. PACKWOOD. Mr. President, the senior Senator from Oregon (Mr. HATFIELD) has today introduced a bill to establish the Oregon Dunes National Recreation Area in the State of Oregon. I am glad to join my colleague in cosponsoring this legislation, which is a companion measure to one introduced on the House side by Congressman JOHN DELLENBACK.

Senator HATFIELD has already discussed the details of this legislation in his knowledgeable capacity as a member of the Senate Interior and Insular Affairs Committee.

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## S. 3707—INTRODUCTION OF A BILL TO AUTHORIZE CERTAIN TRAINING PROGRAMS FOR TEACHERS

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill to amend the Education Professions Development Act to permit States to use grant program funds for retraining experienced educational personnel to meet critical shortages.

This legislation was suggested to me by the New York State Department of Education and follows the suggestion contained in the report submitted by the U.S. Office of Education last month entitled "Attracting and Qualifying Teachers to Meet Critical Teacher Shortages." That report states:

The States are currently prevented from using State Grants Program funds for retraining experienced educational personnel to meet critical shortages. This restriction should be lifted. If a State has a surplus of secondary school social studies teachers, for example, and desires to retrain them to meet an immediate critical need in junior high school science and mathematics, it should have the freedom to do so. Such a change would be entirely in keeping with the intent of part B-2 of EPDA, to meet critical shortages as determined by the States.

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

The bill (S. 3707) to amend title V of the Higher Education Act of 1965 (relating to education professions development) to authorize training programs for teachers in order that they may teach other grades or subjects in which there is a teacher shortage, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

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## S. 3708—INTRODUCTION OF THE SISSETON AND WAHPETON JUDGMENT FUNDS BILL

Mr. BURDICK. Mr. President, on behalf of myself and my colleague from South Dakota (Mr. MCGOVERN), I am introducing, by request, a bill to provide for the distribution to the Sisseton and Wahpeton Tribes of Sioux Indians of their portion of the funds appropriated to pay judgments in favor of the Mississippi Sioux Indians in Indians Claims Commission dockets numbered 142 and 359.

This bill is the outgrowth of a hearing held January 29, 1970, by the Subcommittee on Indian Affairs upon S. 3174, a bill authorizing the distribution of all the Mississippi Sioux judgment funds. Testimony at the hearing showed that the Sisseton and Wahpeton Sioux Tribes, on the one hand, and the Medawakanton and Wahpakoota Sioux Tribes, on the other hand, were taking a different approach toward disposition of their separate judgment funds, and that their interests, therefore, would be better and more expeditiously treated in separate legislation.

The provisions of the bill have been endorsed by the tribal councils of the only two organized tribes which have a right to the funds, the Devils Lake Sioux Tribe of North Dakota and the Sisseton and Wahpeton Sioux Tribe of South Dakota, respectively, and the legislation is being introduced at their request.

The funds which are the subject of this bill were appropriated by the act of June 19, 1968 (82 Stat. 239), to pay compromise judgments in favor of the Sisseton and Wahpeton Tribes of Mississippi Sioux Indians in Indian Claims Commission dockets numbered 142 and 359. The major features of the proposed law are as follows:

Under section 2(a) the Secretary of the Interior is directed to assist the Devils Lake Sioux Tribe and the Sisseton and Wahpeton Sioux Tribe in preparing complete, current rolls of their members. In order to identify all persons who should share in the judgment funds, the Secretary also is directed under section 2(b) to prepare within 2 years a separate roll of persons of one-quarter degree or more Sisseton and Wahpeton Indian blood who are not eligible for membership in either of the two organized tribes.

All three rolls are subject to final approval by the Secretary. No person shall be eligible for enrollment who is not a

citizen of the United States. In order to prevent an individual from sharing in two or more awards to different Indian groups, section 2(c) further specifies that no person shall be eligible for inclusion on the Sisseton and Wahpeton rolls who also "is enrolled as a member of any other recognized tribe, band or group of American Indians for purposes of distribution of an Indian Claims Commission judgment."

Section 3(a) provides that, after deduction of certain expenses, the Sisseton and Wahpeton judgment funds shall be apportioned on the basis of the number of persons on the three rolls prepared pursuant to section 2. In the case of funds allocated to the members of the Devils Lake Sioux Tribe of North Dakota and the Sisseton and Wahpeton Sioux Tribe of South Dakota, 70 percent is to be distributed per capita and 30 percent reserved for tribal programs. Funds attributed to Sisseton and Wahpeton Sioux Indians who are not members of the organized tribes shall be distributed in a 100-percent per capita payment.

Section 4 provides the usual protection for persons under the age of 21—18 if married—or under a legal disability. Section 5 contains the language, standard for legislation of this character, that the funds distributed shall not be subject to Federal or State income taxes.

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

The bill (S. 3708) to provide for the distribution of the Sisseton and Wahpeton Tribes of Sioux Indians of their portion of the funds appropriated to pay judgments in favor of the Mississippi Sioux Indians in Indian Claims Commission dockets numbered 142 and 359, and for other purposes, introduced by Mr. BURDICK, for himself and Mr. MCGOVERN, by request, was received, read twice by its title and referred to the Committee on Interior and Insular Affairs.

## ADDITIONAL COSPONSORS OF BILLS

S. 3410

Mr. MUSKIE. Mr. President, I ask unanimous consent that, at the next printing, the name of the junior Senator from Alaska (Mr. GRAVEL) be added as a cosponsor of S. 3410, to create a National Environmental Laboratory.

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

S. 3545

Mr. MUSKIE. I ask unanimous consent that, at the next printing, the name of the junior Senator from Minnesota (Mr. MONDALE) be added as a cosponsor of S. 3545, an amendment to the Immigration and Naturalization Act.

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

S. 3557

Mr. CHURCH. Mr. President, I ask unanimous consent that, at the next printing, the name of the distinguished Senator from California (Mr. CRANSTON) be added as a cosponsor of my bill, S. 3557, requiring the GSA and the Post Office Department to purchase vehicles using lead-free fuels.

The ACTING PRESIDENT pro tempore (Mr. ALLEN). Without objection, it is so ordered.

S. 3592

Mr. CURTIS. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Wyoming (Mr. MCGEE) be added as a cosponsor of S. 3592, to amend the Federal Meat Inspection Act, as amended, to clarify the provisions relating to custom-slaughtering operations.

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

S. 3595

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Nevada (Mr. BIBLE) I ask unanimous consent that, at the next printing, the names of the Senator from Oklahoma (Mr. HARRIS), the Senator from New Jersey (Mr. WILLIAMS), the Senator from Kansas (Mr. DOLE), the Senator from Alaska (Mr. STEVENS), the Senator from West Virginia (Mr. RANDOLPH), the Senator from Colorado (Mr. DOMINICK), and the Senator from New Mexico (Mr. MONTOYA) be added as cosponsors of S. 3595, to establish a Commission on Security and Safety of Cargo.

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

S. 3608

Mr. CHURCH. Mr. President, I ask unanimous consent that, at the next printing, the name of the distinguished Senator from Washington (Mr. MAGNUSON) be added as a cosponsor of my bill, S. 3608, to increase the allowable loan levels under the Consolidated Farmers Home Administration Act.

The ACTING PRESIDENT pro tempore (Mr. ALLEN). Without objection, it is so ordered.

## SENATE RESOLUTION 385—RESOLUTION SUBMITTED TO URGE THE CALLING OF AN INTERNATIONAL CONFERENCE ON NORTH PACIFIC MARINE OIL POLLUTION

Mr. STEVENS. Mr. President, it is becoming increasingly clear that the United States must depend for its power and fuel needs on oil that is transported from remote places. Whether these locations be Alaska, Venezuela, or the Middle East, a major part of the transporting will be done by oceangoing tankers.

The *Torrey Canyon* incident has shown us what can be done to the ocean and beaches of the world by a leaking oil tanker. A recent incident off the coast of Kodiak Island in my State of Alaska is another warning that the indiscriminate or accidental spilling of oil into our oceans must be stopped.

This is an international problem. We must take steps to resolve it at the international level. As a first step, I am submitting a resolution requesting an international conference on marine oil pollution in the North Pacific and the establishment of a joint United States-Canadian task force to provide leadership and coordination in all aspects of oil pollution prevention and abatement in this region.

The Alaska State Legislature has considered this problem and has already issued a call for the conference I am proposing.

The State of Alaska has enacted and enforces the strictest rules against oil pollution anywhere in the world. The recent incident off Kodiak Island, which destroyed many miles of beach and killed an estimated several thousand sea birds, was reportedly the result of the discharge of an oily ballast by a ship at sea, an act over which the State has no jurisdiction. The United States presently requires that ballast not be discharged within 50 miles of our coast. This is clearly not an adequate safeguard.

However, it is not enough simply to require our ships to stop this practice, although such a step is naturally desirable. We must seek an international agreement to assure that no ships continue this practice. In light of the anticipated shipping large quantities of oil from Alaska through the North Pacific, it would seem natural to begin this process with discussions concerning this region. This is what my resolution seeks and I ask unanimous consent that it be printed in full in the RECORD at this point.

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

The resolution (S. Res. 385), which reads as follows, was referred to the Committee on Foreign Relations:

S. RES. 385

Whereas it is becoming increasingly evident that man, if he continues his present course of action, will not only pollute the air, streams and lakes but also the oceans of the world; and

Whereas the tragic episodes resulting recently from oil spills in the waters of this and other nations make it painfully clear that if man and his environment are to survive the utmost care must be employed when exploring for, extracting and transporting oil; and

Whereas Kodiak, Alaska has just suffered a major disaster because an oil slick caused by the pumping of oily ballast at sea has reportedly covered an estimated 1,000 miles of beach and killed a minimum of 10,000 sea birds; and

Whereas the tragic situation which now exists is a mere preview of what may happen in the future if proper safeguards are not established and followed in the transporting of oil; and

Whereas the present federal regulation allowing the pumping of ballast by oil tankers 50 miles from shore is totally inadequate to protect the shores and wildlife of the nation; and

Whereas, because Alaska's waterlanes will be utilized to a great extent in future years to transport oil to west coast ports, strong precautions against oil spilling must be initiated now; and

Whereas the United States should be a world leader in establishing and enforcing proper safeguards to prevent future oil pollution of the world's seas;

Now, therefore, be it resolved, that the United States Senate urges the convening of an international conference on North Pacific marine oil pollution, and the consideration of the establishment of a permanent United States-Canadian joint task force to provide leadership and coordination in all

aspects of oil pollution prevention and abatement in this region.

## ADDITIONAL COSPONSOR OF A RESOLUTION

SENATE RESOLUTION 211

Mr. BROOKE. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from North Dakota (Mr. BURDICK) and the Senator from Washington (Mr. MAGNUSON), be added as cosponsors of Senate Resolution 211, seeking agreement with the Union of Soviet Socialist Republics on limiting offensive and defensive strategic weapons and the suspension of test flights of reentry vehicles.

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

## RAIL PASSENGER SERVICE ACT OF 1970—REPORT OF A COMMITTEE—MINORITY AND INDIVIDUAL VIEWS (S. REPT. NO. 91-765)

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Indiana (Mr. HARTKE), from the Committee on Commerce, I report, without amendment, the bill (S. 3706) to provide financial assistance for and establishment of a national rail passenger system, to provide for the modernization of railroad passenger equipment, to authorize the prescribing of minimum standards for railroad passenger service, to amend section 13(a) of the Interstate Commerce Act, and for other purposes, and I submit a report thereon.

Mr. President, I ask unanimous consent that the report be printed, together with the minority views of Senators COTTON, GRIFFIN, and BAKER, and the individual views of Senators BAKER and PROUTY.

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

## AMENDMENT OF COMMUNICATIONS ACT OF 1934 RELATING TO EQUAL-TIME REQUIREMENTS FOR CANDIDATES FOR PUBLIC OFFICE—AMENDMENT

AMENDMENT NO. 580

Mr. PASTORE submitted an amendment, intended to be proposed by him, to the bill (S. 3637) to amend section 315 of the Communications Act of 1934 with respect to equal-time requirements for candidates for public office, and for other purposes, which was ordered to lie on the table and to be printed.

(The remarks of Mr. PASTORE when he submitted the amendment, which appear earlier in the RECORD under the appropriate heading.)

## ESTABLISHMENT OF A FEDERAL BROKER-DEALER INSURANCE CORPORATION—AMENDMENT

AMENDMENT NO. 851

Mr. MUSKIE submitted an amendment, in the nature of a substitute, intended to be proposed by him, to the bill (S. 2348) to establish a Federal Broker-Dealer Insurance Corporation, which was referred to the Committee on Banking and Currency and ordered to be printed.

## ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, April 9, 1970, he presented to the President of the United States the enrolled joint resolution (S.J. Res. 190) to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees.

## ADDITIONAL STATEMENTS OF SENATORS

### MONTANA'S PRIDE

Mr. MANSFIELD. Mr. President, the 91-piece Columbia Falls High School Band with 25 chaperons will leave Montana for Calgary, Alberta, on April 26, to proceed from there for Europe for a 3-week tour.

When the drive began last fall to send the Columbia Falls High School Band to Europe, very few people thought it would succeed. Thanks to the tremendous drive and organizational ability of such citizens as Basil Everin and Cecil Hudson, the sum of $13,000 was achieved, and as a result will take care of the band members' food, lodging, and bus fare in Europe. The chaperons who will be going along with the students are paying their own expenses, and the students themselves have bought their plane tickets and passports.

The idea of such a trip originated with Mrs. Richard Edsall, who thought it would be a good idea for her native Germany to see the very best of American youth. Montana interest in the Columbia Falls High School Band has been tremendous. The Whitefish Rotary gave $100, the Kalispell Rotary over $300, the Kalispell Elks $400, the Whitefish Junior High School $25, the seventh and eighth graders at Fortine $5, the Browning Soroptimists $10, McCone County 4-H Circle at Vida $5, Ron Sherman—Reno taxi driver and park summer horse packer—$10, the Cherry Hills 4-H at Big Fork $5, the Columbia Falls Chamber of Commerce $300, the Bank of Columbia Falls and the Anaconda Aluminum Co. $1,000 each, the First National Bank of Kalispell $100, the Equity Supply Co. of Kalispell $150, and many others did likewise.

My congratulations to this outstanding band, which I know will represent the Flathead, the State of Montana, and the Nation with distinction and dignity. I wish them the best of everything in their trip abroad, and I stand ready to help them in any way I possibly can to make sure this trip is successful. It is a feather in the cap of Columbia Falls. It is a fine undertaking by an outstanding group of youngsters, and it is a credit to the United States of America that such an aggregation with such talent is representing us in Europe.

Mr. President, I ask unanimous consent that a number of articles published in the Hungry Horse News be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the Record, as follows:

GOAL NEAR FOR BAND

(By Mel Ruder)

Fantastic drive in small town Montana to send a high school band on European tour is within $2,000 of its goal.

The 91 member Columbia Falls High School Band will fly from Calgary to Amsterdam April 26, and return May 17 after touring and presenting concerts in the Netherlands, Germany, Switzerland and Austria.

Idea started with Mrs. Richard Edsall, Hungry Horse, who was back in her native land last year, and unhappy at impression Germans had of young America. She felt the cure was to send the Columbia Falls High School Band to Europe, and started the drive.

Target is $15,000 to cover transportation, lodging and meals for band in Europe.

In addition the students have paid $223 round-trip airfare plus $12 passport charge. There are also 25 chaperons who have paid $250 airfare and will take care of their own transportation, lodging and meal costs in Europe. Total cost of the expedition exceeds $40,000.

Basil Everin is president of the Band to Europe committee with Cecil Hudson, treasurer.

Donations continue to arrive at P.O. Box X, Columbia Falls.

Everin and Hudson noted largest check—$1,000—was voted by Bank of Columbia Falls directors, Tuesday.

They expressed appreciation for all sums including the number of $1 bills, the residents at Montana Veterans' Home who bought $1 buttons, and the many checks that keep arriving.

Whitefish Junior High sent $25, Grandview Supreme 4-H $5, Kalispell Rotary, $149; Whitefish Rotary, $100; Columbia Falls Chamber of Commerce, $300 in two checks; Kalispell Elks, $300; Whitefish Soroptimists, $100.

Plum Creek Lumber Co. gave $400; Stoltze Land and Lumber, $250; Rocky Mountain and Superior Buildings, $100 each; Equity Supply, $150.

The Columbians, dance orchestra of the band, has played at different functions, with proceeds to Band to Europe. This included about $400 from the Big Mountain Medical Association conference.

Leading gifts from Columbia Falls business district, in addition to the Bank of Columbia Falls, is Melby's Flathead Furniture, $200, and Krueger Drug, $100. There have been several $75 gifts, and a number of $50 and $25 checks. Likewise appreciated are the many $5 and $10 checks. A full list is being prepared.

Everin commented that checks have come from coast to coast.

ANNOUNCE STOPS, HOTELS AND MILEAGES IN EUROPE

Updated itinerary for Columbia Falls High School's Band to Europe expedition was announced by Basil Everin, president of the parents' committee.

The 91 bandsmen and 25 chaperons will depart by Pacific Western Airlines Boeing 707 jet at 3 p.m. April 26 from Calgary to Amsterdam. There may be refueling in Greenland or Iceland.

Everin also provided shortest distances in kilometers (.62 of a mile equals a kilometer), and noted that stays in most cases were for two days. Most hotels are youth hostels.

Here's the schedule:

Arrive in Amsterdam, 8:45 a.m., April 27; 117 kilometers by bus to Nijmegen, The Netherlands, Hotel Esplanade; 242 Km, Koblenz, Germany, Hotel Reinhard, April 28-29; 219 Km, Pforzheim, Germany, April 30-

May 1; 55 Km. Esslingen, Germany, Hotel Rosenau, May 2–3.

275 Km to Lucerne, Switzerland, Hotel Kolping, May 4–5; 307 Km, Innsbruck, Austria, Hotel Kreide, May 6; 171 Km, Salzburg, Austria, Hotel Hofwirt, May 7–8; 294 Km, Nuremburg, Germany, Hotel Berg, May 9–10; 264 Km, Mainz, Germany, Hotel Stiftswingert, May 11–12; 234 Km, Aachen, Germany, May 13–14; 239 Km, Amsterdam, Netherlands, May 15–16 with departure 10 a.m., May 17 for Calgary and home.

ADD HOLLAND CONCERT FOR FALLS BAND TO EUROPE

An additional concert has been scheduled by the Columbia Falls High School Band on their April 26-May 17 European tour.

Basil Everin, president of Band to Europe, said the 91 musicians have been invited to play at William Eggert School in Purmerent just north of Amsterdam.

There are seven cities in The Netherlands, Germany and Austria where the band will perform as well as a two-day stay in Switzerland.

Everin noted that contributions to Band to Europe continue to arrive daily and total now exceeds the $13,000 goal which will take care of chartered buses in Europe, meals and lodging for band members. Students are taking care of their own $223 charter round trip flight tickets and $12 passports. Chaperons are paying $250 for airfare plus their expenses in Europe.

Everin expressed appreciation in behalf of the Band to Europe committee for the fine support. Money being received over the $13,000 goal is being used to help purchase new uniforms and pay for liability insurance.

For three-fourths of the students, the 8 hour 40 minute flight from Calgary to Amsterdam will be their first plane trip. They will fly in a chartered Western Pacific Airlines Boeing 707.

CHAPERONS MEETING

All chaperons are to meet Monday, 7:30 p.m., in the bank meeting room. Chaperon committee, Mrs. Everin, chairman, has assigned five students to chaperons. General meeting for all parents, band members and chaperons takes place April 14. Howard Whitney of the Border Patrol will attend.

## TASK FORCE ON ENVIRONMENTAL EDUCATION AND YOUTH ACTIVITIES

Mr. SCOTT. Mr. President. In his State of the Union Address, President Nixon emphasized:

The moment has arrived to harness the vast energies and abundance of this land for the creation of a new American experience, richer and deeper and more truly a reflection of the goodness and grace of the human spirit.

The 1970's will be a time of new beginnings and it is essential that our purpose in this period should not be simply better management of the programs in the past but a quest for a new quality of life in America. The enhancement of our natural environment is a major task now before us and the future of this environment has been taken up by our young people with great commitment and enthusiasm.

They are concerned not with rhetoric, but with deeds, not with study, but with action, and it is now essential that the Federal Government open its doors and prove that it can respond.

Last Monday, Secretary of the Interior Walter J. Hickel, at the Alf Landon lecture series at Kansas State University, in Manhattan, Kans., announced the formation of a task force on environmental education and youth activities to coordinate education and action programs involving youth and the environment.

The task force's immediate projects include being the liaison group for the student councils on pollution and the environment—SCOPE—and the making of recommendations for the creation of a National Environmental Control Organization—ECO).

Through SCOPE, the Federal Government is showing that it pays to listen as well as talk and possibilities are being explored for expanding SCOPE into an interdepartmental organization so it can have an impact on all Federal agencies working on land, air and water pollution problems.

ECO has been proposed by the Secretary as an organization similar to the Peace Corps with the idea of placing our young talent in areas of the Nation needing study and help the most.

Mr. President, I believe that the Secretary of the Interior should be congratulated for his leadership in moving to mobilize the energies of our youth in this great environmental crusade.

Mr. President, I also ask unanimous consent that a news release and the Secretary's remarks in Kansas be printed in the RECORD.

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

[Department of the Interior News Release, Apr. 6, 1970]

TASK FORCE ON ENVIRONMENTAL EDUCATION AND YOUTH ACTIVITIES

Secretary of the Interior Walter J. Hickel today announced the formation of a "Task Force on Environmental Education and Youth Activities" to coordinate educational and action programs involving youth and the environment.

"The condition and the future of our environment have been taken up by American youth with great commitment and enthusiasm," Secretary Hickel said. "They have risen to the moment. It is now essential that the Federal Government open its doors to the resources of the nation's young people who are concerned. Government must prove that it can respond."

Chairman of the new group will be Michael A. Levett, 26, of Los Angeles, Assistant to the Secretary and White House Fellow.

The Task Force's immediate projects include being the liaison group for the Student Councils on Pollution and the Environment (SCOPE) and to make recommendations for the creation of a National Environmental Control Organization (ECO).

The Task Force also is programmed to provide a focal point within the Interior Department for its participation in future national student "teach-ins." Upon request, the group will provide assistance, information and speakers to colleges, high schools and private organizations.

SCOPE, the outgrowth of seminars held last December in nine U.S. regions by Interior's Federal Water Pollution Control Administration, is a student-managed organization established on college and university campuses throughout the country.

Regional headquarters for SCOPE are in Boston, Charlottesville, Cincinnati, Chicago, Kansas City, Atlanta, Dallas, San Francisco and Portland.

"It has been organized to establish a means of direct access by students to Federal officials and government departments concerned with the environment, so we can put their ideas into the decision-making process," the Secretary said.

"Through SCOPE we are showing government that it pays to listen—as well as talk.

"At the same time, we can provide them with our informational research, and technical facilities for their use in developing new programs.

"We are exploring the possibilities of expanding SCOPE into a inter-departmental organization, so that it can have impact on all Federal agencies working on water, air and land pollution problems."

"This organization already is assisting us greatly as an 'early warning system.' When major pollution is spotted or when major projects are launched without regard to the environment, SCOPE is notifying the proper authorities."

ECO has been proposed by the Secretary as an organization similar to the Peace Corps.

"We have many young people who want to take a full time role in the environmental battle," the Secretary said. "I have received hundreds of letters from high school students, college undergraduates and young professional people eager to participate.

"The idea is to place young talent in areas of the nation needing study and help the most. ECO could provide leadership for individuals and groups who want to improve their environment but need direction. At the secondary education level, ECO could help fill the gap in schools which need ecological courses."

The address of the Task Force is: Department of the Interior, Washington, D.C. 20240. Telephone: (202) 343–7432.

REMARKS OF SECRETARY OF THE INTERIOR WALTER J. HICKEL AT ALF LANDON LECTURE SERIES, KANSAS STATE UNIVERSITY, MANHATTAN, KANSAS, APRIL 6, 1970

I never would have dreamed, as the son of a western Kansas tenant farmer, that the clear skies and sparkling streams of Kansas would be in danger in my lifetime.

Even on the hottest summer day you could look up at those skies, breathe deeply and be refreshed.

Or scoop up a drink of safe, sweet water with your hand.

But in a few years Kansans may not be able to enjoy these same carefree pleasures.

Talk of permanent destruction of the environment is not the idle threat of an alarmist.

It is fact. And it is frightening.

Smog is no longer a phenomenon peculiar to California.

Polluted water is no longer just a hazard on the Hudson or the Chesapeake.

All of mankind is plunging headlong into an environmental emergency.

And yet many people still refuse to face it.

It is not always easy to recognize the warning signals.

They are as subtle in some places as cancer symptoms—but they are no less deadly.

It's a terrible paradox—air and water and land—the very elements which attracted our ancestors from the east—are being threatened by our efforts to build a vigorous society.

We are beginning to realize that the best things in life are not free. If we don't pay the cost to protect them, we shall lose them.

A spreading blanket of toxic air—the most dangerous elements of which are invisible—is encircling the globe. And scientists have found both smog and DDT in the snow layers of Antarctica.

Our rivers, the life system of the land, are becoming a death system for the oceans.

Millions of tons of pollutants and pesticides are being poured into the sea, threatening to destroy man's greatest source for future food and oxygen.

Manhattan, Kansas, is a long way from the ocean.

. . . But even here, we must become far

more concerned about the quality of this essential element of the life system.

They say Kansans are realists, like our "show me" neighbors in Missouri.

I hope that if you remember nothing else from my remarks today, you will remember my warning that pollution is not just something politically popular to talk about.

*It is a worldwide threat of the highest magnitude.*

The question before us is this: "Can we remold our mental attitudes and retool our industry fast enough to do something about it?"

I believe we can.

My belief—and it is mainly a statement of faith, not of fact—is based on faith in the heart of the future—the university campus.

The young people of this country have risen to the moment.

They have challenged the very foundations of our value system.

They ask, "Can we afford to consume everything we can afford to buy?"

I have met with hundreds of students in recent months, and these young people want to know:

"What right have we—in the time-span of a few generations—to use up a majority of the irreplaceable natural resources which it took millions of years to produce?"

They ask, "What will be left for our children? And for their children in turn?"

They talk about the "environmental ethic"—the right of plants and animals to continue to exist in ecological balance.

These are serious questions. And I am serious about trying to answer them.

What concerns me as an official responsible to you and all Americans, is how the input from the concerned young people can have a meaningful impact on the centers of government activity.

Life is changing so fast in the seventies that we can no longer tolerate the old pace of a good idea fighting its way through established channels.

A good idea today can be out of date in a year, or even a few months.

To fight this "bureaucratic breakdown" in the Department of the Interior, we have taken several steps.

Last month I set up in my office a "Task Force on Environmental Education and Youth Activities." This coordinating body will serve as a clearinghouse and creative center for a number of functions.

It will give us immediate access to a new program called "SCOPE"—Student Councils on Pollution and Environment.

SCOPE is a unique experiment in government-student relations.

Students are being invited to participate directly with the government on an emerging national issue of immense proportions.

The Federal Water Pollution Control Administration in the Interior Department has established SCOPE committees in each of its nine regions across the nation.

These committees will serve as a channel through which students can contact federal officials, and secure technical information developed by federal agencies.

Through SCOPE we are showing government that it pays to listen—as well as talk!

We are developing methods to insure that student suggestions, and their views on environmental problems—and program priorities—can reach us directly.

Since meeting with representatives from each of the nine regions, I have decided to expand this program from FWPCA, into a wider framework.

We are exploring the possibilities of expanding it to an interdepartmental organization. In this way it could have an impact on all the federal agencies working on pollution problems.

Already the SCOPE representatives are serving as part of a highly motivated, public "early warning system."

When pollution is spotted—or major projects are launched without regard for the environment, SCOPE is notifying the authorities.

And now, as I travel around the country, I am meeting with the regional SCOPE groups to discuss regional concerns.

Today will see the first of those meetings, with the SCOPE group here at Kansas State.

Pollution will only be eradicated when the government and the public work together on it as a team.

I am encouraged that the student community is responding.

We look forward to combining the enthusiasm and fresh ideas of youth with the technical competence, and enforcement capacity of the federal government.

We also have many young people who want to take a *full time* role in the environment battle.

Because the crisis we face is much deeper than just pollution. It has to do with the entire way men live.

For this reason, I have called for creation of a National Environmental Service Force, patterned roughly after the Peace Corps.

In fact, a few editors have already called this proposed organization the "Environmental Peace Corps."

I have received hundreds of letters from young doctors, undergraduates, engineers, high school students, biologists and architects.

These are eager young people who want to *participate.*

We are suggesting that this group take the formal name of *E*nvironmental *C*ontrol *O*rganization, or "ECO" (E-CO).

The idea is to place young talent in those areas of the nation needing study and help the most.

Spontaneous groups on the grass roots level have already sprung up across the country.

And I believe ECO members can provide leadership for those willing efforts which often need direction.

At the secondary education level, ECO could fill the gap in schools which do not have the trained personnel to meet the mushrooming demands of environmental education.

The scientists, lawyers and social scientists who participate could lend their skills to the community leaders in a given region to evaluate, plan and execute new approaches to ecological problems.

Educated, and educating others in environmental problems, these Americans are determined to find solutions—with or without governmental involvement.

This makes this situation both an opportunity—and an obligation—for the Administration.

The opportunity:

At a time when we are beginning to realize the deteriorating condition of our environment, the Administration can acquire invaluable aid—in terms of commitment, knowledge, and sheer manpower—to bring about a reversal in ecological trends.

Some are highly skilled and others are only beginning.

But the task at hand has a broad range of needs.

The obligation:

Most of these individuals are "apolitical," or even "antipolitical."

The environmental crisis may well present our last chance to bring significant numbers of potential future leaders *back* into the political process.

Government *can* and *must prove* that it can respond, and encourage youth involvement.

We are finding that a highly developed society such as ours demands a whole new breed of professional—a person who can study *both* ecology and economics—and biology and philosophy.

We need people who are broad enough in their exposure to have balanced judgment.

These must be people who are ready to do exhaustive research and wide field work—and who are fascinated by nature and the needs of man.

There is a lot of talk heard today about students and the environmental movement.

. . . In fact, you can even get an argument from some that the "Environment Bag"—as some of my *younger* staff people refer to it!—is a "sellout."

. . . A sellout of the issues of the day.

For example, you may have heard that a group of students demonstrated against me, when I spoke a few weeks ago at Princeton. Although more than a thousand Princeton students later signed a petition of apology.

During my speech, I was interrupted with shouts like,

"What about racism and black liberation?"

My attitude about these protests, and others, is this:

As Secretary of the Interior, a clean environment for all Americans is *my responsibility—and my commitment.*

For example, I want to make sure that as we get our black Americans *out* of the ghettos. . . .

That they have somewhere worth getting *in to.*

By no measure does the environmental crusade conflict with man's struggle for equal treatment and justice.

It is *complimentary* to any attempt to improve the quality of an individual's life. It is forcing us to realize that there is really only one race—the human race.

America is a crusading nation.

Recently I addressed the American Petroleum Institute and I told them:

"The oil industry—like much of today's industry—stands in danger of becoming the monster of American society.

"This is a crusading nation . . . and the crusaders are up in arms."

The enemy is becoming clearer to the people . . . it is those who foul the nation's air and water . . . and those who stand in a position of authority to do something about the destruction of our resources—but who do nothing.

*I am challenging you*—as *you are challenging government*—to respond to national and world needs.

Industry does not produce just for its own good.

They don't make cars just because they enjoy making cars . . . nor does any manufacturer produce a product without knowing he has a market for it.

They produce because you want—and often need—what they produce.

You are challenging government to regulate broadly and prosecute those who pollute—and I am moving to meet that challenge, as you can see in our recent request for a Grand Jury investigation into oil pollution in the Gulf of Mexico.

My challenge to *you,* is to crusade not only against the sins of the past, which you can blame on the older generation, but to also crusade to safeguard the *future* by changing our priorities and even our life-styles.

Do not fall for the temptation to write-off government and business. There are elements in both groups who are determined to find new ways of doing things.

Many of us are searching for how to streamline clumsy bureaucracy. We are fighting daily to create a country in which man's surroundings are not sacrificed for his technological advance.

At state are the most precious ingredients for sustaining life.

—*Air* you can not only breathe without choking but which refreshes and invigorates.

—*Clean water* to drink and swim in, and *natural water,* the womb of the delicate balance of nature.

—*Land* that is not only the producer of our food and energy, but which restores the soul

of man through its beauty and intricate marvels.

But make no mistake—if the people leave the job to government—and if they do nothing *but* protest—it will not be done.

It will take positive achievement and a *commitment* on the part of every American.

My deepest wish is that my native State of Kansas lead the way in producing a new generation with a new set of values.—

A generation dedicated to caring for the Earth and all the people in it. I am confident you will respond to this great challenge of the hour.

## RED CROSS ACTIVITIES ON PRISONERS OF WAR

Mr. KENNEDY. Mr. President, a short time ago Congress adopted a resolution on the situation of American prisoners of war being held in North Vietnam.

On the same day the resolution was agreed to by the Senate, the American National Red Cross board of governors was meeting in Washington and adopted a similar resolution.

In carrying out this board of governors' resolution, the national chairman of the Red Cross, E. Roland Harriman, has written letters to Red Cross societies in 112 countries, urging them to communicate at once with the Government of North Vietnam on its adherence to the Geneva Conventions in the treatment of prisoners of war.

His reasonable concerns are shared, I am sure, by all Americans.

They are:

First, the identity of the prisoners;

Second, a regularized system for the free flow of mail between the prisoners and their families;

Third, the inspection of the prisoners and their quarters by a neutral international observer team associated with the Red Cross or any other appropriate organization; and

Fourth, the repatriation of severely ill and wounded prisoners.

Chairman Harriman's sending of the letters was an unusual step to be taken by a national Red Cross society, Mr. President. But it was also a very welcome effort to remove political pressures from the prisoner issue, and to internationalize what is essentially a humanitarian question which should generate the very active concern of people throughout the world regardless of their views on the war in Southeast Asia.

Red Cross officials inform me that the initial response to the letters has been good. A number of national societies, as well as the International Committee of the Red Cross in Geneva, have responded to Chairman Harriman's appeal, and additional societies are expected to do so within the coming weeks.

To those of us in the Senate and elsewhere who have been actively concerned with a list and the condition of the prisoners—and frustrated in our efforts, both public and private, to gain information—this response is welcome news.

So too is the apparent flexibility in Hanoi's attitude which has been expressed in recent months.

In my last letter on prisoners of war to the late President of North Vietnam, Ho Chi Minh, I said:

I am sure you fully recognize that the vast majority of Americans, especially the families of those presumably held captive in your country, are very troubled by the lack of information concerning the identity and condition of these young men. And I am sure you appreciate as well that the availability of such information would greatly ease the anguish felt in the hearts of many.

Consequently, as one who has long advocated the lessening of violence on the battlefields of Vietnam, and the very active pursuit of a negotiated political settlement by all parties concerned in the conflict, I appeal to you and your government to provide information on the identity and condition of American prisoners and to make arrangements for the free flow of mail between the prisoners and their families in the United States. . . . Such modest steps would be gratefully welcomed by all Americans and people throughout the world, as a measure of respect for the dignity of man and a meaningful contribtuion toward peace.

Hopefully, the current efforts of the American National Red Cross to generate an international humanitarian concern for these young men, and the new flexibility on the part of the government of North Vietnam, will achieve this objective within the very near future.

Mr. President, I ask unanimous consent that a recent press release of the American National Red Cross, the text of its resolution on prisoners of war, the text of Chairman Harriman's letter, and a related statement recently issued by the AFL–CIO Executive Council, be printed in the RECORD.

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

AMERICAN RED CROSS BOARD URGES WORLD RED CROSS UNITE ON POW ISSUE

WASHINTON, D.C., February 27.—In an unusual action, the American Red Cross has called on the world's Red Cross societies to form a solid front in demanding that the North Vietnamese meet humanitarian standards in the treatment of Americans they hold as prisoners of war.

"The continued confidence of the world in the integrity and solidarity of the Red Cross as an instrument committed to the cause of humanity requires that the Red Cross speak as a single voice on this subject," the American society's Board of Governors declared in a resolution which has been sent to all Red Cross, Red Crescent and Red Lion and Sun societies throughout the world, as well as to the International Committee of the Red Cross and the League of Red Cross Societies in Geneva, Switzerland.

The action was taken by the American Red Cross governing body at its regular quarterly meeting on February 16, but the announcement was delayed until today to make sure that Red Cross leaders in other nations had received mail copies of the resolution, which calls on other Red Cross societies to report on their efforts to help U.S. military men held captive in North Vietnam.

The resolution also pledged that the American Red Cross would "pursue without interruption or abatement every effort to bring about humane treatment of prisoners of war to which they are entitled under the statutes of international law and the dictates of moral decency."

The Red Cross Board noted that five months had passed since the International Conference of the Red Cross met in Istanbul and five years had elapsed since the capture of the first American in the Vietnam conflict and yet North Vietnam continues its refusal to adhere to the Geneva Conventions to which it is a signatory.

The Istanbul conference adopted without dissent a resolution that called upon all nations to adhere to the Geneva Prisoner of War Convention. The action was considered particularly significant since the conference was attended by delegations representing nearly all nations, including the Soviet Union and other communist countries.

Following this meeting, the American Red Cross contacted some 25 national Red Cross societies asking that they and their respective governments intercede with Hanoi in behalf of the American prisoners.

Earlier, the U.S. society also launched a "Write Hanoi" campaign that has resulted in thousands of Americans writing letters direct to the president of North Vietnam, demanding that his government stand by its Geneva Convention pledge.

Also in line with this action, the U.S. Senate last week adopted a resolution protesting the treatment of U.S. prisoners of war and calling on the North Vietnamese to comply with the Geneva Conventions on the treatment of prisoners. The U.S. House of Representatives already had passed the resolution which endorses the action of the International Conference of the Red Cross in Istanbul "to obtain humane treatment and release of American prisoners of war."

The new American Red Cross resolution underlined that all Red Cross societies "are committed to ensure, by all means in their power, adherence to and scrupulous respect for the Prisoner of War Convention" and "that such commitment is applicable without regard to political considerations involved in armed conflicts giving rise to the capture and detention of prisoners of war."

It asked that American Red Cross Chairman E. Roland Harriman "communicate the text of this resolution to each member of the International Red Cross, to seek from each member advice as to the efforts made on behalf of the prisoners of war held by the Government of North Vietnam, and to report the substance of each reply to the next meeting of the Board of Governors," which will be in May.

The Red Cross Board of Governors is made up of 50 outstanding Americans who serve as volunteers.

AMERICAN NATIONAL RED CROSS RESOLUTION ON PRISONERS OF WAR

The Board of Governors of the American National Red Cross hereby Notes and recalls:

That the XXIst International Conference of the Red Cross at Istanbul in September, 1969, after noting the historic role of the Red Cross as a protector of victims of war, adopted, without dissent, a resolution calling upon all countries involved in armed conflict to ensure that all prisoners of war be afforded the treatment and full measure of protection prescribed by the Geneva Convention Relative to the Treatment of Prisoners of War;

That the Geneva Convention governing the treatment of Prisoners of War had its origin in the International Red Cross Conference;

That all members of the International Red Cross—each National Red Cross, Red Crescent and Red Lion and Sun society, the League of Red Cross Societies, and the International Committee of the Red Cross—are committed to ensure, by all means in their power, adherence to and scrupulous respect for the Prisoner of War Convention,

That such commitment is applicable without regard to political considerations involved in armed conflicts giving rise to the capture and detention of prisoners of war;

That five months after the adoption of the Istanbul resolution and more than five years after its first capture and detention of American military personnel, the Government of the Democratic Republic of Vietnam has refused to respect and has repeatedly announced its refusal to adhere to the obliga-

tions it assumed as a party to the Geneva Convention Relative to the Treatment of Prisoners of War;

Observes:

That the continued confidence of the world in the integrity and solidarity of the Red Cross as an instrument committed to the cause of humanity requires that the Red Cross speak as a single voice on this subject;

That although many members of the International Red Cross have sought earnestly to persuade the North Vietnam authorities to respect their obligations to prisoners of war in the hands of such authorities, many other members have remained silent;

Requests:

That the Chairman of the American National Red Cross communicate the text of this resolution to each member of the International Red Cross, to seek from each member advice as to the efforts made on behalf of prisoners of war held by the Government of North Vietnam, and to report the substance of each reply to the next meeting of the Board of Governors;

That the substance of this resolution be brought to the attention of all participants in future meetings of representatives of Red Cross organizations;

Reaffirms:

The resolve of the American National Red Cross to pursue without interruption or abatement every effort to bring about the humane treatment of prisoners of war to which they are entitled under the statutes of international law and the dictates of moral decency.

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LETTER TO RED CROSS SOCIETIES THROUGHOUT THE WORLD

DEAR ———: I have the honor of enclosing a copy of the full text of a resolution unanimously adopted by the Board of Governors of The American National Red Cross at a regular meeting of the Board held on February 16, 1970.

We believe that the text of the resolution will be self-explanatory and that you will find that it is in all respects consistent with and responsive to the resolution concerning prisoners of war adopted, without dissent, at the XXIst International Conference of the Red Cross in Istanbul in September 1969.

The number of American military personnel being held by the Democratic Republic of Vietnam as a result of the Vietnamese conflict is not known since the Detaining Power has failed and refused to identify them. The refusal by the Detaining Power to honor its obligation to afford these prisoners the treatment to which they are expressly entitled under the Geneva Convention of 1949 Relative to the Treatment of Prisoners of War will neither influence nor affect the outcome of the Vietnamese conflict. But the failure or inability of all of us in the International Red Cross to bring about observance of the Convention can have the most serious implications for the future of the Red Cross. The confidence of the world that the Red Cross will come to the aid of all prisoners of war cannot be maintained if it proves impotent to obtain respect for the rights of the relatively small number of prisoners here involved. Respect for those rights can place no substantial burden on the Detaining Power, and the latter could doubtless be assured of such assistance as it requires for that purpose from the Red Cross family.

Members of the International Red Cross have no means of insuring respect for the humanitarian treaties that trace their origin to International Conferences of the Red Cross except by appeal to the honor and conscience of parties to armed conflicts and to the compassionate concern of the world community. To merit continuing reliance of the world in the integrity of the Red Cross as the guardian of those protected by the Geneva Conventions, we suggest that it is the duty of each member of the International Red Cross to do everything within its power to inform the world of the Red Cross' concern for the plight of these prisoners; to urge that, alive or dead, they be identified and accounted for to the International Committee of the Red Cross, permitted to communicate regularly with their families, allowed to receive mail and relief shipments, that delegates of the International Committee of the Red Cross be allowed freely to visit them and their places of detention, and that seriously sick and wounded prisoners be repatriated.

We do not suggest the methods that should be used by our fellow members of the Red Cross to obtain the Detaining Power's compliance with its obligations and to enlist the weight of world opinion on behalf of the prisoners. But you will note that the text of the enclosed resolution calls upon me not only to inform you of its contents but to report to the Board of Governors the replies received from the Red Cross organizations to which the resolution has been dispatched. The next meeting of our Board of Governors will be held on May 17, 1970, and I am hopeful that I can then faithfully report that each member of the Red Cross has done its utmost to marshal worldwide support for the rights of these prisoners and renewed respect for the International Red Cross. Hence I shall eagerly await your reply.

We are grateful for the support you have already given our request, and will appreciate anything further you may be able to do to assist in our efforts in behalf of prisoners of war.

Sincerely yours,

E. ROLAND HARRIMAN.

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STATEMENT BY THE AFL–CIO EXECUTIVE COUNCIL ON TREATMENT OF PRISONERS OF WAR IN NORTH VIETNAM

The American Red Cross is engaged in an important and vital campaign to gain humane treatment for U.S. prisoners of war in North Vietnam.

The North Vietnamese have refused to abide by the 1949 Geneva Convention on the treatment of prisoners of war, despite the fact that Hanoi signed that convention. They will not provide the names of American prisoners of war, guarantee them adequate diet and medical care, permit mail between prisoners and their families or allow neutral Red Cross teams to visit prison camps.

This inhumane treatment by the North Vietnamese has shocked the entire free world. The International Red Cross has unanimously called upon Hanoi to end these deplorable practices.

We support the efforts of the American Red Cross and will do all we can to help American prisoners of war and their families, who have our deepest sympathies.

This resolution was passed by the A.F.L.-C.I.O. on February 20, 1970.

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## CRIME TODAY

Mr. SYMINGTON. Mr. President, on April 2 the distinguished senior Senator from Arkansas (Mr. MCCLELLAN), one of the Nation's outstanding authorities on the growing problem of crime, honored the people of Missouri with an interesting and thought-provoking address. This was done when, at the request of Gov. Warren Hearnes, of Missouri, he delivered a talk at the Governors' Conference in our Capitol in Jefferson City.

I am sure that Senators would be interested in these remarks; therefore, I ask unanimous consent that his address, entitled "Crime Today," be printed in the RECORD.

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

CRIME TODAY

(Remarks of Senator JOHN L. MCCLELLAN)

Mr. Chairman, more than three thousand years ago, an Egyptian king surveyed his kingdom and recorded with great satisfaction the improvements and progress achieved under his regime. One passage in his survey disclosed the basic fundamentals—a yardstick—by which the probity and soundness of any social order and legal system might be tested. It said:

"I made the land safe so that even a lone woman could go on her way freely and none would molest her.

"I rescued the humble from their oppressors.

"I made every man safe in his home.

"I preserved the lives of those who sought my court of justice.

"The people were well content under my rule."

If the social order and legal system of this great land of ours should today be judged by those criteria, I submit that we would "flunk" the test in ignominy and shame. For, the extent and intensity of lawlessness and moral decay that pervade America today present a most unsavory and forbidding record—a record that is a reproach to our nation and to our civilization.

We have not made safe the streets of our Nation's Capital or the streets of any other metropolitan area so that a lone woman can walk them freely and without danger of molestation.

We have not made every man safe in his home. In fact, no home today is safe from the lethal violence of the killer and the ravages of the robber and the rapist. Daily, the news media headline stories of brutal, senseless murders and other crimes of violence and degradation.

We have not rescued the drug addict or the loan shark and numbers racket victims from the oppression and exploitation of the organized crime mobster and racketeer. The Mafia's operations increasingly expand and prosper while its victims continue to multiply and suffer.

Certainly, the great majority of the American people are not content nor do they feel secure in their person or property under the feeble and ineffective law enforcement that prevails in our country today.

The decade of the sixties was torn by strife, scarred by terror, and marred by unprecedented lawlessness. It ended with crimes of violence up an alarming 131 percent over 1960. This epidemic of crime that engulfed our nation has moved us to the brink of chaos and anarchy. For crimes today are committed everywhere with virtual impunity—in the streets and alleys, in our schools and churches, in our homes, and in the market places.

Never since the Civil War has America experienced such dissension, turmoil, and violence. These agitations have reached proportions that portend open rebellion against our free society and the rule of law.

Massive trespasses, civil disobedience, and turbulent demonstrations are daringly advocated and used to support and to enforce the imposition of inordinate and unlawful demands. Threats, intimidation, and blackmail are now instruments of common use to compel government, public officials, and our free institutions to be subservient to the will and demands of the revolutionist and the mob.

The drawing of the decade of the seventies has been ushered in and shattered by a rash of bomb threats and bombings. More than 20 bombs have exploded in more than a dozen of our major cities killing six persons and injuring 15 and causing millions of dollars in property damage. These savage

assaults have the earmarks of a national conspiracy of destruction—of a phase of the guerrilla warfare—which some militant leaders have promised and for which they and their followers have been in training.

The modern crime rate, the range of violence and the rising frequency of terror bombings have reached unprecedented dimensions. The momentum and gains being achieved by the forces of crime and subversion are rapidly escalating into revolt and insurrection. Our law enforcement agencies and system of justice, as administered, simply have not been able to cope with the mounting criminal, terrorist assaults that are being made against our society.

And, just as street crime is a threat to the security of our person and property, equally dangerous is the threat of organized crime to the integrity of our economic system and to the legitimate power of government.

Indeed, so entrenched, so insulated, so cold-blooded, and so powerful are the forces of organized crime that they have created a veritable parasitic shadow government that feeds like a leech on all segments of our economy and society.

It has been said that the success story of organized crime has caused all too many Americans to feel—and it is becoming harder and harder to refute—that "the government is for sale, lawlessness is the road to wealth, honesty is a pitfall and morality a trap for suckers."

Certainly, government teaches by example. Its failures do not go unnoticed. Its unwillingness or inability to enforce the law and punish the guilty encourages crime and emboldens the criminal and thus further imperils the safety of life and the preservation of a peaceful society.

Today, the lawbreaker in all categories—including the habitual criminal—enjoys greater immunities and protections than ever before. Only about one out of every 20 who commit a major crime is ultimately convicted and punished. And, seldom is the punishment—the penalty imposed—commensurate with the crime committed.

A study by our Senate Subcommittee on Criminal Laws and Procedures revealed that since 1960 the Justice Department has convicted 129 members of the Cosa Nostra under statutes giving the trial judge discretion in sentencing. Notwithstanding their long records as professional criminals and members of the syndicate, most of these offenders were given only about half of the maximum sentence provided by law. Fifteen received no jail terms—only fines and probation. Such lenient sentencing has so crippled the war on crime that the National Crime Commission concluded:

"There must be some kind of supervision over those trial judges who, because of corruption, political considerations or lack of knowledge, tend to mete out light sentences in cases involving organized-crime management personnel."

Rising recidivist figures tell us that rehabilitation is seldom achieved. Seventy-five percent of those arrested today are repeaters, and 70 percent of the repeaters were under 25 years of age when first arrested.

Further evidence of the breakdown in law enforcement can be found, I think, in an examination of prison population as compared to crime increases during the past few years. In 1961, there were 196,453 prisoners in our state penal institutions. By 1967, that number had dropped to 175,317—a decrease of 11 percent. During that same period of time, the number of prisoners in our federal institutions dropped from 23,696 to 19,579—or nearly 18 percent. This is the lowest prison population since 1956. While the prison population was thus declining, major crimes increased by nearly 1,000,000 annually or about 44 percent. This comparison is a striking illustration of the ever-widening gap between effective law enforcement and the mounting incidences of crime—crime without punishment. It is further indicative of the rapid deterioration now taking place in our system and in our standards of criminal justice. Federal statistics have shown some improvements in the last two years, but still they are not back to the 1961 levels.

Another convincing example of the widening gap between lawlessness and law and order is illustrated by the growing inability of the police to solve so many of the major crimes that are being committed. While the crime rate in this country has increased by 122 percent from 1960 through 1968, the rate of crime clearances—that is, crimes solved by the police—declined 32 percent.

Another factor that has contributed mightily to the deterioration of law enforcement has been judicial changes made in the law of the land. It is quite unfortunate that a majority of the Supreme Court chose this last decade of turmoil and unrest in which to weaken rather than to strengthen the agencies of social control and the forces of law and order.

Instead of helping to stem the tide of civil disobedience and lawlessness by adhering to and honoring long-established precedents and traditional interpretations of the Constitution, the Court has abandoned and repudiated many of those sound and historic legal landmarks. Some of its members seem to be addicted to strained and illogical constructions and to the invoking of specious technicalities in criminal cases. This disposition has produced a rash of decisions which have diminished and disparaged the valid rights of society while inflating and exalting exaggerated rights of the criminal.

Statistics dramatically portray the picture. Of 123 federal criminal cases reviewed by the Supreme Court since 1960, 68—or more than 55 percent—were reversed, and out of 146 state convictions, it reversed 114—or more than 78 percent.

I do not believe that our Circuit and District Federal Court Judges or our State Supreme Court Justices are so unqualified or incompetent as to warrant such wholesale reversals of their decisions.

I think it is also significant to note that in making this incredible record of reversals the Court had to specifically overrule its previous decisions or reject the reasoning of 28 of its own precedents—often by 5–4 margins. Twenty of these reversal decisions involved a change in Constitutional doctrine.

Confusion, disarray, and frustration were thrust into law enforcement procedures by such precedent-shattering and revolutionary decisions as *Mallory, Killough, Ecobeda, Miranda,* and others that could be cited. Law enforcement agencies are still laboring under and society is still suffering from the adverse impact of those and other innovative Court edicts that changed the law of the land. As an illustration, in the *Miranda* case, five members of the Court overruled and repudiated interpretations of the Constitution and judicial precedents that had been the law of the land since the founding of the Republic. On the specific issue involved, 28 Justices of the Supreme Court had previously affirmatively held that the now so-called *Miranda* warnings are not required by the Constitution.

(Included among those Justices are such able jurists as Associate Justice Oliver Wendell Holmes; the first Associate Justice, John Marshall Harlan; and Chief Justice Charles Evans Hughes.

In another area, the Supreme Court, in a series of decisions handed down within the past three years, has virtually nullified and rendered unenforceable all state laws on obscenity. In this brief time, it has reversed 40 out of 48 state and federal obsencity cases. In cavalier fashion, the Court, in effect, has overruled and destroyed in state after state community standards of morality and decency and legalized vulgarity and obscenity. These decisions have opened the floodgates to the dissemination of hard-core pornography. They serve only the interest of the smut manufacturers, the filth mongers, and the commercializers of revolting indecency and immorality.

Since 1960, the United States Supreme Court has virtually revolutionized the way in which justice must, in its view, be administered on both state and federal levels. I know there are still those who contend that these reversal decisions are having no adverse impact on law enforcement and on the rising incidence of crime. But the hard facts and cold statistics completely refute that contention.

I believe that the tone of law enforcement is set at the top. The repudiation of traditional interpretations and the rejection and overruling by the Supreme Court of sound, long-established precedents and the invoking of newly-contrived technicalities to effectuate an acquittal or the reversal and dismissal of convictions of the proven guilty definitely have an adverse impact on effective law enforcement. Psychologically it encourages crime and emboldens the criminal. It greatly enhances his chances of escaping punishment—while frustrating, hampering, and weakening the morale of law enforcement officials in the performance of their duty.

The truth is we have permitted our system of criminal justice to seriously deteriorate. It no longer affords the protection of person and property that it was designed to provide. Almost every link in the chain of justice has been weakened. This condition must be remedied.

As I have stated, some court decisions that changed the law of the land have frustrated and weakened law enforcement; however, these decisions are not the basic cause of criminal behavior.

Many socio-economic factors can be identified as causes of crime; such as, poverty, overcrowded living conditions, unemployment, lack of education, broken homes, exposure to violence in movies and on television, drug addiction, and many others that could be cited. These causes exist in varying degrees. They should receive the attention of both government and society and should be removed or ameliorated as much as possible. And, the government is giving these causes attention. In fact, the government is now spending some $40 to $50 billion annually on programs that come within those categories.

But, some of these factors that I have mentioned are too often magnified and overemphasized as major causes of crime. For, we have greater affluence and less poverty in America today than ever before. We have better housing, more equipment, and greater educational opportunities than ever before. We had much less crime half a century ago when poverty was far more prevalent than it is now. And, certainly, we cannot blame poverty, overcrowded conditions, unemployment, and other such factors for the lawless behavior and rioting of college students or for the revolutionary activities of such organizations as the SDS and its bomb-throwing off-spring—the Weathermen. Nor can we ascribe to those factors the senseless, brutal assassinations, and mass murders such a those committed in the Sharon Tate and Yablonski cases or such contemptuous performances as were given by the "Chicago 7," and other similar groups, in the court room.

I believe the major cause of crime and lawlessness with which we are afflicted today goes deeper and is more basic. It stems primarily from the failure of the homes, the schools, and the churches to instill into our youth higher ideals and standards of morality and decency and a stronger sense of citizenship obligation. These institutions are where

discipline, respect for authority, concepts of individual responsibility, and a sense of duty to God, to country, and to our fellowman are first instilled into the hearts and minds of our children. The void created by these failures is seemingly filled today with an attitude of disrespect, irresponsibility, permissiveness, cynicism, and a callousness that borders on nihilism. Unfortunately, however, those would-be nihilists of this generation offer no alternative. They offer nothing constructive—only disruption, chaos, anarchy, and destruction.

The Congress is not only authorizing and funding many programs to remove or ameliorate those conditions that are generally cited as causes of crime, but it is also enacting new laws and making appropriations to strengthen our law enforcement machinery and to deal more effectively with the crime menace which endangers our internal security.

In 1968, we enacted the Omnibus Safe Streets and Crime Control Act. Title I of it provides for federal assistances to states and local law enforcement agencies on whom rests the primary responsibility for the maintaining of law and order. Annual appropriations to implement and carry out the provisions of this Title are expected to reach $1 billion within the next three or four years. And, it will take that long at least for the beneficial effects of Title I to come into full fruition. In my opinion, this vital legislation will in due time greatly improve the caliber of law enforcement personnel and the quality of law enforcement in our states and local communities.

Title II of that Act modified the Supreme Court's famous 5–4 *Miranda* decision and restored in some measure the validity of the time-tested, fair, and adequate rule of voluntariness with respect to confessions and self-incriminating statements. It also modified the *Mallory* rule which outlawed voluntary confessions where the suspect was being questioned while being detained for investigation.

Title III, the wiretap and electronic surveillance provision of the Act, was urgently needed and is now being used most constructively and effectively. In many, if not most, of the narcotic arrests and organized crime cases being made by the Federal Government today, wiretapping has proven to be a major factor in detecting the crime and identifying the guilty.

This year, on January 23rd, the Senate passed by a record vote of 73–1, S. 30, the "Organized Crime Control Act of 1969." This bill is now awaiting House action. It deals primarily with the evidence-gathering and trial processes in organized crime cases. Among other things, it revamps the grand jury system, permits the securing of testimony in certain cases over the objections of self-incrimination, and the taking of depositions of witnesses in danger of reprisal. It also provides new legal tools to deal with the increased punishment—up to 30 years—for "habitual," "professional," and "organized crime" offenders.

Attorney General Mitchell has termed this bill:

"one of the most imaginative and comprehensive proposals to combat organized crime ever introduced in the Congress."

This measure should be considered promptly by the House of Representatives and enacted into law without further delay.

The crime menace that pervades our land today constitutes the greatest threat to our internal security and well-being. If the present rate continues unchecked throughout this decade, by 1980 the number of major crimes in this country will have reached the astronomical figure of 18 million annually. I do not believe that our society can withstand such a soaring scourge of lawlessness—such a vicious assault upon its structure—nor will our nation be able to survive such a devastating blow to its sovereignty.

Thus, time is running out. We must wage a vigorous and relentless war against the forces of disorder, disruption, and destruction. We must defend our basic freedoms, perpetuate our free institutions, and preserve our free society. We must restore law and order and insure the safety of our people on the streets and in their places of business. We must maintain and enforce the fundamental rights to life, liberty, and the pursuit of happiness.

To do this, we must use all the Constitutional power and all the legal weapons that can be fashioned and made available to our law enforcement agencies. We must stop pampering agitators of violence, stop coddling criminals, and stop condoning crime. I believe the right of the citizen to be safe transcends the right of the criminal to be free. We will never have safe streets and safe homes until we get the self-confessed criminals and other felons off the streets and into jails where they belong.

## ANADROMOUS FISH CONSERVATION ACT

Mr. HATFIELD. Mr. President, the Commerce Committee recently concluded hearings on S. 2396, which would extend the Anadromous Fish Conservation Act.

This bill would continue a very worthwhile program that is laid out in Public Law 89–304. It represents the best in Federal-State cooperation.

As a cosponsor of the bill, I naturally am a strong supporter of S. 2396. Past experience in my State has demonstrated that the program works and benefits both the State and Federal governments. As evidence, I ask unanimous consent that a letter from the Oregon State fisheries director, Robert W. Schoning, be printed in the RECORD at the end of my remarks. His letter gives concrete evidence of the basic success of a worthy Federal program. I urge Senators to look at their States, where I think they will find similar evidence of success. I hope that the Committee on Commerce and the Senate will act favorably on S. 2396.

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

FISH COMMISSION,
OFFICE OF THE DIRECTOR,
*Portland, Oreg., April 3, 1970.*

Hon. MARK HATFIELD,
*U.S. Senate,*
*Wasington, D.C.*

DEAR SENATOR HATFIELD: The Anadromous Fish Conservation Act (Public Law 89–304) will expire on June 30, 1970. Public Law 89–304 has been a highly successful cooperative state-federal program in Oregon and has contributed significantly to the management and production of salmon and steelhead on Oregon's coast.

During the past four years, the Fish Commission has utilized 89–304 funds for research and management on wild and hatchery fish in Oregon's coastal rivers, for research and management of the ocean troll fishery off Oregon, for hatchery propagation of salmon and steelhead, for improving hatchery techniques and operations, and for other productive purposes.

As a result of participating in this cooperative program, the commission was able to construct the Elk River hatchery and add six concrete rearing ponds to the North Nehalem River hatchery. We will also expand the capacity of the Trask River hatchery by constructing a ⅓-acre rearing lake and are planning to expand the rearing capacity of the Elk River hatchery by 70 percent, with the help of 89–304 funds.

By the end of this fiscal year, approximately 60,000 pounds of salmon and steelhead will have been reared and released into Oregon rivers through expenditure of 89–304 funds alone for hatchery operations. By June 30 the Fish Commission will have utilized about $1.3 million of anadromous fish funds in Oregon.

Failure of Congress to extend this act would have an immediate and adverse effect on the Oregon Fish Commission's fish cultural operations on the coast, on important research in connection with improved management of the salmon troll fishery, and would reduce research on control of fish diseases at a critical point in time. The present level of state funding is inadequate to finance these programs at the present level without 89–304 support.

We urge you to support passage of either S. 2396 or H.R. 1049, as amended. The latter bill has overwhelmingly passed the House. Early action on either bill would be a great help to the states participating in this program by allowing sufficient time prior to June 30, 1970 for program planning and budget preparation.

Thank you for your consideration of this important matter.

Sincerely,

ROBERT W. SCHONING,
*State Fisheries Director.*

## "WHO NEEDS THE SST? NOT THE AIRLINES OR PUBLIC"—JAMES L. KILPATRICK QUESTIONS THE MULTIMILLION-DOLLAR SUPERSONIC BOONDOGGLE

Mr. PROXMIRE. Mr. President, the President has asked Congress for another $290 million for the SST. Secretary Volpe asserts that the SST will help our balance of payments, lift America's prestige, and provide a needed assist for our beleaguered airlines.

Mr. President, we have seen all these arguments before. They were thoroughly considered and dismissed last year by the President's Ad Hoc Committee on the SST. There is no getting away from it. The SST is a multimillion-dollar supersonic boondoggle. It will be of value only to the international jet setters. It will do nothing for the vast majority of the American people, who will never fly on the plane, but who will still pay for it through their tax dollars. And there are suggestions that the SST will not be much of a boon to the airlines, either.

If the money is appropriated by Congress, we will be spending millions of dollars that are desperately needed in our cities and schools on a needless and wasteful project.

Mr. President, James L. Kilpatrick, a highly respected commentator with a conservative viewpoint, has pointed out the enormous problems involved in this project in an excellent column entitled "Who Needs the SST? Not the Airlines or Public." Mr. Kilpatrick's column, published in the Washington Evening Star of April 7, illustrates the utter folly of the SST. He concludes that appropriating the $290 million for the coming year would be "a throwing of good money after a bad boondoggle." I wholeheartedly agree.

Mr. President, I ask unanimous con-

sent that James Kilpatrick's article be printed in the RECORD.

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

[From the Washington Star, Apr. 7, 1970]

WHO NEEDS THE SST? NOT THE AIRLINES OR PUBLIC

Secretary of Transportation John A. Volpe, speaking for the President, last week renewed the administration's appeal for funds to continue work on the supersonic transport plane.

The appeal contained at least a demi-semi-quaver of desperation. "The aviation industry is essential to our nation," Volpe said. If the SST should be dropped, "then in six or seven years you would have tens of thousands of employes laid off and an aviation industry that would go to pot."

Volpe also renewed a number of other arguments in support of the SST: Its sale would help our balance of payments. A successful SST would boost American prestige. And as for the problem of the plane's sonic boom, there would be no problem: The plane would never be permitted to fly at supersonic speeds over land. He concluded by contending that if the United States fails in the supersonic field, France, England and Russia will pick up the marbles.

A more specious line of reasoning seldom has been assembled. For the taxpayers to invest another $290 million in this venture—and that is the sum to be asked this week—would be a throwing of good money after bad boondoggles. Do we learn nothing from such wretched experiences as the military F111? Do we ever examine all the implications of "progress"?

The SST does not represent a change in kind, in the fashion of jet planes replacing prop jobs. It is only a change in degree: It will fly faster than one of the new 747s. That is the sole advantage claimed for it.

Except for speed, the SST offers not a single advantage in range, comfort, passenger volume, profits, safety, ease of handling—none of these. And unlike the 747, which the industry developed at its own expense, the SST would cost the taxpayers a fortune in subsidies unlikely ever to be recouped.

Who needs the SST? Well, the Boeing Company, out in Seattle, needs the SST. But surely, with deference to the great State of Washington, something more than this is required. Who else needs the SST?

Not the traveling public. Relatively speaking, only a handful of passengers could be expected to pay the supercharges that would be required to make the SST a profitable operation. In theory, an SST flying flawlessly on schedule could carry 100,000 passengers a year; allowing for realistic factors of downtime and normal loads, the number is probably half that.

Not the people down below. Let us take with great grains of salt the promise that the SST would "never" be permitted to fly over the U.S. mainland. At less than supersonic speeds, the SST is a dead loss; it offers no advantages whatever.

But when it flies beyond the speed of sound the plane leaves a destructive path of sonic booms behind. Before a House Appropriations subcommittee grants the requested sum, it should study recent reports, notably from France, on the damage this phenomenon causes.

It becomes increasingly doubtful that even the airline industry needs the SST. The latest cost projection puts the cost of each supersonic transport at $60 million. How do you recoup that capital investment? Pan American, our largest airline, is beginning to wonder.

In February, Aviation Daily and Business Week reported some highly pessimistic observations by Pan Am's president Najeeb Halaby. The British-French Concorde, he remarked, may wind up with only 112 comfortable seats.

Its tube-like cabin will seem cramped and narrow to passengers grown accustomed to the airborne living rooms of the 747. High costs per seat-mile indicate poor profits; and if there is one thing Pan Am does not need, it is a new plane with a poor profitability picture.

Let us pause. The overriding question, here and in many other areas of our civilized society, is the extent to which man will let himself be victimized by his own machines. A needless surrender of values to speed and noise isn't progress. It's a needless surrender.

## PREPAID GROUP PRACTICE IN COLUMBIA, MD.

Mr. KENNEDY. Mr. President, one of the most promising developments in recent years for the delivery of high quality medical care for our people is the prepaid group practice of medicine. Although the principles of group practice have been well evolved and tested in many parts of the country during the past three decades, it is only recently that nationwide interest has been generated in the idea.

The primary reason for this new interest is the realization that our current health crisis is growing more serious, and that we simply must develop better methods for the organization and delivery of health care if we are to solve our problems.

The principal advantages of the group practice of medicine are that it offers substantial economies in the provision of health care to our population, and helps us to move away from our excessive orientation toward acute hospital care, and toward the implementation of urgently needed concepts of preventive medicine.

Yesterday the New York Times published a perceptive article written by Richard Lyons, describing a prepaid group practice experiment now under way in Columbia, Md., whose goal is to provide comprehensive health care to all the citizens of the community enrolled in the plan. In his article, Mr. Lyons described a number of the preliminary successes of the program, especially in the area of preventive medicine. I believe that this article will be of interest to all of us concerned with the quality of health care in America. I ask unanimous consent that it be printed in the RECORD.

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

[From the New York Times, Apr. 8, 1970]

NEW TOWN HAILS PREPAID GROUP PRACTICE AS PRESCRIPTION FOR HEALTH

(By Richard D. Lyons)

COLUMBIA, MD. April 5—A woman in her thirties who has lived in this once-rural area for almost a decade walked into a modern clinic here six months ago to receive her first physical examination in many years.

She had enrolled a week earlier in the newly opened Columbia Medical Plan, which entitles its subscribers to virtually total medical care on a fixed monthly premium. There would have been only a slight difference in her bill whether she had chosen to have the physical exam or had declined it.

She decided to have one at a cost of $2. The cost of not having the examination would probably have been her life.

The woman was found to have breast cancer. She was operated on almost immediately at the Johns Hopkins Hospital in nearby Baltimore. The Johns Hopkins University's School of Medicine sponsors the Columbia Medical Plan, supplying it with medical personnel and direction.

AN EXPANDING PROGRAM

The woman is one of five million Americans enrolled in a relatively new and expanding methods of providing health care through a prepaid group-practice medical program.

Prepaid group practice, which has been widely used with great success under governmental sponsorship in Europe, is believed by many public experts here to be the American medical care of the future.

The Nixon Administration announced last month that it would seek enabling legislation to permit the Department of Health, Education and Welfare to foster the creation of prepaid group practice plans for which the 30 million Americans who are enrolled in Medicare and Medicaid would be eligible.

"The incentive is there" to expand the prepaid group concept from Medicare and Medicaid to private consumers, remarked John J. Veneman, Under Secretary of Health, Education and Welfare and author of the proposal.

PREVENTIVE MEDICINE

The prepaid group practice is designed to treat a person while he is healthy, as well as when he is ill. The key is preventive medicine, the core of which is the periodic physical examination such as the Maryland woman had. Stopping a disease before it gets out of control may either save or prolong lives, as well as reduce the emotional and financial strain on the subscriber.

In addition, the Nixon Administration said the total cost of preventive and "crisis" medicine would be no more than the latter "treat-only-when-ill idea," perhaps less.

"The program has gone extremely well in the first six months," said Dr. Malcolm Peterson of Johns Hopkins, who oversees the Columbia Medical Plan's activities. "One of the things we have learned is that the staff works harder taking care of wellness, as well as illness."

With suitable financial incentives and reimbursement guarantees, the Federal Government hopes to interest private industry in underwriting the capital costs of prepaid programs, as the Connecticut General Life Insurance Company of Hartford is doing here.

Connecticut General invested $3.75-million in the clinic and a 60-bed hospital that is expected to open here next year. The company will also underwrite indebtedness of $500,000 on the program's operations.

More than 3,000 persons have enrolled in the plan, which costs $14.50 a month for individuals and $43.50 a month for families of four or more persons. William Towle, administrator of the clinic, which is the principal medical building, said that about the only health care not provided under the plan was dental service, cosmetic surgery and such devices as hearing aids and glasses.

The plan's professional staff includes five full-time doctors and seven part-time specialists. The doctors receive salaries, rather than fees. Although officials decline to disclose the doctors' exact salaries, they are about $5,000 to $10,000 less than those paid to salaried doctors on a fee-for-service basis.

Dr. B. Harvey Minchew, an internist of the medical plan's staff and a former acting director of the Food and Drug Administration's Bureau of Medicine, said that the case of the woman who had breast cancer was not an isolated one. Routine physical examinations had picked up many other cases of incipient disease, unnoticed vision and hearing prob-

lems and untreated mental illness during the program's first six months, Dr. Minchew said.

His colleague, Dr. Harvey P. Katz, a pediatrician and an assistant professor at the Johns Hopkins School of Medicine, was equally enthusiastic about the program. He said children were given speech, hearing, vision and psychological tests at the age of 4.

This is several years earlier than the age when children normally receive such tests. The aim, again, is preventive medicine: diagnosing troubles early and attempting either to correct them or prevent them from becoming worse.

The tests here are administered by Mrs. Ruth Toth, a registered nurse who has taken extensive postgraduate courses to enable her to relieve doctors of many routine but necessary chores.

"GRANDMOTHER ELEMENTS"

"Pediatrics really has a lot of grandmother elements to it," she said. "Young mothers need to be told how to treat diaper rash and prepare a formula. That's what I'm doing, as well as giving tests and answering the phone."

Besides Mrs. Toth, there are two other registered nurses on the staff, as well as two medical assistants, a full-time pharmacist and a part-time pharmacist.

Although the salaries of the staff members are probably lower than those in most private hospitals, the staff will be offered bonuses at the end of the year, based on savings they achieve by preventive medicine. In addition, the doctors here are rewarded for not performing unnecessary surgery.

The incentive program increases a "more judicious use of our medical facilities," Dr. Katz said. He noted that the plan's subscribers had far less surgery for the removal of tonsils, appendixes and adenoids than persons in the general population. Medical experts contend that these three operations are often performed needlessly.

"We hope that our biggest reduction in costs will be in hospital use, but we don't really expect to save money over-all," Dr. Katz said. His point was that the costs of providing preventive medicine were expected to offset the expected savings on traditional services. But it is too early to determine whether the Columbia Medical Plan is saving money, compared with more traditional medical services.

Subscribers pay $2 for each prescription, visit to a psychiatrist, physical examination or treatment. A doctor's house calls cost $5 each. Maternity care is a flat $100 for each pregnancy.

The total medical cost for the woman who had breast cancer was $20, in addition to her monthly premiums.

Most of the subscribers live in Columbia, a new town of private dwellings and apartment houses between Washington and Baltimore. The privately financed project, which was started two and a half years ago, now houses 6,500 people; 100,000 are expected to live here in the next decade.

SUBSCRIBERS HAPPY

A sampling of subscribers indicates that they are pleased with the quality of medical care they have been receiving.

"I'm so glad we joined," said Mrs. Russell E. White, whose 8-year-old daughter, Teresa, was being given a battery of tests by Mrs. Toth at the clinic recently. "My family and I have been very satisfied with the services we have received."

Edward E. Alexander, a Baltimore school teacher, said: "I think this is far superior to any other type of health program because of the availability of services, the low cost of prescriptions and the lack of verbal hassle with the staff. The preventive aspects certainly are a benefit."

Harold R. Thalheimer, head of Connecticut General's Medical Programs Department, said his company supported the Columbia program "to demonstrate that a prepaid group practice plan was financially sound, and to find out what an insurance comany's role could be in this type of medical program."

## OUR YOUNG PEOPLE CAN HELP

Mr. McINTYRE. Mr. President, during recent months we have seen an unprecedented outpouring of public sentiment and concern about this Nation's environmental crisis. Here in Washington, this concern has been reciprocated by intensive study and legislative activity.

Envimonmental problems, until recently the domain of dedicated conservationists and certain scientists, has become an issue of truly national dimensions. No where can this be better demonstrated than during this month when students, housewives, teachers, and citizens from all walks of life join together in environmental teach-ins.

Rarely in the history of this Nation has an issue involved so many citizens. At a time when our national problems, both foreign and domestic, stagger the imagination, the people are becoming involved. This I see as a truly momentous happening.

I wish to focus my remarks at this time on the activities of a group of citizens in the city of Lebanon, N.H. Like many others in my State, this town has chosen to become involved. At first, a small group of people, their activities have expanded to include a large segment of their community. On April 15, an entire day will be devoted to environmental concerns.

In preparation for this day, students and tutors from nearby Dartmouth College have devoted their time to learning about problems in their own community. The result of their first investigation was published in the local newspaper, the article written by Miss Deborah Hall, a senior at Lebanon High School. It is a thoughtful and thought-provoking analysis of local problems shared by towns and cities throughout the country.

I wish to present this article to my colleagues because I consider it both significant and wonderful. Young people like Miss Hall have written to me from communities throughout the State. Their shared concern and resulting commitment has given me hope and stimulation.

It is my own feeling that environmental issues extend far beyond pollution control or conservation; they extend to the way that we Americans live. For this reason, I have been particularly heartened by the involvement of our young people. It is they, ultimately, that can develop living habits that best exemplify our new recognition that the ultimate issue of environmental quality is the quality of life itself.

I congratulate Miss Hall and those many young people who share her commitment. They have recognized the challenge and have made the commitment to join in leading the way.

I ask unanimous consent that the article written by Miss Hall and published in the April 4 edition of the Lebanon, N.H., Valley News be printed in the RECORD.

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

LEBANON STUDENTS FIND EVIDENCE OF POLLUTION

(By Debbie Hall)

LEBANON—"Ugh, this river really stinks."

The comment might have been that of a person standing on the banks of the Mississippi, a bridge over the Charles, or a boat sailing down the Hudson. Would you believe . . . from someone overlooking our own Mascoma?

One afternoon last week, three students from Lebanon High School and two Dartmouth tutors went looking for pollution. "We didn't have to look very hard—it kind of jumps right out at you. At least the smell of it does."

"Too bad we couldn't record the smell on film," onserved Scott Mitchell, one of the tutors.

And that might have gotten our points across better than the pictures we took. But all you have to do is drive along the river for a way, and you can't miss what we're talking about.

CERTAIN DEATH

As we walked along the river across from one of the local industries, Leo Blackburn, a senior at Lebanon High School noted, half jokingly, "If one of us fell in, it would be certain death. If not from drowning, then from choking on all that junk in the water."

Not so funny, after all. How about the animals that used to drink from the river? All the chemicals and visible waste flowing with the current not to mention the stuff that you can't see, "are disgracing the community and harming it."

David Krakoff, another tutor, went down closer to the water, only to find himself standing directly over a pipe which dumped what was seemingly sewage into the river. Not a very pleasant sight.

GOOD OLD DAYS

"Rivers used to be places to swim, fish in, and get your water from. Now it looks like all they're good for is to dump in things we don't want anymore."

. . . only to be found by our friend downstream.

We drove on in our exploration to the dump in West Lebanon where the smoke just happened to be blackening the sky. We started to get out and look around for the rats that are reputedly running the place. After a few seconds of inhaling the air, another Lebanon senior said, "It's a nice place to visit, but I wouldn't want to breathe there!"

It may be true that we don't have the ecological problems of larger cities like Boston, and New York. But we don't have much to gloat about.

EVERYBODY'S PROBLEMS

Our problems are real, and they're here to stay and grow worse unless everyone is willing to work together to find solutions before it's too late. And a lot of solutions boil down to what individuals can do.

Housewives are you aware that if you use a detergent which contains a high phosphate content you are promoting the growth of algae and vegetation, making the green scum that borders our lakes and streams? So choose a non-polluting laundry product, soap, instead.

Find out what is being done in your neighborhood about pollution. See if you can be of assistance, or get something started yourself. It's everybody's world that's waiting to be saved.

PUBLIC INVITED

We want to invite everyone to come to the high school Earth Day, April 15. There will be speakers all day expounding on the sub-

ject of population and pollution, and telling a few things that we can all do about them.

And there will be action on the part of the students (and anyone else willing to work!). We're planning roadside cleanups and auto junk removals.

We don't want to just sit by and criticize, we want to help to clean up the mess man has made. After all, it's our world, and our lives, along with yours, that are hanging in the balance!

## VIRGINIA CUTLER—CONSUMER OMBUDSMAN

Mr. MOSS. Mr. President, I was delighted with the appointment of Dr. Virginia Cutler, a leading consumer advocate from Utah, as the head of an eight-member panel established by the Association of Home Appliance Manufacturers to act as consumer ombudsman. The AHAM could not have made a better choice.

Dr. Cutler, who is chairman of the Family Economics and Home Management Department of the Brigham Young University at Provo, Utah, has long been in the forefront of the consumer movement. Earlier this year, her department sponsored an Ad Hoc Consumer Advisory Committee Workshop at Brigham Young University for the heads of all consumer organizations in Utah. I was the keynote speaker. It was an absorbing day, and I believe everyone who attended felt that they had profited immensely, including myself.

Dr. Cutler and her major appliances consumer action panel members were introduced to the press and the report of the event was carried in the Washington Post of April 8. I ask unanimous consent that the report be printed in the RECORD.

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

NEW EAR FOR BUYER GRIPES

(By Elizabeth Shelton)

Major home appliance manufacturers and dealers have set up a consumer action panel to act as an "ombudsman" within industry to settle unredressed grievances of buyers.

The eight-member panel, headed by Dr. Virginia Cutler, chairman of the family economics and home management department of Brigham Young University in Provo, Utah, was introduced yesterday at a press luncheon in the Statler Hilton.

Dr. Cutler was immediately asked how she and other panelists, all professionals employed in other jobs and moonlighting as ombudsmen, could handle any substantial volume of complaints.

Observing that the panel would deal only with the limited number of complaints that dealers and individual manufacturers cannot resolve, she said the panelists will work by telephone and plan to make public a report in six months on how successful they are.

Major makers and retailers of gas and electric appliances have agreed to support the Major Appliance Consumer Action Panel (MACAP), as the new consumer ombudsman is to be called.

MACAP was formed by the Association of Home Appliance Manufacturers (AHAM), Gas Appliance Manufacturers Association and American Retail Federation. The electronics industry, however, is not represented by the panel.

The panel's telephone number is 312—236-3165 and the address for written complaints is the AHAM office at 2 N. Riverside Plaza, Room 1904, Chicago, Ill. 60606.

These are the steps consumers are urged to take before contacting MACAP:

Check fuses, plugs, safety-start switches and ordinary care, cleaning and operating instructions.

Contact the dealer or the repair service facility he recommends.

Contact the warrantor of the brand involved—either the manufacturer or seller.

Present the problem to the MACAP consumer panel.

"Problems progressing to step four will be the unusual ones," said Harold Campbell of Frigidaire, chairman of the Consumer Affairs Board of the Association of Home Appliance Manufacturers.

Campbell said the industry settled between 900 and 1,000 complaints that reached AHAM over the year but that 19, in which customers took the first three prescribed steps, remain unresolved.

Asked whether the customer may sometimes be found wrong by the adjudicating panel, he replied that any of the parties—customer, manufacturer or dealer might be found remiss.

Members of the panel include Dianne McKaig, former HEW expert on consumer affairs, who is now executive director of the Michigan Consumers Council, Lansing.

Others are: Dr. Elsie Fetterman, family economics specialist at the University of Connecticut; Virginia Habeeb, former editor of American Home magazine; Frederick E. Waddell, director of a family financial counseling service in Southfield, Mich.; Dr. Beatrice Paolucci, home economics professor at Michigan State University; Dr. Aurelia Toyer, national board member of the YWCA, New York City; and Dr. Mary Purchase, associate professor, New York State College of Human Ecology, Cornell University.

## CAN CONGRESS ACTUALLY BE MADE TO WORK?

Mr. HATFIELD. Mr. President, I commend to the attention of the Senate an excellent editorial on congressional reform, written by Eric W. Allen, editor of the Medford Mail Tribune, in Oregon. We have experienced no other time in the history of this Nation in which so many of our long hallowed traditions have been subjected to such searching and well-founded questioning. In many cases this questioning has been too long in the coming. A case in point is congressional reform. The Nation is moving quickly—the times are moving quickly. In order to cope with, progress with, and keep a perspective on this Nation and world relations and problems, it is imminently necessary that Congress adjust to the needs of the times. In all too many instances this adjustment will require that we disinherit ourselves from many of the inefficient, undemocratic, and largely unfunctioning machinery of congressional structure. Mr. Allen's comments to this end are well stated. I recommend them to all Senators.

I ask unanimous consent that Mr. Allen's editorial be printed in the RECORD.

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

[From the Medford Mail Tribune, Mar. 30, 1970]

CAN CONGRESS ACTUALLY BE MADE TO WORK?

How widespread is dissatisfaction about they way the United States Congress performs?

We'd say considerably more widespread than many Congressmen realize, although quite a few—usually younger ones who have not yet built up the seniority that makes for power—have expressed strong feelings about what amounts to a breakdown in Congressonal effectiveness.

The Portland Oregonian, which usually is fairly restrained in the language it uses in its editorials, recently had this (in part) to say:

"Here is a Congress governed by old men, some of them nearing senility, which has not even adopted all the budget appropriations for a fiscal year which expires in three months. Here is a Congress of highly-paid, professional politicians, operating under archaic rules and restrictive practices, which will not either govern the City of Washington properly nor free it to govern itself, and which has made a bureaucratic morass of the federal government nationwide.

". . . It is long past the time when the American people should rise up in wrath and demand that their elected officials quit preening, posturing, politicking and procrastinating at the expense of all of us. If they continue to refuse to reform the American government, we must elect officials who will."

That's strong language for the Oregonian, but it is not alone. There is a new magazine (only about a year old) called The Washington Monthly, which carries on its title page, as part of its reason for being, this flat statement:

"The American system is in trouble. It's not responding well enough or fast enough to our critical national problems."

Both the Drummonds, father and son, and James Reston, in their columns in the Mail Tribune Sunday, pointed to the lack of responsiveness by American institutions as being in large part to blame for the breakdowns that seem to be coming ever more frequent—including the Postal workers' strike and the air controllers' "sick-out," to name only two current examples.

Mr. Reston carries the argument one point further in his column on this page today, and Herblock adds to the chorus with today's acid but pointed cartoon.

Other examples could be cited at length, including the universities (which, once their baptism of fire erupted, have changed more rapidly than any others, and which indeed show signs of adapting to new needs); American elementary and secondary schools, which are in trouble for a variety of reasons; and city, county, and state governments, some of which are doing better than others in facing new problems and new demands.

But Congress itself remains the most flagrant example of blind, ingrained, hidebound inability—or unwillingness—to govern.

The Oregonian's prescription—"If they refuse to reform the American government, we must elect officials who will"—is, of course, largely correct, but of itself it offers Oregonians no way to help solve the problem, for the fact is that the Oregon delegation in Congress—four Republicans and two Democrats—is among the ablest representing any state. They are individuals who themselves feel utter frustration at the roadblocks to action imposed by "the system."

By themselves—six members from a small state—the Oregon delegation can't do a great deal. But if they knew that they had the solid backing of their constituents, they could do more than they are now doing.

We are speaking of such prosaic things as ending or sharply modifying the seniority system; getting younger and abler men into office (e.g., Speaker of the House); making the machinery of Congress (particularly the committee system) more responsive to the wishes of the majority by cutting down the authority of the chairmen to stall or kill legislation because of personal whim or

worse; demanding that ethical standards of members be no less than those demanded of the judiciary and executive.

These things don't sound very glamorous—hardly the stuff of which a "great crusade" is composed. But it is just such bread-and-butter matters of organization and attitude that makes it impossible for Congress to function as we have every right to demand that it should.

There are members of Congress—and we think that the six Oregonians are among them—who are fully aware of the needs. But they do not yet have either the votes or the mandate from home to work the changes.

A stiffening of spines throughout Congress would help. And nothing would stiffen them more effectively than word from home that the voters of America are fed up with Congressional fiddling while Rome burns.

This is not a partisan thing. There are good people and otherwise in both parties. And certainly the effective government of the United States should have a high priority on the list of both parties.

We remain sufficiently idealistic to believe that our form of government can be made to work—so long as every citizen is willing to devote a bit of effort—not necessarily a lot, even—to doing his share.

If Congressional reform were to become popular among the voters as a prelude to reforming the whole huge federal establishment—and if the voters were to so inform their elected representatives—amazing things could be done.

It might even become possible for Congress to pass appropriation bills for a fiscal year before that fiscal year began, instead of waiting until it was nearly over.

As it is, it's a heck of a way to run a government.—E. A.

## PROJECT CONCERN'S "WALK FOR MANKIND"

Mr. KENNEDY. Mr. President, one of the distinguished marks of our country's history and tradition is the extraordinary private efforts put forth to assist humanity in need throughout the world.

A relative newcomer to the groups of citizens and organizations currently involved in these efforts is Project Concern, Inc., of San Diego, Calif., founded in 1961 by Dr. James Turpin.

Self-sufficiency is the objective of Project Concern's help to the less fortunate in Vietnam, Hong Kong, Mexico, and among our own citizens in Tennessee and New Mexico.

For a number of years, I have followed the work of Project Concern and want to note especially its important contribution toward alleviating human suffering in Vietnam through its medical facilities and services in the Central Highlands of Tuyen-Duc Province. Recently, a new Project Concern hospital, to serve some 5,000 Montagnard tribespeople at Lien Hiep, was dedicated by four Gold Star Mothers from Worcester County, Mass.

These mothers were representing the people of Worcester who had given the hospital to the tribespeople as a memorial to the young men of Worcester, and all Americans, who have fallen in the Vietnam war.

It is appropriately called the Living Memorial Hospital. By salvaging priceless human life now, by teaching the Montagnards disease prevention and by training their young people in basic medicine, Project Concern and the people of Worcester, are building for a brighter future in Vietnam.

To involve a growing number of Americans, especially young people, in the support of such worthwhile projects as the hospital in Vietnam and health facilities among the Navajos in the area of Bisti, N. Mex., Project Concern has organized a national "Walk for Mankind," which, over the next couple of months, will hopefully enlist the involvement of more than a million young people in 300 communities to raise funds and support for the work of Project Concern staff and volunteers in this country and overseas.

The initial citizen support for the "Walk for Mankind" has been very good, and I am hopeful that it will continue to grow as the effort continues. Dr. Turpin and his associates, and our citizens who support or participate in the walk, deserve high tribute and the good will of all Americans.

Mr. President, because of the broad public and congressional interest in the work of Project Concern, I ask unanimous consent to have printed in the RECORD an article on the Living Memorial Hospital, published in a recent issue of Project Concern News; a related article from the Worcester Sunday Telegram of February 8, 1970; and a brochure outlining the objectives of the "Walk for Mankind."

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

[From the Project Concern News, January 1970]

LIEN HIEP: LIVING MEMORIAL HOSPITAL

Wars produce refugees. And in Vietnam, there are too many even to count accurately. Medical aid is a high priority need for these homeless, displaced humans.

Soon the door of Project Concern's new "Living Memorial" hospital will swing open for the 8,000 refugees encamped at the central highland village of Tung Nghia.

This six-building, 50-bed hospital, 20 miles from Dalat, is in a beautiful location at Lien Hiep, overlooking a river with rippling falls. It's just off a main highway, so delivery of supplies and drugs will be facilitated. The nearness to a sub-sector military post affords protection.

As in all rural areas of Vietnam, basic services such as water, electricity, telephone and sewage disposal are absent at Lien Hiep. Project Concern has had to build its own electric plant, waste disposal system, wells, pumps and water delivery system.

It all began back in April of 1968 when Worcester, Mass., became the first community in the United States to pay formal personal recognition to 150 young men of their county who died in the Vietnam war. Rather than a memorial statue, the people of Worcester decided to build a hospital in Vietnam for refugees.

Gold Star mothers, women's organizations, and others had many separate fund raising activities after joining together to raise necessary money to begin construction. Worcester contributions to date have totalled $66,000 and haven't stopped yet.

Hospital construction got underway in 1969. It is being completed on an act of faith that the remaining $184,000 for the hospital and its first months of operation, will be raised. Other communities may decide to Veterans groups, organized labor, students, join Worcester in this "Living Memorial" as a tribute to their Vietnam war dead.

The new hospital will supplement the first Project Concern hospital established at DaMpao, South Vietnam on June 15, 1964. The original 18-bed hospital was established in what had been a Vietnamese Security Forces camp.

There were 35 patients waiting for Dr. Turpin that first day when the hospital opened. He had to work by candlelight at night and his first two meals consisted of only bananas! Today, there is a generator for electricity but after 10:00 p.m. when the generator is turned off, candles reappear. Although the food situation has improved immensely, jeeping to Dalat to pick up rice and other staples is often hazardous.

Many times during the monsoon season the staff has had to abandon a vehicle temporarily because of an impassable stream or getting stuck in the mud. The ebb and flow of war in the area complicates the problem of living. During certain periods, war conditions make road travel impossible and supplies of foods and drugs are in very short supply. At such times wehn an army helicopter can be spared, Project Concern personnel are airlifted to Dalat for the necessities.

In 1966 a second wing was added to the DaMpao hospital bringing the capacity up to 42-beds and providing a maternity ward and laboratory. An X-Ray building was constructed in 1967. Project Concern began a village health program in 1968. A nurse lectured on sanitation and personal health to the villagers. Wells were tested; new ones blown. Insect spray was demonstrated and hygiene kits and soap provided. The classes for training local villagers as Hospital and Village Medical Assistants and Midwives begun in 1964, continue to be one of the most important accomplishments of the DaMpao staff. Conditions permitting, Project Concern doctors and nureses make the rounds of some 25 neighboring villages on a regular rotating basis.

By salvaging priceless human life now, by teaching the villagers disease prevention, and by training their young people in basic medicine, Project Concern is building for a brighter future for Vietnam.

[From the Worcester Sunday Telegram, Feb. 8, 1970]

VIETNAM HOSPITAL PROTEST AGAINST SORROWS OF WAR

(By Peggy Steinle)

SAIGON.—"We bled for them. You've heard of baptism by fire. This is a baptism by blood. Because we lost our son here, I consider him part of this country."

With these words, Mrs. Elaine Huntoon, 43, of Leicester, Mass., explained why she and three other Worcester County mothers who lost their sons in Vietnam had traveled to dedicate a hospital in the land where their sons died. They were representing the people of Worcester, who had given the hospital buildings to the mountain tribesmen of Vietnam. Their gift is intended as a memorial to the Americans who have fallen in the Vietnam war.

The sight of the six slim yellow buildings which will house the hospital in April filled the mothers with pride and nostalgia.

"I think the most beautiful part of it all is the humanitarian cause for which it was built," said Mrs. Priscilla Gariepy, 45, of Fitchburg. "Its beauty shines from within."

Mrs. Gariepy lost her son Robert in 1968. She said although the hospital can not ease her sorrow, its cause gives her inspiration. A surgical nurse, she commented that the hospital's facilities were better than she had expected.

The 50-bed hospital will serve the 5,000 Montagnard tribesmen of Lien Hiep (Paradise) in Vietnam's Central Highlands. The nearest hospital to these villagers was 17 miles away over rocky, mountainous terrain. Often, by the time they reached the doctor, it was too late. The new hospital, built with the

labor of the Montagnards, will offer emergency medical care and health instruction.

The trip to Vietnam awakened long-dormant memories for the women. Mrs. Gladys Berg, 54, of Paxton recalled what her son had said about joining the Marines.

"He felt that way he could do the most. He wanted to help, he really did. That was his way of doing it.

"Now I know this hospital is the something my son died for."

Mrs. Berg remembered how her son had spoken of death. And she talked of the anguish the death of her only child had meant to her.

HIS HOPE

"Going out to kill someone, that bothered him. Before he left he came to me and he said, '"Mom, I don't know that I actually have to go out and kill somebody. I only hope that I come back in my right senses! As far a. being hurt himself, I don't think that bothered him.

"As far as I know, he landed on Jan. 7th and he was killed on March 7th, just exactly two months later. He was leading a patrol and they were ambushed. That was it.

". . . I couldn't believe it. When the Major came to the house, I just couldn't believe it. And I wouldn't believe it, until I saw him . . . then, I knew.

"You hear rarely of incidents where they do make a mistake. The wrong people are notified and it's not their son. You cling to that hope. But when you see him, you know."

ADDED GRIEF

It had been at least two years since any of the mothers had seen her son alive. Yet the grief of one of them was fresh. Air Force Capt. Charles Tofferi had been shot down while on a mission over Laos nearly three and a half years ago. Just last month, an American patrol discovered his body.

It was as if an old wound had opened. The Tofferi family held a funeral, just as Charles' mother, Mrs. Bertha Tofferi, 65, of Fitchburg, was packing the suitcase. Shortly after he was buried in the family cemetery, Mrs. Tofferi left for Vietnam.

"I can still hear him talking to me," said Mrs. Tofferi, her voice shaking. "If he knew what we were doing here, he would say he was glad we were doing something to help.

"It's been hard for me, being here," she continued, "because I've just been through something. I can't be as energetic as the others. But I think the people of Vietnam are warm and nice people and they received us with open arms."

ITINERARY

Mrs. Tofferi related the story of their visit to Vietnam, beginning with the young women who gave the mothers huge bouquets of slim red flowers as they stepped off their airplane. She spoke of tours in orphanages and relief centers, a glimpse of a Vietnamese fighting unit, a dinner at Saigon's exclusive Riding Club. She described their excitement at being presented to generals, ministers, ambassadors. And she spoke of the most meaningful part of their trip, the two days they spent at the hospital.

Mrs. Tofferi, a nurse, described the Lien Hiep hospital as "terrific," adding that she was very happy to have been a part of the ceremonies.

The hospital's administration will be the responsibility of a medical relief group called Project Concern. It is the first gift presented directly by an American community to the Vietnamese people.

Why was Worcester special? What singled out the people of one New England community and made them the first to contribute this way?

"I have yet to see another city where they do this. The people there, they're all beautiful people." That was what Lance Cpl. Richard J. Dube of Worcester had to say about his home town.

Dube and some 30 other GIs from the Worcester area were on hand to greet the mothers' plane when they arrived in Vietnam. Francis R. Carroll of Worcester, the originator of the hospital project, had arranged for them to have three days' leave for the festivities.

Several of the mothers said they felt the hospital was their form of protest against the sorrows of war. Rather than demonstrating against the war, they said their gesture expressed their hope for peace.

"In '65 or '66," explained Mrs. Huntoon, "I attended an antiwar program, and the only thing that ran through my mind was that these people were killing my son. Soon after, he died. I think the protesters do give aid and comfort to the enemy. That's the rough spot. Whether or not we should be here is something that could very well be considered, but I'm not wise enough to make that judgment."

"TERRIBLE"

Mrs. Tofferi, who described antiwar protests as "terribly sad," mentioned several aspects of Moratorium Day that had offended her.

"I thought it was terrible, on Moratorium Day, that they would have all those caskets and read the boys' names. I hope they didn't read my boy's name."

Mrs. Berg said she also resented the idea of the Moratorium in the light of the hospital project:

"I think the protesters honestly want war stopped," she explained. "We all do, I consider it an insult to my intelligence if someone asks me if I want peace.

"For instance, on Moratorium Day, one gal came up and asked me if I wanted to sign for peace, I said of course I wanted peace, but as far as signing anything, I just wouldn't do it, I said. "This isn't necessary.' "

Mrs. Berg's eyes flashed and her tone grew more insistent.

STRESSES THE POSITIVE

"If they would only take the time and money and energy they spent in a protest or a march and put it into working for Project Concern or going down to the ghetto or going into the hospitals! Why don't they put their efforts in this direction, rather than in these protests, which accomplish nothing, as far as I can see.

"They've got a right to protest," she continued. "This I won't argue with. But let them put their energies in the right direction.

"I hope that when 1980 comes, we can look back and call this the Sensible Seventies, when everybody came to their senses to stop all wars."

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PROJECT CONCERN'S WALK FOR MANKIND

WHAT IS IT?

*Walk for Mankind* is Project Concern's newest national plan for involving schools, organizations and communities in a rewarding fund-raising effort to help the helpless—the sick of all ages who desperately need medical aid, food and basic sanitation. Operating without government subsidy and entirely dependent on public contributions, Dr. Jim Turpin has taken his organization, Project Concern, into neglected areas to help where the need is greatest. Funds to operate are needed. *Walk for Mankind* is an easy fund-raising project designed for Project Concern Committees, Jaycees, Women's Clubs, churches, schools and other organizations. Essentially, the project is a fun hike through the most interesting sections of your hometown!

CHALLENGE TO YOUTH

*Walk for Mankind* offers an exciting challenging activity for the young people of your community. The Walk is primarily for them. It gives high school and college students a chance to become concerned about the less fortunate—a chance to protest against misery and sickness. There will be some hardy adults too, but most of the Walkers will be teenage students. Bands and banners, "way-out" costumes, free food and drink—all these make the Walk a great outing and colorful affair.

Here's the simple procedure. Each Walker is preregistered (usually at his school, given a Project Concern brochure or a locally developed flyer with information about Project Concern's international medical relief work as well as instructions for the Walk, and Sponsor sheets. He then rounds up as many Sponsors as possible—family, friends, businesses, and others. He negotiates with each Sponsor for a certain sum per each mile walked. Naturally the higher the amount the better! Perhaps the Sponsor agrees to pay 10 cents—or maybe $10.00—for every mile completed of the established Route and verified by Walk Marshals at each checkpoint. After the Walk, each Walker is responsible for returning to all of his Sponsors, collecting the amount due, and depositing the total at a specific Bank or local *Walk for Mankind* office. Tax deductible receipts are given Sponsors upon request.

WHY WALK?

More than 200,000 ill—and often starving—children and adults will be helped through Project Concern this year in its six clinics and two rural hospitals in Hong Kong, South Vietnam, Mexico, and Appalachia, U.S.A. Dr. Turpin and 147 volunteer doctors, nurses, technicans and other staff work in physically depressed areas where the need is acute. Along with medical and dental aid, feeding programs provide children with soup or milk and vitamin-packed wafers ward off malnutrition.

A village self-help program in Tuyen Duc Province of South Vietnam trains local young men and women to give basic medical aid in their own villages.

Dr. Turpin's organization is made possible by the interest and goodwill of private citizens who care enough to send contributions personally or to help stage a fund-raising event. *Walk for Mankind* is an opportunity for those concerned about humanity.

HEADQUARTERS' ASSISTANCE

*Walk for Mankind* materials will be sent without cost to organizations planning a Walk. A *Walk for Mankind* manual with instructions, information kits for workers, publicity kits, Project Concern brochures and "Walk for Mankind" buttons will be provided by Project Concern. Other promotional materials such as posters and a local flyer with Walk route, Sponsor sheet, et cetera, may be developed by the sponsoring group.

Responsible officers of interested organizations may write for free materials to the nearest office:

Project Concern International Headquarters, P.O. Box 2468, San Diego, Calif. 92112.

Project Concern Development Office, Stone-Brandel Center, 1439 So. Michigan Avenue, Chicago, Ill. 60605.

Project Concern Regional Office, 44 Linwood Ave., Ardmore, Pa. 19003.

*Walk for Mankind*. Santa Rosa, California, was the first American city to hold a Project Concern "Walk." Saturday, September 6, about 500 Santa Rosans led by Dr. Jim Turpin, public officials, and inspired by Sparky Schulz's "Peanuts" character, hiked over a 21 mile route in the picturesque Valley of the Moon area and earned $12,000.

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## SIHANOUK—NO FRIEND OF THIS COUNTRY

Mr. SYMINGTON. Mr. President, upon return from a trip to the Far East in late 1965 and early 1966, I released a report of my findings, along with a cover-

ing letter which included the following statement:

There should be programs to reduce, if not eliminate, the sanctuary aspects of Laos and Cambodia. Both countries are being utilized by the Viet Cong and North Vietnamese to transport men and equipment to South Vietnam; and also as sanctuaries. In both countries there are Communist headquarters.

For more than 4 years the use of Cambodia as a sanctuary has been well known, despite the professed neutrality of Sihanouk; and as pointed out in a recent editorial in the St. Louis Globe-Democrat, this fact has been even more clearly revealed since the overthrow of Prince Sihanouk.

The editorial notes:

It has become evident Sihanouk virtually turned over the eastern border areas of Cambodia to the North Vietnamese and Viet Cong troops, allowing them to build permanent installations and operate as a nation within a nation.

It is impossible to estimate the number of American casualties in Vietnam which could be attributed to Sihanouk's permitting the enemy to use his country as a sanctuary. The enemy's practice of attacking United States and South Vietnamese forces and then retreating across the border, thus denying our forces the ability to counterattack, has been a major concern of the U.S. military in Vietnam for some time.

In this connection, I ask unanimous consent that the editorial, entitled "Sihanouk Unmasked as a Traitor," be printed in the RECORD.

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

[From the St. Louis Globe-Democrat, Mar. 31, 1970]

SIHANOUK UNMASKED AS A TRAITOR

Events since the overthrow of Prince Norodom Sihanouk as chief of state of Cambodia have clearly revealed that Sihanouk was working closely with the Communists during all the years he claimed to be a "neutralist."

It has become evident Sihanouk virtually turned over the eastern border areas of Cambodia to the North Vietnamese and Viet Cong troops, allowing them to build permanent installations and operate as a nation within a nation.

It turns out now that Cambodia has become an occupied country, as more than 60,000 Communist troops defy the order of the new government to leave Cambodia. Viet Cong units are reported to have begun attacking government troops and it may be that large-scale fighting between the Cambodian regular army and the Communists is not too far off.

Sihanouk, who betrayed his country by failing to move a finger to prevent its occupation by the Reds, now proclaims he is joining the Pathet Lao in Laos and the Viet Cong in Vietnam to "engage in guerrilla warfare in the jungle against our enemies."

In some respects Sihanouk reminds us of the deposed Sukarno of Indonesia who also played footsie with the Communists and wound up being driven out of power by an anti-Communist counter-drive against a Red takeover attempt.

Sihanouk, like Sukarno, lived the life of a high-spending playboy while his people were living in poverty and hunger.

Cambodia is well rid of this traitor who sold his country down the river while he was singing a phony neutralist tune.

## A TRIBUTE TO AARON E. HENRY

Mr. KENNEDY. Mr. President, on Sunday, April 12, 1970, the citizens of Mississippi will acclaim Aaron E. Henry Day, to honor one of that State's most outstanding citizens. I wish to take a few minutes of the Senate's time to pay tribute to him.

I have admired Aaron Henry for many years. He has worked for more than 20 years in the continuous struggle to end bigotry and violence. His personal life is devoted to answering the distressing cry of the poor and oppressed. He has worked tirelessly for peace and social justice. He lives and works with poor Americans who still suffer from hunger and still go ragged because they have no clothes. He works to help those whose homes are destroyed by the awesome power of nature and those whose homes have been obliterated by the searing flames from the torch of racial bigotry.

He is humbled by the little children who seek help; who are still denied adequate schooling because their neighbors holler and threaten defiance to pleas for equality in education.

Aaron Henry lives as a plain and ordinary citizen. He has no pretentions. He makes no distinctions of class or rank for any man. He spends his life showing us the power of wisdom and the beauty of his love for mankind.

Designating one day to acclaim the many deeds of Aaron Henry is a fitting tribute to his works and his ordeals. He is just another of the many black people who are convinced that because America is home, America must yield up her bounty to every citizen. And Aaron Henry intends to continue the struggle to make the American dream of equality a reality for all.

I am honored to know Aaron Henry for I know that he will continue working until the last remnant of poverty, the last barrier to prosperity, the last obstacle to equal opportunity are gone from American life.

## THE POPULATION CRISIS—IV

Mr. TYDINGS. Mr. President, the April issue of the Progressive magazine is entirely devoted to a series of provocative articles dealing with the threats to human survival posed by the deterioration of our environment and the population explosion. Two of the articles dealing with the issue of world overpopulation are particularly interesting.

The first, entitled "A Better World for Fewer Children," written by Nobel laureate George Wald, makes the important distinction between possible definitions of "survival." As Professor Wald points out, demographers have estimated that as many as 40 billion people might be kept alive on this earth with "proper management."

But what would life be like in such a "standing room only" planet? The answer is obvious: It would be oppressive with little opportunity for creativity and experiencing the sheer joy of living. Our desire to preserve and improve the quality of life in this country and around the globe is the most pressing reason why the population bomb on which we sit must be defused.

As Professor Wald put it:

None of the things that now most need to be done for our country and for the world have much chance of working unless coupled with the control of population.

The second article, entitled "Looking Backward From 2000 A.D.," written by biologist and population expert Paul Erlich, is a futuristic piece describing the human gains that could be realized by cutting back the population size of the United States dramatically. This imaginative look into the possibility of a better tomorrow ought to be read by all who share the belief that something must be done immediately to curb our excessive birth rates.

Mr. President, these are important contributions to the debate over the need for a national population policy. I ask unanimous consent that these excellent articles be printed in the RECORD.

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

A BETTER WORLD FOR FEWER CHILDREN

(By George Wald)

None of the things that now most need to be done for our country and for the world have much chance of working unless coupled with the control of population. By present indications our present population of 3.5 billions will have doubled by the end of this century. Long before that, we can expect famine on an unprecedented scale in many parts of the world.

Yet this in itself is not the heart of the problem. If it were, one would have some small reason for optimism; for in the last decade the world's food supplies have increased more rapidly than its population.

The concept that food is the primary problem is a prevalent and dangerous misunderstanding. It implies that the main point of the human enterprise from now on will be to see how many persons can be kept alive on the surface of the earth. A distinguished demographer recently estimated that with what he calls "proper management" we could support a world population of forty billions.

Of course, under those conditions people would not eat meat; there would be no place for cows, sheep, or pigs in such a world. This would be an altogether bankrupt view of the human enterprise. Humanity still has a chance at creating an ever wider, richer, and more meaningful culture. This would degrade it to simple production—a meaningless venture in simple multiplication. Even that, however well managed, must come to an end, as the potential resources of the planet become insufficient to feed further numbers of people.

The point then is not how many people one can feed on this planet, but what population can best fulfill human potentialities. One is interested not in the quantity but in the quality of human life. From that point of view the world is probably already overpopulated. China and India were once great cultures, enormously creative in the sciences, the visual arts, and literature; but those aspects of Indian and Chinese culture declined centuries ago for reasons associated, I think, with overpopulation.

The Western World also is becoming crowded; I do not think it irrelevant that the quality of our production in the arts has declined greatly in the last century or two. Western science is flourishing, but the productivity of the individual scientist is nothing like what it was up to a century ago. It would take four to six top scientists of the present generation to approach in produc-

tivity, scope, and quality the contributions of Charles Darwin, Hermann von Helmholtz, or James Clerk Maxwell. Those men had no labor-saving devices, so far as I know not even secretaries—no dictaphones, microfilm, computerized information, retrieval services, and the like. They did, however, have peace and quiet, the chance to walk through green fields, along quiet rivers, and to find relief from all the crowding, noise, filth, and endless distractions of modern urban life.

A second profound misunderstanding has plagued many earlier discussions of the population problem. This is the widely prevalent view that the poor are over-reproducing, the well-to-do are under-reproducing, and the quality of the human race is hence going downhill. Quite apart from the naive assumption that the economically poor are necessarily also genetically inferior, there are other, almost as serious troubles with this view of the problem.

We are beginning to realize now that it is precisely the well-to-do and their children who make the most trouble—who are at once the biggest consumers and the biggest polluters. That is true individually, and has its national aspects. It is claimed by reliable sources that an American child uses fifty times as much of the world's resources as an Indian child. Our country, which contains only about six per cent of the world's population, uses about forty per cent of the world's resources, and accounts for about fifty per cent of the world's industrial pollution.

So it is essential that we bring world population under control, not only to keep it from increasing further, but if possible cut it down from its present level. That won't be easy or altogether pleasant. Indeed, it will be so difficult that we would be well advised to choose any viable alternative. But there is none. It is that or disaster. We are not being *asked,* but *told* to control world population. That is now our only chance of a meaningful survival. And whatever is done now must be done quickly, not only because the population is increasing so explosively, but because as one consequence the quality of human life has already been eroded. We must be aware of the danger that persons of future generations, even more out of contact than we with the potentialities of a less crowded world, will have lost a wider human view, and will have become unable to help themselves. In that sense we may be the last generation that can save humanity.

So what to do? First, as rapidly as possible make convenient, safe, and cheap—I would rather say free—means of birth control universally available. That, however, will certainly not be enough. I think we must as rapidly as possible make convenient, safe, altogether legal, and cheap—again I would rather say free—means of abortion universally available.

I hope for the early advent of a safe and efficient abortion pill. There are recent reports of encouraging work in this direction, from England and Sweden, with one of the prostaglandins. I think the condition we must try to achieve everywhere and as rapidly as possible is to see to it that nowhere in the world need a woman have an unwanted child. Having got there, we can take stock and see whether that is yet enough. Very likely not; and then we shall have to go on with a variety of other reasonable procedures. We might begin some of those procedures much sooner: for example, legislate tax discouragements rather than incentives for bearing children, particularly beyond the first two.

Many people still have trouble with the thought of legalized abortion. Of course the Roman Catholic Church is deeply opposed to it. Lately it has at least considered accepting contraception, before officially deciding against it. It seems to me likely that having once opened the question of contraception, it will now prove very difficult to close.

Abortion, however, is not only rejected by the Catholic hierarchy, but apparently also by large numbers of Catholic laymen. They regard abortion as highly immoral, indeed a form of murder.

It is difficult for me to appreciate the morality of that position in view of the present condition of the world's children. If we were in fact taking proper care of children all over the world, raising them with enough food and shelter and clothing so that they had the chance to fulfill their genetic potentialities, then we might have the privilege of feeling that every embryo should be born. As it is, however, the world's population is now mainly held down through infant mortality. What is killing those children is war, famine, disease, and poverty. That is our present condition, one in which we turn the Four Horsemen of the Apocalypse loose upon the children on the earth. Surely we can and must do better than that.

It is not as though we were asked to introduce abortion into a world that is not already practicing it. It is in fact practiced very widely, not only in those few nations where it is legal, but in others where it is illegal, and frowned upon by tradition and religion. Indeed, some recent statistics seem to show that it is particularly prevalent in a number of Roman Catholic countries, in which other means of birth control are not available.

Data on the extent of illegal abortion are difficult to obtain and not altogether reliable. However, a recent study estimates that in France there is one abortion for each live birth; that in Latin America as a whole there is one abortion for every two live births; and that in Uruguay, there are three abortions to each live birth. (Alice S. Rossi, U.S. Public Health Service, writing in *Dissent,* July-August, 1969).

In numbers of underdeveloped countries, through ignorance, poverty, and the low state of technology, abortion is the principal method of birth control. A lot of this happens under brutal circumstances. The women do it to themselves, or to one another, or at best with the help of some self-taught midwife. All of them suffer, and many of them die. It is one of the penalties of poverty. What goes as morality, in this as in so many other things, sits more lightly on the well-to-do. The poor must bear it in suffering and terror, and at times must pay for it with their lives.

It is precisely a high concern for human life, and most of all for children and what becomes of them, that makes me believe that we must achieve as rapidly as possible universally available, and preferably free, birth control and abortion. Being born unwanted is no favor to any child. Being born to hunger, want, disease, and the ravages of total war is no favor to any child. We need to make a world in which fewer children are born, and in which we take better care of all of them.

So that is my program: *a better world for fewer children.*

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LOOKING BACKWARD FROM 2000 A.D.

(By Paul R. Ehrlich)

SUMMARY

*1. Population: Size*

The 1999 midyear population of the United States of North America was estimated to be 22.6 million, with a standard error of 3.2 million. The policy of special reproducer rations appears to have made significant inroads into the frequency of stillbirth, and child-health squads seem to be effectively reducing post-weaning child mortality. With the crude birth rate now standing at 30.7 and the death rate at 31.6, we are now clearly within striking distance of stabilizing our population. If present trends continue, the population will cease to decline early in 2001, and a slow rise in population size may be expected to commence thereafter. Approximately thirty-four per cent of the population now resides in SRU (Standard Reorganized Urban) Areas, and the redistribution program has returned to the inactive mode. The Division of Optimum Population is expected to recommend next year a program target of a stable population of thirty-two million by 2075.

*2. Population: Quality*

The consequences of the release of radioactivity in the 1981 reactor disaster at the Seaborg plant, combined with the overall increase in environmental radioactivity permitted before the Gofman-Tamplin Act of 1976 restricted emissions, are still causing serious repercussions in our population. The leukemia rate is still 740 per cent higher than the 1960 base rate, and that of chondrodystrophic dwarfism is now 890 per cent of base. Estimates of the degree to which radiation is responsible for the present levels of embryonic, neonatal, infant, and childhood deaths are difficult to obtain because of confounding with nutritional effects and the disorganization of our medical apparatus. Similarly, it is still impossible to sort out the causative factors for the present level of carcinomas of all types in all age groups, but a substantial portion is thought to result from radiation damage.

It is encouraging that surviving molecular biologists and human geneticists are now relocated, and that research and training are proceeding as well as can be expected. Efforts are, of course, being heavily concentrated on the problem of repair of radiation damage in DNA (the genetic material).

The genetic variability inventory is nearing completion. Preliminary results indicate that the reduction of population size has not resulted in serious loss. The heterogeneity of the American population is considered by many specialists to have been responsible for its high survival rate relative to that of many other overdeveloped countries. It is suggested that in your State of the System address you emphasize, in layman's terms, the critical role played by "minorities" in our survival. The level of racial tension is now lower than at any previous date in our history, and positive efforts should be made to eliminate such tension entirely.

*3. Population: Health*

It is clear that lowered population density is a primary factor in preventing a resurgence of Marburgvirus B. Another factor is the recovery of the average diet to 2400 calories per day, and the increase of the high quality protein ration to almost forty grams daily. Famine has been estimated to have been directly or indirectly responsible for sixty-five million American deaths in the decade 1980–1989; the chances of a substantial hunger component in the next decade is now judged to be very small, unless another dramatic change in the climate occurs.

In addition, of course, the continual improvement of the quality of the atmosphere since the Great Die-Off has resulted in a population much less weakened by circulatory and respiratory diseases, and will thus lessen mortality due to interactions between malnutrician and cardiovascular and respiratory disorders. In the past eighteen years the turbidity of the atmosphere at all reporting points has shown almost continual decline except in areas affected locally by uncontrolled forest fires and dust from unattended farm land. (Even such local effects have been almost non-existent since 1992.) Finally, the restoration of relatively pure water supplies in many areas has further improved the epidemiological situation, although nitrate levels remain unacceptable in some areas where ground water was badly polluted.

Radiation still seems to be a factor in the

continued susceptibility of some of the population to Marburgvirus B and in continued low resistance to some other diseases. However, the level of chlorinated hydrocarbons stored in human body tissues has dropped until this factor is now thought to be negligible in lowering resistance. Remember that although about 125 million American deaths were attributed to Marburgvirus B during the Great Die-Off, it is clear that as many as sixty million of these would not have occurred if the population had not been weakened by environmental deterioration. Therefore the estimate of ten million deaths due to environmental problems other than famine and disease is undoubtedly too low.

Rumors that Marburgvirus A (the strain which first infected 30 laboratory workers in 1967, killing seven, and which was only prevented from becoming epidemic by a stroke of luck) has been causing deaths in Central African populations are unconfirmed, but the Immigration and Carrier Act of 1996 will probably provide protection for the population of the United States, if the presence of that strain in the human population is confirmed.

*4. Resources: Food*

For the first time since these reports were initiated the Department can report progress on a broad front at restoring the productivity of American farms. The soil restoration program of the Department of Agriculture is now well out of the development stage, and trained extension workers are expected to be in contact with approximately twenty-five per cent of farmers working five acres or more during the next growing season. Acceptance of both humus building and integrated pest control techniques is extremely high in farmers who survived the disaster years of the mid-'80's and, of course, it will be even higher among the graduates of the new Federal Agricultural University. Monitoring of all agricultural inputs by the Department of Population and Environment has completely eliminated the abuses of the agri-business swindles of the 1970s. With care it should be possible to return the American diet to the 1960 nutritional base level by 2010, as programs developing satisfactory substitutes for dairy products and sea foods are showing remarkable progress.

Food distribution is now considerably more equitable than in the base year 1960, and considering the broad support of the population redistribution program and the rapid recovery of the national railways it is confidently predicted that serious dietary inequities will not occur in the foreseeable future.

*5. Resource: Energy*

The Energy-Demand Control Act of 1998 has established the basis for rational utilization of the energy resources of the United States. In view of the great reduction in population size, fossil fuel supplies will be more than adequate (in combination with hydroelectric power) to sustain our economy over the next century. It is now estimated Deuterium-He fusion will be operational, that producing pollution-free power by 2050, which will allow about fifty years to complete the transition to all-electric power.

*6. Resources: Mineral*

Small population size, and continued availability of salvageable materials in Los Angeles and other cities which have not been reoccupied, have greatly eased the pressure on our reserves of non-renewable resources. The projected non-renewable resource crisis is now about 100 years into the future, although, if international trade is not firmly reestablished in the next decade, shortages of certain materials such as industrial diamonds may be serious. We must emphasize that national and international planning for resource husbandry and substitution must be organized as soon as possible. We must not let the lessons of the '70s and '80s go unheeded. Needless to say, the planning of the Stable Economy Commission must go ahead with all deliberate speed.

*7. Environment*

As indicated above, air and water quality have now both exceeded the 1960 base level by a considerable amount. Movement of chlorinated hydrocarbon residues into oceanic sinks is now estimated to have reached eighty-three per cent of completion. The Department concurs, however, with estimates of Eastbloc monitoring stations that the restoration of oceanic productivity is problematical. Fears of oxygen depletion are still present in certain segments of the population, and it is essential that they be reassured. Large terrestrial areas have reverted to green plants since the Die-Off, and even if oceanic ecosystems cannot be reestablished for several centuries no significant oxygen shortage is anticipated.

Whether or not weather patterns will eventually return to those of the early part of the Twentieth Century cannot be determined at this time. Those few atmospheric physicists who survived the Die-Off have not reached a consensus on the exact cause of the jet stream shifts of 1978–84. Much more basic research on turbulent flow will be necessary before any attempt to reestablish previous patterns by artificial means can be made, and any such program is clearly beyond our current capability. While a rapid spontaneous return is conceivable, it would clearly be foolish to plan on that basis. It is important to remember also that a *rapid* return now would cause serious disruption in the new agricultural programs which have been established, and might result in a return of famine.

MAJOR RECOMMENDATIONS

1. The continuation of present pronatalist policies will be necessary for the foreseeable future. It is important, however, that the public be continually reminded that the fundamental role of this Department is not to encourage population growth, but to *regulate* the size of the population for the benefit of all our citizens. The public should be prepared for the institution of anti-natalist policies whenever conditions require them.

2. The Congress should immediately ratify the population convention of the United Nations World System Treaty.

3. Increased support of research in molecular biology, even in the face of extreme fiscal difficulties, is necessary in view of the severe genetic and metabolic difficulties faced by our population. The need to rebuild this area of science is made doubly urgent by the possible presence in the human population of Marburgvirus A and by the persistence of foci of Marburgvirus B in spite of the universal distribution of the Hsui vaccine. The reasons for the partial failure of the vaccine are as yet undetermined, but a large cadre of trained scientists is clearly needed to help with this and related problems. Some slowdown in training programs of the National Ecology Institute could be accepted and the funds shifted to molecular biology. Ecology is now recruiting more talented students than can be usefully employed.

4. Appeals for loosening of restrictions under the Immigration and Carrier Act should be ignored for at least one more year.

5. No changes in the activities of the Department of Agriculture are recommended except in the Wheatlands Holding Unit. In view of the small probability of weather changes permitting the Wheatlands Reserve to be cultivated in the near future, the funds expended on this unit would better be reallocated to the South Coastal Unit.

6. The remaining restrictions on the use of internal combustion engines in agriculture may now be safely lifted, with of course the provision that pre-disaster leaded fuel stocks remain under bond.

7. As the climatic changes of the last quarter century appear to be more or less permanent, is is recommended that a new climatic base be established as of this date.

8. The Department recommends that the President's Human Survival Medal be awarded posthumously to Dr. John W. Gofman and Dr. Arthur R. Tamplin. These scientists, while employed by the Lawrence Radiation Laboratory, which was supported by Atomic Energy Commission (AEC) funds, challenged the AEC guidelines for permissible levels of radiation exposure. Their courage and determination in the face of ill-founded bureaucratic opposition from the AEC eventually led to the landmark Federal Radiation Emissions Act of 1956, popularly known as the Gofman-Tamplin Act. As you know, untold human suffering has been avoided because of the enforcement of the act. The Department feels that further recognition of Gofman and Tamplin at this time will drive home to our new government agencies the need both for extreme care in dealing with environmental problems, and your direct concern for the rights of individuals within those agencies to be heard.

CONCLUSIONS

This is the first report of the Department in which the prognosis for the United States is midly positive. In spite of this, a cautionary note must be added. In the national press there has been some comment to the effect that the environmental and public health disasters of the 1970s and 1980s were the result of "bad luck" or "Acts of God." As you know, Mr. President, if we had any luck it was good—for with bad luck the famines, disease, and competition for resources could have precipitated a thermonuclear war. It is only because most of the physical apparatus and records of our culture survived intact that recovery to the present point has been possible. We now can say with certainty that a major thermonuclear war in the 1970s or 1980s would have ended civilization permanently.

The Department urges you to remind our citizens that all of the trends leading to disaster were clear twenty years before the end came, and that we and the rest of mankind did nothing substantive to avert it. As a single example, the vulnerability of the world population to epidemic disease, due to large population size (overcrowding), hunger, and environmental deterioration was repeatedly pointed out by scientists. No substantial action was taken to correct the situation by a nation addicted to economic growth and ignorant of the limits of technology.

The cost of inaction, apathy, and unwarranted optimism has been the payment of nearly four billion human lives over a fifteen year period—and we are still paying. We cannot permit a repetition of such a disaster. Mr. President, it is imperative that this generation and those to follow be kept mindful of mankind's recent history.

Respectfully submitted,

L. PAGE KENNEDY,
*Secretary.*

## SENATOR MARK HATFIELD ON HIGHER EDUCATION

Mr. PERCY. Mr. President, on March 3, the distinguished senior Senator from Oregon (Mr. HATFIELD) addressed the National Conference on Higher Education in Chicago. His remarks constituted a careful analysis of the causes and implications of student unrest and other problems confronting our colleges and universities. I was pleased that he chose this distinguished platform for such a

significant and important message. I ask unanimous consent that Senator HATFIELD'S comments be printed in the RECORD.

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

SPEECH OF SENATOR MARK O. HATFIELD, NATIONAL CONFERENCE ON HIGHER EDUCATION, CHICAGO, ILL., MARCH 3, 1970

The "silent majority" and most of those who represent them in Congress have just about as little faith today in our educational system as the defendants in the Chicago conspiracy trial have in our nation's judicial system.

There can be little doubt that the public image of higher education is in great transition. For many years there has been a most favorable impression among the public at large and in the bodies of their elected representatives toward the support and perpetuation of our institutions of higher learning. This warm feeling toward our higher educational system was reflected in generous congressional appropriations and new programs to revitalize college and university curriculums.

Today, of course, this feeling of comfort and trust toward our institutions of higher learning has changed, and with it our nation has experienced a very rapid decline in our attitude toward higher education. With the advent of student unrest—of "student power"—there has been a great erosion of the image of higher education in the public mind. The result is that many colleges and universities find themselves not only confronting turmoil from within but also vicious attack from without. In many ways we are seeing a confrontation and reaction which both work against each other and move further away from the shared goals of finding solutions to today's problems on the campus. Even alumni are withdrawing support from their old alma maters. They cared enough to assist when there were no real problems; but somehow this benevolency is not apparent when the real troubles arise.

The general ploy of the public and political leadership has been to condemn the colleges and universities. The situation has become such that there is political advantage—shall we say political capital—in attacking and exploiting the conditions of turbulence on the campuses of our nation.

The polls demonstrate the political advantages of this approach. Two years ago, in the State of California, there was a poll that indicated that 53% of the population felt that the state's campuses should be independent from political control. Last year, that had dropped to 39%. There are the voters of California and their attitudes will be reflected by their politicans. Ironically, political conservatives—the champions of individual freedoms, the ones who are most frequently talking about individual rights and individualism—suddenly are the advocates of the strongest measures of government intervention in education, some of which have by mere definition totalitarian implications.

The student disruptions at Santa Barbara this last weekend have elicted many comments and observations. Although it may be too early to try to assess the basic reactions to this incident, it is not too much to say that they were predominantly negative. The *New York Times* this last Sunday carried a very thought-provoking article on the Santa Barbara turmoil in which it quoted a student at Santa Barbara, Harry Levin. I would like to share Mr. Levin's remarks with you today: "It might make people feel good in their guts to go out and riot, but they should realize the cost. Ronald Reagan was elected on a platform of stopping students, and it will be a major issue in the campaign this year. . . . I don't want the people to vote against bond issues and for any candidate who says that he will step on the students. I hear a lot of talk about power to the people, but I have a feeling that if the people really do get power, all of us will be out on Anacapa Island in the middle of the ocean." In Mr. Levin's comments I found summed up the basis of today's reactionary clash on the campus and I do not feel that his fears are extreme. Whenever the basis of a campaign becomes the suppression or control of a segment of the population, whenever we vote as a reaction against and not as a solution for, then there is something seriously disturbed within the political level. Mr. Levin's remarks were directed to the student element warning them to heed the consequences of their actions. But I think all of us can find a well-placed warning in these words. Students are reacting to students, faculty, curriculum, administration, minority rights, our nation's inequities. The public is reacting negatively to this reaction. And the politicians are reacting to the public's reaction. No one gains in this vicious circle and everybody is hurt.

I do not wish to have the attitudes I have delineated thus far to be taken as the majority opinion within Congress in reacting to campus unrest. There are a variety of opinions held by today's legislators and many of them are truly concerned and seeking rational and responsible approaches to these problems within their states and the nation as a whole. But I can say that I believe the trend toward assessing the situation in our colleges and universities is toward this reactionary vein.

Politicians with whom I have had the opportunity to discuss the problem of campus unrest generally believe that it is partly due to a lack of authority on campus. They think that the Federal Government perhaps should assist in filling what they view as a vacuum of authority.—In essence, it is a type of parental authority that they would like to see exercised in a majority of instances. Many politicians are under the illusion that student unrest can be quelled by the act of power and force, and that it should be done on the basis as a parent might defy a naughty child for having acted irreverently by taking away their monthly allowance. And, interestingly, my mail would indicate that this attitude is broadly supported by parents who are trying to compensate in too many cases for what they failed to do at home. They first expect the universities to play their role for them and if the universities fail to do so, then they call upon the Federal Government to assume this role.

To illustrate this point one needs to only look at some of the legislation pending or some that has been recently passed in the area of campus unrest.

In 1968 the Higher Education Amendment, Section 504, stated that institutions shall deny funds for two years for students engaged in various unlawful forms of disruptions and the seizure of property and gave the prerogative to the institutions to make the judgments on funding and take appropriate action. Funds denied under Section 504 are study grants, loans, or fellowships sponsored by the government.

In 1969 the Health, Education and Welfare Appropriation Act, Section 411, denied federal loans or grants to any student convicted by a court of a crime involving use of force, trespass, and/or seizure of property, at an institution of higher education. This is, of course, more severe than Section 504 of the Higher Education Act of 1968.

More stringent measures were proposed last year by various House members, but were not successful. I think it is interesting that most of the really strong and rather vindictive measures were primarily found in the House rather than the Senate. This more than likely reflects the fact that the House considers itself closer to general public sentiment than they think the Senate has the capacity to analyze.

During this second session of the 91st Congress, we saw legislation passed last Saturday in the Senate which would in effect require HEW to suspend the funds of students who engage in force, seizure of property, etc. The catch in this amendment is that it gives the Department of Health, Education and Welfare the right to suspend funds rather than requiring a court conviction as was the case in the 1969 HEW Appropriation Act.

Now HEW opposed this. Commissioner Allen, of Education, testified against it. Under existing legislation requiring the suspension of funds after a court conviction, the funds of 350 students were suspended last year.

There is also legislation pending in the House which would require colleges and universities to certify to the U.S. Commissioner on Education that they have drafted definite plans for dealing with campus disruptions. Last year a similar measure lost in the full vote of the House Education committee by a vote of only 19 to 17. What the House will do this year remains to be seen.

Not all of us in Congress have been supporting such measures. In fact for two very basic reasons I have voted in direct opposition to all such legislation which attempts to deal in this punitive way with student disciplinary problems. First of all, my colleagues of like opinion and I feel that this approach is really a challenge to the preservation of academic freedom and the autonomy of the university. We feel that techniques and procedures must be devised involving all elements—students, faculty, administration and trustees—in upholding campus justice. In other words, our view is not in condoning unrest and violence, but rather ours is the view that it is the university that must assume this responsibility. In the case of public institutions, my sincere conviction is that if the present administrators cannot do it, they should be replaced with those who can rather than using the instrumentality of government to move in and assume that responsibility.

Of course, if administrative officials want supplemental assistance from outside, it should be their decision and prerogative to call upon such sources. At the University of Oregon recently we had a very good example of this call for assistance, only this time within the university itself. President Robert Clark was faced with a situation at the University of Oregon in which students disrupted and occupied a building on the campus in which the Weyerhaeuser Timber Company was interviewing students for potential jobs. Seventeen students were arrested as a result. Now these students were not protesting Dow Chemical or military recruitment on campus, but in this case were directing hostilities toward the Weyerhaeuser Company for what they viewed as its responsibility for pollution. President Clark's reaction was to turn the responsibility for dealing with the disrupters over to the student judicial council making it clear that he would abide by the results of their decisions. By this method, by indicating that students must assume the responsibility for the actions of their peers, President Clark turned a potentially polarizing situation into a test of student government and the procedures that had been arranged by students. In this role, received the basic support of the public press. There was one editorial which especially caught the mood of public support when it said: "As for us, we commend President Clark's wisdom and logic. His course of action shows he can neither be provoked into injustice nor coerced into neglecting his responsibilities. This is the measure of a strong man."

I think that when university administrators articulate clearly their position both so

that the students and the public can understand that they are in command and that they are not going to permit their campuses to be turned into battle fields or turned over to governmental direction, they will then receive the kind of support that the public has illustrated in the State of Oregon.

The second reason that some of us in Congress oppose repressive federal action on the campus is that the Federal provisions thus far have been very discriminatory. They threaten to withhold Federal funds, and they do, from those who violently demonstrate, take over buildings, and so forth. But it is only applied to those needy students who are the recipients of such funds. There are no provisions that can be applied to those students involved in campus disruptions that are not recipients of federal funds or loans—and this in itself is discrimination, rank discrimination. This was recently attested to in a report released by the American Bar Association on campus government and student dissent. I commend this report to any of you with particular concern over this problem. The report was issued by some outstanding people including Morris Abram, Ramsey Clark, Father Hesburgh and Whitney Young.

The great danger today in the realm of campus unrest is over-reaction on the part of state, local and federal governments. Not all of this repressive reaction has emanated from the Federal government and Congress. I have here this morning a copy of a bulletin released by the National Governor's Conference, Office of Federal-State Relations—an information letter—in which it reviews the state legislation dealing with campus disorders. It says that 49 state legislatures met in 1969 with at least 36 considering legislation designed to curb campus disruptions. Measures were enacted in 20 states and defeated, vetoed, or ruled unconstitutional in ten. This legislation included everything from comprehensive anti-riot legislation and some specific references to college campuses, to anti-trespass bills and additional authority or discretion to university officials. Eighty bills were introduced in the California state legislature alone and 20 bills were put into the hopper in Illinois in the field of student unrest. Such actions give added force and truth to statements such as that by Mr. Levin at Santa Barbara.

My comments thus far have not meant to ignore the very real realities of campus unrest. I recognize, as do we all, that there is a hard-core involved in campus violence whose sole end is violence for violence sake rather than for progress or change. These students, however, are in the small minority and I firmly believe that it is unwise and potentially dangerous for the Federal government to play into the hands of those who are attempting to really tear apart the campus or polarize public opinion. The vast majority of students today are responsibly working toward meaningful reform within and without the campus, but the intervention of the Federal Government or the state and local governments on the campus work as a counter-productive force to this student action and tend to create further division between society at large and the campus. In short, repressive governmental action is forcing the responsible majority and the violent minority of students into the same camps by confusing the distinctions between them and without considering the problems which have given rise to student unrest.

I think that there is a deeper and more speculative perspective that might be considered today. We are faced with our greatest danger in trying to simply perfect our techniques in dealing with campus violence without actually understanding why it comes and what are the true passions and forces that motivate it. This after all is the basic mistake we have made in Vietnam and the basic mistake we have made in our great campaigns for law and order here at home: we have ignored the causes of the disorder—we have treated the symptoms without understanding the disease. Student unrest today is in my opinion not primarily a politically motivated attack on governmental programs and actions (although these are necessarily incorporated into the framework of the unrest). Rather, student unrest today is, in many ways, a part of a quest for self-discovery, a "transcendental curiosity" which is finding outlet in such popular fads as yoga, astrology, gurus, the whole drug experience or culture, the trends in popular music and the interest in mysticism and eastern religions. Everyone of these fads, in many respects expresses to some degree that the external society—particularly our commercialized materialism—is all superficial, phony and fraudulent. Beneath it all there is a search in many, many instances for a deeper reality—the quest for some other realm of experience that can give fulfillment and true meaning to life.

There is obviously a quest today among our young people for a "person-changing experience." They are seeking new forms of human relationships and communication. The sensitivity training programs, group therapy, the "T" groups, the encounter groups, the psycho-drama, even the nude body painting sessions are all an attempt to achieve to a great degree authentic relationships, to change individual values and attitudes and to experience new levels of human understanding and community. The life styles of today's youth in many cases represent a constant quest for truth, honesty and authentic living, having been repulsed by what they see as the hypocrisy and fraud of our institutions. Youth today are hard in their value judgments. There is little respect or understanding for those who compromise conviction for expediency or security, those whose ambition and pride exceed their curiosity or their courage and integrity. The morality of youth is in many respects much more rigorous than that of Puritan America—theirs is a search for words and lives that can be believed. How interesting that their graffitti often communicates truth more honestly than our safe manufactured, eloquent bureaucratic and academic discourse. They are yearning for a life style that can bear witness to the truth and withstand all of the consequences.

In essence what I am saying this morning is that our youth today are gripped with humanistic sensitivities which confront them with the ultimate questions of life, the search for moral values and the striving for real forms of human community. The embodiment of this in campus unrest comes as a rebuke to higher education for it discloses what has not been provided in our colleges and universities and what has had to ultimately express itself in discord and disruption. In this light campus unrest poses some very basic questions to our institutions of higher learning: Has the growth of the modern university—its bigness, its computerization, its structured impersonality—eroded the sense of community and impeded self expression and fulfillment within the university structure? Can higher education provide the means that enable self-discovery? And if it should and can, then how will our structures and methods really be modified?

I am convinced in many instances that modern universities are not certain of their tasks. In 1958 federal funds for higher education totaled $750 million a year, two-thirds of which went for research. By 1968, one decade later, this amount had increased by four times to $4.7 billion which was going to 2100 institutions through forty federal agencies. The intense concentration of federal funds and research programs has given a high priority and influence to the training of "technicians" and implementation of knowledge that can serve the government and society generally. But in this entire process, where do the priorities fall? Upon obtaining research grants, serving the federal government, and contributing to the corporate economy? Or upon really enriching the human lives of the students at the university? The answer is not necessarily either/or. It is a matter of balance.

An interesting article in the annals of the American Political Science Academy a few years ago carried an analogy which might be of interest at this point. The article stated that small religious sects often had the vision and the commitment to make their religion and their faith relevant to their constituency far more than did many of the larger denominations who had the resources, but not the commitment. In a similar way perhaps our large universities have lost touch with their constituency.

There are many questions which I believe all of us are going to have to answer about ourselves and our institutions of higher learning. Have public relations outside the university become more important than human relations within the university? Have the structures of education become more important than the substance? Are we only reacting to the pressures and current crisis of the moment without any firm sense of ultimate direction, or clear concept of purpose? Is our mistake that we have abdicated responsibility for all but the academic and have not realized that the questions of values, the personal dimension of the student's life, and his search for identity and self-expression will inevitably be affected by the environment of his college and university?

I think the current tragedy is really that students, perhaps still just a few, are pushed into negation for its own sake. Out of their alienation and discontent, they rush into action with almost mindless passion. And oftentimes the Administration replies with a frantic search for schemes of "repressive tolerance," means of defusing the confrontations. There is only frenzied action and counter-action. And motion without mind and memory, after all, is close to what the clinical definition of insanity covers. The need is for some roots, some depth of perspective, some clear sense of purpose and commitment, credibility that comes essentially from self-understanding. We must know who we are—as individuals and as institutions.

Therefore, I would end this morning by making this positive comment and what I hope is called a suggestion or recommendation. I believe that self-regeneration is the first step to renewal of both individual and institutional life. Colleges and universities have become enormously concerned with trying to renew society. There is a quest for relevance, for social participation and meaningful involvement and confrontation of contemporary problems. But if these institutions are concerned about renewal, they should begin with renewing themselves. I recall at Stanford during a summer lecture series when a certain very distinguished gentleman got up before our class and said that in essence the format of higher education had not changed since the medieval ages and that higher education that was seeking to find the answers for all of society's ills had done so little introspective thinking. His name was Grayson Kirk.

Our institutions of higher learning will be more credible in reforming society if they have first reformed themselves. The very thing that students are rejecting today as standards of values and moral concepts is what they see as a materialistic America. What have we in education done to try to

provide an alternative in providing these students with a consciousness of direction and also an opportunity to make selections and choices for alternate moral values? I am not just talking necessarily about religion. I am talking about a broader subject of ethics, values, faith. Student after student has said to me that they cannot even find the professor in the classroom that can define his professional ethic, let alone a personal ethic. They cannot find an institution which they are attending which can define its institutional ethic, let alone relate to them in understanding of a personal ethic. Religion can be a very great instrumentality. I often think that some of our small private religious institutions in Oregon might serve as an example of the value of ethical relevancy in education. In these institutions people are free to make relevant in their classrooms and elsewhere the relationship of their faith, of their spiritual convictions to truth and to the learning process. In these classes and institutions mention can be made of Jesus Christ, Mohammed, or Abraham or other such great leaders of religion without embarrassment and often times with great meaning. Perhaps there is a lesson to be learned from these institutions.

I say to you today that when the home has failed, as it has—and now the great silent majority wants us in the Congress to pass an amendment to the Constitution so that the schools can teach their own children how to pray because they have not taught them in the home—when the home has failed in this situation and the student is looking to the institution and his learning experience to develop the total man which involves the spiritual side of man as well as intellectual and physical, and when that institution then abdicates or creates a void or by failure, then where can these students turn?

I think it is contrary to good academics to try to say that we are teaching students or students are here to learn, to become educated people, if we neglect the very area which is so obviously lacking in the rest of society. If an educational institution cannot elevate and focus upon other than the material values then I say that institution itself is failing just as much as the Government and society in general. This is not *loco parentis*, this is not substituting for the church or other institutions; this is part of the learning process, part of the educational experience. I think frankly that where there is a rejection, as there is today, of such moral and transcendent values, then these same attitudes of materialism are translated into the educational institutions and they then suffer the same plight and are no better off than our governmental institutions.

So I say we begin with self-regeneration, self-renewal, as the greatest counteraction to student unrest, in my opinion. Rather than repressive action which is only counter force reacting to force without really addressing the essential problem.

It was Franz Kafka who wrote a letter to a friend on the eve of World War I. He told him that the fathers of the church were never afraid to go out into the desert because they had a richness in their hearts. But now, he wrote, with all the beauty of his home town in Prague, "There is richness all about us, but we are afraid because the desert is within our hearts."

## A PLAN FOR RURAL GROWTH

Mr. SYMINGTON. Mr. President, recently the distinguished senior Senator from Arkansas (Mr. MCCLELLAN) made an address, the basic thrust of which is summarized in the title of a recent interesting and constructive editorial entitled "A Plan for Rural Growth," published in the St. Louis Post Dispatch.

The editorial refers to the work being done by a Commission on Population Growth and the American Future; and also to the efforts of a Commission on Government Procurement; and emphasizes the possible great value of the work of both of these Commissions, from the standpoint of pointing out the best road incident to the future security and prosperity of the United States.

I was especially impressed with the last sentence of the editorial:

As Mr. McClellan suggests, it would only make matters worse to repeat in the countryside the mistakes whch have already produced so much poverty and degradation of the environment in the cities.

I ask unanimous consent that the editorial be printed in the RECORD.

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

[From the St. Louis Post-Dispatch, Mar. 21, 1970]

A PLAN FOR RURAL GROWTH

Senator McClellan of Arkansas suggests some approaches to redistributing population growth between urban and rural areas which deserve much further consideration and discussion in Congress. He would use a combination of tax incentives, grants-in-aid, public lands and federal procurement practices to promote decentralization of industry into rural areas, including small towns, so that their people will have opportunities for employment there rather than being compelled to migrate to the cities in search of jobs.

His ideas are especially timely, not only because of the urban and rural problems they seek to alleviate, but also because of organizational changes which are at work in the Federal Government. A Commission on Population Growth and the American Future, to the final enactment of which his remarks were addressed, will be making a study and recommendations toward improving the balance of urban and rural population. The first comprehensive study of Federal procurement policies since the first Hoover commission's report 21 years ago is to be undertaken by a Commission on Government Procurement established by Congress last year. Both these studies will provide opportunities for development of new ideas on the decline of rural areas and the swamping of the cities.

Whether industrialization is, at least beyond a certain point, the answer to lack of economic opportunities in rural America, we have some doubts. But there is no question in our mind that some amount and some types of industry are needed to bring the countryside into the general growth.

Senator McClellan recognizes reservations of this sort when he says he is speaking of "clean" industries, not those which pollute the environment. To this we would add the further reservations that industry should be limited in kind and extent so as to preserve the special values of small-town and rural life, and to contribute enhancements beyond those of wages and salaries.

To those ends we should like to hear Mr. McClellan speak out for co-operative industries processing farm, dairy and livestock products, thus enabling local people to improve their incomes by selling finished products rather than raw materials for them. Industrial enhancement of values which was totally siphoned off to distant financial centers could easily deprive the people in rural regions of more economic opportunity than it offered them.

As Mr. McClellan suggests, it would only make matters worse to repeat in the countryside the mistakes which have already produced so much poverty and degradation of the environment in the cities.

## BOX CAR SHORTAGE

Mr. TOWER. Mr. President, I asked the distinguished Senator from Washington (Mr. MAGNUSON) to add my name as a cosponsor to his bill, S. 3223, and he courteously complied several weeks ago. I wish now to express my reasons for support of the bill.

In recent years, railroads, particularly in the West, have been faced with serious freight car shortages, especially during periods when there are heavy grain and lumber movements. Contrary to what might be imagined, this is not due to a reduction of freight car investment and ownership by western railroads. Quite the opposite. Western railroads have increased their fleets. However, carriers in the East have reduced their investment in freight cars. Rather than return the cars, eastern lines have found it financially advantageous to keep the cars, paying a set daily rate, and use them rather than invest in cars of their own.

I quote now from a letter which I received from a law firm in my own State. The member of the firm writing was acquainted with the situation and was writing as an expert on the matter:

Our experience has been that Railroads in the Northeast hold certain cars rather than return such cars to the owners, and this practice, along with the reduction in their ownership (by Eastern railroads) are some of the reasons for the shortages which exist.

The problem of boxcar shortages has been chronic. I know that I receive mail on the problem every year. The situation developed under jurisdiction of the Interstate Commerce Commission which decreed that nonowners using freight cars belonging to other railroads would be obliged to pay a prescribed daily charge for the use. Neither the line owning the freight car nor the nonowner using the car were allowed to contract on the matter. In regulatory situations, market factors apparently are about the last indicators to be consulted. The result has already been noted: Because of the rates which the ICC set for freight car use, lines in the East have found it more profitable to cut their ownership of cars and to hold cars belonging to lines from other sections of the country rather than to return them and invest in new cars.

Mr. President, I do not bring up this situation to play one section of the country against the other. That is not my purpose at all. I suggest that this is simply another example of the unequal conditions which develop when political regulation is substituted for the impersonal workings of the market.

Rather than correct the conditions which have led to the present imbalance, the ICC has now ruled that the rate of return on freight car use will be changed from a daily basis to a dual daily and mileage basis. It is my fear and the fear of others that this will lead to further complications and market imbalance. I quote again from the letter I quoted earlier:

Railroads in the Northeast who move cars for relatively short distances would have a

great advantage over those in the West who must move commodities over greater distances. . . . and as a result, even more severe car shortages can be visualized.

The Association of American Railroads appointed a task force some time ago to study the problem of car ownership and compensation. The task force submitted a report and recommended substantial increases in the daily per diem rate with no mileage payments involved. The recommendations were accepted by a substantial majority of the carriers, but a minority group was able to exercise veto powers over the majority.

I have purposefully avoided commenting on the precise dollar figures involved. I recognize that I have not the staff facilities, pertinent information, experience in railroad economics or other training to decide such matters for the railroads. Neither do I possess clairvoyance or omniscience to ascertain if the particular rates set today will be applicable tomorrow.

Judge Henry Friendly once said that the regulatory agencies have not developed the combined "celerity of Mercury, the wisdom of Minerva and the purity of Diana to the extent we have been taught to expect." I have my doubts, therefore, that the persistent problem of freight car shortages will permanently be solved by passage of this legislation. This and other problems in the transportation industry are more fundamental. They involve the question of the efficacy of political-regulatory control versus reliance on competition. We have a great many modes of transportation and potentially healthy competition between them. We also have a variety of corporate carriers within each industry. Surely the time has come to place more reliance on direct contract negotiation, for problems such as reimbursement for freight car use, and greater competition.

I support S. 3223 as a temporary correction. It would direct the ICC to continue to allow car changes on a daily basis. But I have no illusions that we have seen the last of the problem. Only when we recognize the strength of competition and put our reliance on it will a permanent solution be found.

Hearings have been held on the bill by the Special Freight Car Shortage Subcommittee of the Committee on Commerce. I am hopeful of early action on the legislation.

## "SPANISH SPOKEN HERE"—AND ALL GAIN FROM IT

Mr. MONTOYA. Mr. President, Washington, D.C., is suddenly discovering what we of the Southwest have known for some time: A pluralistic society adds cultural dimensions which enrich and strengthen our entire community. In New Mexico our Spanish and Indian heritage has created an irreplaceable tradition unique in the world. Now our Nation's Capital, to its great surprise, has an opportunity to draw on the vitality of its growing Latin community in reaffirmation of America's receptiveness to different life styles.

We must remember that as yet this is only a promise; not a reality. In the past, the District has turned in a poor performance in meeting special problems called for in serving our Spanish community, if indeed, it even recognized its existence. I have criticized its record on this score, and intend to keep close watch on future developments. Happily I can report that the District is belatedly making an effort now to come to grips with its responsibilities in this area. The city government is at least aware of the situation. The District of Columbia City Council has held hearings on needs of Washington's Spanish. The Metropolitan Police Department is engaged in a crash program to teach some patrolmen Spanish.

Mr. President, on Saturday evening, March 21, WMAL–TV, channel 7, in Washington, D.C., presented an excellent documentary on the District of Columbia Spanish community entitled "Spanish Spoken Here." To many Washingtonians it brought home for the first time a whole new facet of life in their city they never realized existed. I ask unanimous consent that the transcript of this program be printed in the RECORD.

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

SPANISH SPOKEN HERE

DAN HACKEL. The capital of the United States is becoming a bilingual community. Spanish is beginning to flourish as a second language and culture in Washington. More so than any other foreign influence in this international capital, Washington's second language is not diplomatic French nor Cold War Russian, but Spanish. It is strongest here, in the heart of the Latin American community, where stores and services attest to the concentration of Spanish-speaking residents. (Filmed street scene.)

But their influence extends far beyond this neighborhood. The District of Columbia has suddenly recognized what is by far its largest minority group. Suburban communities are adapting to a new Good Neighbor Policy. The federal government has a new concern. More and more and more, there is . . . Spanish spoken here. (Music.)

No one knows precisely how many Spanish-speaking people there are in the nation's capital. That in itself is an indication of their problem. It reveals that authorities have been caught by surprise by the burgeoning Spanish community. Belated efforts to deal with problems of Latin Americans are hampered by inability to answer the most basic questions: How many are there? Where do they come from? How many speak English? How well?

Until the Census finishes its work, there are only estimates of how many persons consider Spanish their first language. Those estimates vary, often inflated by the interests of the speaker. A common figure is 100,000, broken down into more than 50,000 within the District of Columbia, perhaps that number in the Maryland and Virginia suburbs. Other estimates range from 20,000 to 150,000.

One measure of Spanish influence in population growth is in the flourishing Hispanic culture and business center that stretches along Columbia Road in the Mt. Pleasant area. (Music.)

HACKEL. The sounds and signs of Latin American shops reach out to the visitor along this street, bringing familiar labels from home and a concentration of stores. The terms Latin, Spanish American, Hispanic community, used here interchangably, cover a multitude of nationalities, Mexican-American, Puerto Ricans, Cubans, those from the nations of Central America, Brazilians, those from Spanish-speaking South America, and from Spain.

They came, for the most part, building on the base established by countrymen and women who worked for the diplomatic corps. The greatest influx came during the last ten years, spurred by the Castro regime in Cuba. The arrival during the decade of the Sixties was gradual in terms of slowly building numbers, but sudden in terms of Washington history.

Now there are restaurants that do a thriving business, such as the pioneer Omega. Its letters OEA stand for the Spanish initials of the Organization of American States; El Toledo, which features flamenco entertainment; El Caribe, an American success story, which opened as a small carry-out and has grown into a handsome interior. The restaurants are popular with Latins and non-Latins alike.

Grocery stores, called bodegas, carry food imported from the Caribbean and Spain, to enable housewives to find such familiar items as saffron, the spice used in yellow rice, and American products labeled in Spanish. Some products are labeled on one side in English, on the other side in Spanish.

Fruits and vegetables of the islands are sold as well to the Jamaica or Trinidad natives, who live nearby. An FM radio station in Spanish full time is the only broadcasting station in Washington devoted exclusively to a language other than English. Magazine stands and book stores do a brisk business in such periodicals as *El Diario de Nueva York, El Tiempo,* and *Selecciones del Readers Digest.*

Institutions in the area, such as this church, have adopted to the newcomers, or closed, since business will not sustain an all English speaking clientele. There are few of the traditional signs that say *aqui se habla español* because this is a Spanish community; most stores are devoted to Latin trade.

A case in point is the Ontoria theatre. First run films like Funny Girl premiered here. Now if offers the Mexican comedian, Cantinflas. As a downtown movie palace, it declined as business in the inner city fell off. After noting the success of a theatre offering Spanish language films one day a week, the Ontario expanded its program to seven days a week of Spanish language double features. The management says it's doing good business with a wholesome family trade. This theatre will not become a parking lot.

On Saturdays, when the weather is nice, the streets are filled with women shopping, men passing the time of day. Each store that caters to Spanish speaking csutomers serves as a bulletin board with notices of Latin American dances, social events and community happenings. This is a thriving and viable community.

But the success of the commercial world in catering to Latins with places to spend money has outstripped the opportunities for earning money. The private sector has recognized an important subculture and a good market, but Latin Americans feel they have been overlooked as a needy minority by government. Since the majority of residents in the District of Columbia are black, of those remaining, the largest minority is Spanish-speaking.

Rapidly emerging as urban Spanish-speaking Americans here as he has in his own state is New Mexico Senator Joseph Montoya, a Democrat who is the only member of the Senate of Spanish ancestry.

Senator JOSEPH MONTOYA. I think these people have been discriminated against here in Washington. I don't say that this discrimination has been willful. I think the people here in Washington are very kind to these people, but the discrimination has been taking place because of neglect or apathy about their problems, or unawareness, and only lately have these people started to organize, and if you noticed, there's been no

militancy. It's purely suffocation. They've gone to the different agencies of government and exercised their right of petition in a peaceful way, bringing forth an accounting of their problems so that the governmental agencies can do something about them. And this is the way it should be done. This is the American way, and Washington, D.C., could and should capitalize on this great asset. It's a treasure to have a dual culture here in this city.

HACKEL. Partially at the insistence of Montoya, a member of the D.C. Appropriations Subcommittee, the D.C. Council recently held hearings on the problems of the Hispanic community. The hearings revealed that there is no one spokesman, group or nationality who can claim to represent the entire community. Many voices were heard. (Film clip of hearing.)

WITNESS. The new restlessness is a condition that the people—they watch television, they see progress, they see struggle; they see turbulence. The restlessness is the restlessness of what because of a need. It is imperative that responsible authorities at all levels of government in the District of Columbia now focus on the problems of these Americans if the pledge of real opportunity is to be fully realized in the Spanish-speaking communities in our nation's capital. *Ya es tiempo,* now is the time. (Applause.)

WITNESS. We are not asking for handouts. We are not asking for charity. We are asking for cooperation so that we can pick ourselves up by our own bootstraps. We are asking to become a vital part of our government.

WITNESS. Suppose tomorrow you could not read the paper; suppose tomorrow you could not understand the radio. Suppose tomorrow you could not understand the programs on television. Suppose tomorrow you could not communicate with the people you work with. Well, that is the case for over 50 per cent of our adult Spanish-speaking population in Washington, D.C.

I present for your consideration the following requests: First, to alleviate the problem of information and public services, one, that all pamphlets of information published by the public service agencies in this city be published both in English and Spanish and be distributed accordingly.

Second, that enough interpreters or bilingual personnel be hired by the above-mentioned agencies, to be able to attend the Spanish-speaking people, even when they don't speak any English.

B, to alleviate the problem of learning the English Language and culture barriers put us at a comparative disadvantage, and we believe there is talent and potential in our community, our Spanish community, that could contribute to improving living conditions in our area if we can get the necessary help in starting out.

We have a problem of discrimination. Many landlords still believe in the myth that people from Latin America do not know how to use modern plumbing and do not care about keeping their homes up. Our first concern and request is, can the city help us as it has helped our black neighbors to apply the law that already exists against ethnic discrimination in housing.

Second, hiring of housing inspectors and housing aides from the Spanish community, combined with more active prosecution of housing code violators, not only on our behalf, but for the sake of all population who lives in Washington.

Third, financial and technical assistance to help us take advantage of existing programs for housing development and improvement. The young kids—we have been—me and Jose have talking to the kids, and they advise—one of the things that they advise is that in public schools, they should include—there should be available—

COUNCIL CHAIRMAN. Say it in Spanish and it will be translated.

INTERPRETER. The kids, the young people from the Spanish community believe that it would be a good idea if in the public schools of the District of Columbia, English be taught as a second language. The young people have decided from my group that a orientation program lasting one to two weeks would be helpful in teaching the young kids what the educational system is that they will be facing once they go into school, and there's another problem that we also face, which is a problem that we have with the police.

WITNESS. It appears that within the general Mt. Pleasant area, though quite a few retail establishments exist there, operated by people of Spanish tongue, there are no lawyers of the Spanish language practicing there.

WITNESS. There are members of the Spanish-speaking persons in Washington who are educated, qualified and capable but are barred from the best opportunities because of inadequacy or nonfluency in English.

Instruction in the English language might be considered the only long term solution for this problem, but I do not think that in the meantime, those who cannot understand or speak or read English should be condemned to a life of isolation and poverty.

WITNESS. Frustration and stresses of ghetto life and unemployment, poor housing and poor physical health increase the percentage among all the poor. When you add the further serious problem of the language barrier, the incidence of mental and emotional disturbance will be greater for the Spanish community. Thank you for the opportunity to be here.

CHAIRMAN. Thank you for your very good testimony. (Applause.)

(Scene of classroom with teaching calling the roll.)

HACKEL. The only immediate result of Hispanic community complaints has been a crash program to teach some Spanish language and Latin American customs to D.C. policemen. While the federal funding under the pilot program for model police community relations allowed for only 23 students, more than four times that number volunteered. They are paid to go to class eight hours a day instead of walking a beat. They receive intensve instruction for six weeks, during which English is not allowed in the classroom. The goal is to have at least one Spanish speaking patrolman on duty 24 hours a day. Teachers say the policemen are good students; the students find it beneficial.

STUDENT. De qué color es su caro?

STUDENT. Mi caro es de color azul.

STUDENT. Azul? (Laughter.)

HACKEL. Officer, what made you decide to learn Spanish?

POLICE OFFICER. Well, there's a couple of reasons. The Department offered the course, and I'll go for almost anything that the Department offers in the way of education, and another reason, more important reason, is that I'm up in the old 10th Precinct, and we have quite a few Spanish-speaking people in the precinct in the Mt. Pleasant area, and many times we've had contact with the Spanish people and have had difficulty in communicating with them.

HACKEL. Can you give any examples of this?

OFFICER. Oh, yes, sir. Several times I've had women who have had their purses snatched or what have you, people who were just in need of assistance from the police, that couldn't explain their problems to the police because they couldn't speak any English and very few officers spoke any Spanish.

HACKEL. A leading authority on Spanish-speaking Americans in the District of Columbia is Philip Chandler of the *Evening Star,* which pioneered with an Action Line column in Spanish. Chandler, who owns a home in the Mt. Pleasant neighborhood, began writing about Latin Americans' problems here years before they came to public prominence.

PHILIP CHANDLER. The biggest problem has been that we've been absorbed with the problems of the black man, and rightly so, but any time you get absorbed with a particular aspect of the community, you lose sight, sometimes, of some other phases. Don't forget, too, that the Latins have had a problem in articulating their needs, not only because they don't speak English, but because they have had the problem of some factionalism, some differences among themselves, but I think that nationally there's growing concern for the other minorities. We have an inclination, I think, perhaps too much, to say, why don't you people get yourselves together? And I think we have to acknowledge the fact that there may never be a unanimous voice for a particular community because of the diversity within the community. That makes the work of government a lot harder, but I think we're coming to recognize that the melting pot concept, that is, that we can treat everybody as a monolithic group, that that concept of the melting pot is a myth.

Latin Americans are following, in their mobility, the same pattern that many of our citizens have followed as they have moved upward financially, socially. They have moved in some numbers from the inner city to Arlington, Takoma Park, Silver Spring. Some of the Latins are moving out for the very same reasons that other whites are. They don't like the crime of the inner city. The involvement of the Latin Americans in Washington has both enriched and stabilized that community.

HACKEL. Because language is the key that unlocks the problems of this minority, it would be unrepresentative to speak with a typical Latin family fluent in English. To uncover their problems more realistically, we interviewed this family in Spanish so they could express themselves freely. The interview highlights will be translated by Sheila Thomas, hostess of TV 7's Magic Door program, a former teacher of Spanish in the D.C. public schools.

Abdulio Montelongo is Cuban. His wife is from Ecuador. They live with their one-year-old son and seven members of her family, including her parents, in an apartment in the Mt. Pleasant area. He is a waiter by night, attending the federally funded pilot program Adelante in the daytime, to learn accounting and English.

Question. Why did you come to the United States from Ecuador?

Mrs. MONTELONGO. Because here we have a chance to pull ourselves up in this country. There are many opportunities.

Question. Does your lack of English make it necessary for you to work as a waiter or bus boy?

Mr. MONTELONGO. To be a waiter, your language doesn't matter so much. But to become more than a waiter, a boss, manager as you say, for example, it is necessary to know the language.

Question. What is an ordinary day like?

Mrs. MONTELONGO. In the morning I go to classes and learn basic English. The afternoon, I take accounting. At five o'clock I go home and my husband goes off to work. I take care of the baby, look at the things to be done, prepare the meal, look after the baby, and later I study.

Question. What do you and your family do for recreation?

Mrs. MONTELONGO. In summer, we go to the beach, we go for walks and for picnics, and in winter we spend a lot of time at home. We get together with all of our family. My older brother comes to play the guitar and we listen to music; friends visit and we fix a special meal.

Question. What kinds of meals do you prepare for your husband?

Mrs. MONTELONGO. What my husband prefers is roast pork, white rice, black beans, a very typical Cuban meal. Sometimes I fix Ecuadorean dishes.

Question. What are the problems of the Spanish-speaking youth?

GIRL. Well, we young people need a larger place in order to get together and share all kinds of ideas, and for this we must have the help of the government to get a bigger place, because the only place in which we have to meet is the Spanish Center, which is very small.

Question. Do you think you would like to return to your country some time?

Mrs. MONTELONGO. I did go to visit my son, but we are established here, and I don't really consider going back.

Question. Do you prefer life in the United States?

Mrs. MONTELONGO. I am very happy; we are quite settled and happy. Here I can see that my children learn this language, and they are now bilingual here, see? Precisely, I have not learned English, so that they will not forget their Spanish.

HACKEL. As Resident Commissioner of Puerto Rico in the U.S. Congress, George Cordova is in theory responsible only as representative for the voters of his Caribbean island. In fact, he finds himself the unofficial congressman for one and one half million Puerto Ricans around the nation, and for Latins of all types in Washington. He finds the problems are similar in big cities everywhere.

Commissioner CORDOVA. They live crowded together in the so-called ghettos. The housing is nothing like it was up in the mountains in Puerto Rico, for example, the people from Eduardo, who come up to Hartford, Connecticut, they may have flimsy shacks in Eduardo, they may live in flimsy shacks, but they've got fresh air, and they've got all sorts of room around their shacks—acres, and at Hartford, there, they've got perhaps less flimsy shacks, but still shacks, and they live crowded together . . . and mostly, the difficulty of language. The nation is beginning to recognize that there are other languages than English, and that perhaps it's a good thing for people to speak more than one language, and that's one thing that's being recognized now more fully than ever before, the fact that these Spanish-speaking minorities should be encouraged to keep their Spanish . . . Learn English but keep their Spanish.

HACKEL. The federal government has only recently acted to coordinate efforts nationally. Under Congressional mandate, President Nixon upgraded an interagency committee on Mexican-American affairs to the Cabinet Committee on Opportunities for the Spanish-Speaking. Although the new agency is just being organized, Chairman Martin Castillo is hopeful.

MARTIN CASTILLO. There certainly is a priority for minorities, and I think that we could do a job here, right here at this committee, if we could only see that whatever section of that priority level we're at, that the Spanish-speaking American actually received his share.

HACKEL. The influence in numbers of Spanish-speaking Americans are growing throughout the nation. Some conclusions on what it means for Washington in a moment.

* * * * *

HACKEL. Washington, advanced in recognizing black needs, is 20 years behind in aiding its Spanish-speaking residents. Cities like New York and Miami have adjusted to their Latin populations with bilingual government services. In the District of Columbia, despite the impassioned hearings, the new municipal budget provides only a token amount for Spanish-speaking services. Beyond the minimum of a bilingual aide for the Mayor, what are needed, we believe, are combination English language vocational training centers. If any government should be sensitive to the needs of a minority, it should be the D.C. government. Ironically, Washington is ideally suited to lead the nation in Spanish-speaking services. The city has an international culture; its Spanish-speaking population is cosmopolitan, not just one nationality, and Washington is the home of the federal government, with a wealth of bilingual knowhow. The District of Columbia should become the laboratory for the federal government to develop pilot programs for bilingual communities around the nation. If Washington leads the way, the entire nation can say "Spanish spoken here." (Music.)

## AT LEAST BURLESQUE WAS HONESTLY LABELED

Mr. HATFIELD. Mr. President, for the Saturday Review of April 11, 1970, Norman Cousins has written a most interesting editorial entitled "The Uses of Boredom." The editorial reveals some thoughtful perspectives and provocative comment on the current rage of so-called sexual freedom presently consuming many forms of artistic media. Mr. Cousins' conclusions regarding the onslaught of "extreme new candor" cast an interesting light on the subject. I recommend the article to the attention of the Senate.

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:

THE USES OF BOREDOM

Two years ago, when the Swedish motion picture *I Am Curious (Yellow)* opened in New York, word quickly got out that the film showed a totally unclothed couple making love. The result was that long lines of moviegoers waited—sometimes for hours in punishing weather—to see one or two brief erotic scenes dropped into a murky, muddled, morose, meandering story about a slow-thinking young woman who was engaged as a public opinion poll-taker. No matter that the advertised action was incidental to the general theme; people seemed willing to endure any amount of the extraneous and the incomprehensible in order to gaze, however fleetingly, at anatomical structures possessed by at least three billion human beings on this planet.

The response to the film has to be considered in context. *Curious* was only one of a fast-growing number of efforts—in movies, plays, books, magazines, and art—to meet what was thought to be an insatiable public craving for vicarious sexual adventure. Attempts were made to intellectualize and upgrade the exercise by terming it a manifestation of new freedom in human affairs, and a refreshing antidote to hypocrisy and prudery. It was obvious that hypocritical attitudes about sex abounded in our society. But some advocates of the new approaches were not without their own hypocrisies and deceits.

Many of the same motion-picture producers who inveighed against taboos and restrictions on candidates sex films competed with one another to have their pictures branded "X," so that they could exploit the fact that their films were so daring that not everyone would be permitted to see them. (The rating system itself is full of astounding irony and warped values. No attempt is made to rate films according to their violence. It is apparently considered far less harmful to a child to see human bodies lacerated, tortured, dismembered, or shot than to see them unclad.)

The real issue emerging from the extreme new candor is not whether society has been too rigid—it probably has—but whether many specimens of the new candor are anything more than a colossal invasion of privacy. As such, they are not a manifestation of freedom but an assault on it. For nothing is more essential to freedom than privacy.

It is inevitable that the tide should now be turning—less as a reassertion of an old "morality" than as a reflection of man's basic need for dignity and privacy. Human dignity is not solely a political concept. It has as much to do with personal privacy as with codified rights. People are not fit subjects for exploitation—whether in terms of their labor, their minds, or their bodies. They are not anomalies of medicine or scaffoldings for the display of private parts. The fact that people will rise to defend their personal integrity is a basic element in the present situation.

Neither should we underestimate the corrective power of boredom. One of the nonhits of the new Broadway season was *Grin and Bare It*, which closed after a short run. In terms of skin display, it made *Hair* or *Oh! Calcutta!* look like *Rebecca of Sunnybrook Farm*. The entire cast performed in the nude. What was most interesting and significant about the play, however, was not what happened on stage, but what happened in the audience. The house kept getting emptier night after night. The play was a thorough bore.

There is nothing like a slow box office to start a new trend. And the producers are getting the message. The message is not that sex has ceased to be interesting, but that there are dimensions to it far more meaningful and appealing than the producers have so far displayed. The ultimate problem in their approach to sex is not that the films and plays are too mature, but that they aren't mature enough. Adolescent exhibitionism and voyeurism must not be confused with mature entertainment. At least burlesque was honestly labelled; there was no pretense at opening up new frontiers of freedom.

Far worse than any invasion of privacy by producers would be an attempt by government to decree moral norms. The state should not attempt to arrogate to itself a role that depends on far wiser definitions than it is equipped to make. The cash register is a powerful checkpoint, and nothing registers more powerfully than when the public is bored stiff. In the end, this is the only workable alternative to censorship.

None of the foregoing is intended to suggest that a *massive* counter-reaction to extremes of so-called candor is in full force. What is happening, if we read the signs correctly, is that considerations of privacy and good taste are proving to be not as trivial as the exploiters tend to think.

## SECRETARY RESOR AND A FINE WATER DEVELOPMENT REPORT BY THE ARMY CORPS OF ENGINEERS

Mr. SYMINGTON. Mr. President, Secretary of the Army Stanley R. Resor has signed a special report prepared by the Army Corps of Engineers on the "Development of Water Resources in Appalachia" which makes several unique proposals including the designation of regional economic growth as a principal objective in water resource development and recommending a more detailed assessment of project effects on the environment prior to considering project authorization.

This landmark report represents a breakthrough in the traditional method of evaluating water resource investment which often promotes projects with the least real benefits at the expense of those

which contribute most to the national goals of the country.

In the Flood Control Act of 1936, acting on the misconception that public works projects are "pork barrel" rather than important investments in the Nation's future, Congress declared that the benefits of Federal projects must exceed costs. Thus, a benefit-cost formula was established, whereby the Government must be guaranteed a return in benefits of more than a dollar for every dollar it invests if a project is to be justified. But, as Dr. Arthur Maas of Harvard University has rightly pointed out:

> Programs and projects for water and related land resources have been alone among all Government programs in having to justify themselves in terms of a national income objective.

Surely I agree that the Government should guard against misallocation of its resources; however, it has always been my thinking that it should sponsor water projects which do not meet national income objectives if it can be demonstrated that the project will yield other important benefits, not all of which can be quantified in dollars and cents, such as regional development and rural progress.

Today projects are largely assessed in terms of their "primary benefits," or those benefits that result directly from a project. Secondary benefits, the "human benefits" such as raising the standard of living, improving the quality of life, creating new jobs, and the increase in the value of goods and services that result from water projects, are given little consideration as project objectives or in justifying a project.

In contrast to this, the "Appalachia Report" clearly demonstrates that water projects can play an inestimable role in promoting jobs and development in depressed rural areas. However, many projects which contribute most toward these goals often produce the fewest direct benefits, and would not be justified under our present evaluation formula which places emphasis on national income goals. This was illustrated in the report in an economic performance chart which measured project benefits against two separate standards: "national income gains" and "regional expansion."

One project, Yellow Creek Port, which returned only 80 cents in direct benefits for every dollar invested when measured by a national income gains standard, produced secondary benefits—wages and salaries—of $10.20 for every dollar invested when measured in terms of regional expansion. The report did not even try to measure other regional expansion index measures such as returns on investments, rents, taxes, enhanced property values, and other standard-of-living improvements.

This was also illustrated in southwest Missouri at Table Rock Reservoir where many of the far-reaching benefits of the project were not reflected in the benefit-cost ratio. Table Rock has brought prosperity to a five-county area of Missouri and Arkansas; and in the words of one resident, "has been a Godsend."

Thus, by recommending the authorization of water projects which fulfill regional expansion objectives instead of national income objectives, the Secretary has opened the door to a new era of rural development throughout the United States.

It is my firm belief that water, as an instrument of change, can be used to break the stranglehold of poverty, hunger, and despair on our rural citizens. Therefore, I propose that we use the "Appalachia Report" as a guideline for surveys of other depressed rural regions in formulating a comprehensive package of developments necessary to bring about a favorable economic environment in each area.

## ESTUARINE RESEARCH CENTER AT DOUGLAS, ALASKA

Mr. STEVENS. Mr. President, a resolution requesting the establishment of an estuarine research center at Douglas, Alaska, was recently adopted by the Assembly of the Greater Juneau Borough.

The proposal is sound, and a report accompanying the proposal prepared by outstanding scientists supports the resolution.

I ask unanimous consent that the resolution and the report on the establishment by the University of Alaska of the new facility for research and education in Marine Sciences be printed in the RECORD.

There being no objecton, the resolution and report were ordered to be printed in the RECORD, as follows:

GREATER JUNEAU BOROUGH RESOLUTION—SERIAL NO. 167

A RESOLUTION REQUESTING ESTABLISHMENT OF AN ESTAURINE RESEARCH CENTER AT DOUGLAS

Whereas, The combination of existing fisheries with suitable study areas make southeastern Alaska an ideal location for a major subarctic estuarine research center.

The myriad of islands, inlets, fjords and small and large rivers of the region constitute one enormous subarctic estuarine environment. Yet, the depth of many of the fjords provide a direct and nearby connection with oceanic waters. As a result, many large protected areas have a combination of an estuarine habitat with a nearby deep marine environment comparable with that over the continental shelf.

The region is one of great diversity in marine species. Many species which are fished, or mature offshore, utilize these estuaries for spawning as well as nursery areas. As a result, the region sustains a multimillion dollar fishing industry including salmon, halibut, herring, shrimp, crab and other shellfish.

The wide variety of environments and marine species available to a southeastern Alaska estuarine laboratory would lend themselves to several possible research programs, both basic and applied. Some of these are:

*I. Marine ecology*

The nearly closed systems available within some of the many fjords would make suitable sites for studies of productivity and the relation between primary productivity and harvestable protein production. Estimates of productivity of the oceans vary by an order of magnitude. Refinement of these estimates is possible by utilizing the laboratory-like combination of partly enclosed, protected waters with deep, direct access to the sea.

*II. Role of estuaries in oceanic productivity*

Are the biological processes in estuaries essential to biological production at sea? If the answer is a definitive yes, and if food from the sea is required in increasing quantities, then we must be prepared to give further protection to estuaries and learn to understand their dynamics much more completely than we do now. A clear understanding of their role in the productivity of the continental shelf is required for rational management of estuaries.

*III. Aquaculture*

Large areas of tide flats at the heads of several fjords are within easy access (less than 5 miles) of nutrient-rich bottom water. This water, when diverted into a controlled environment could furnish the nutrients necessary for productivity experiments near the intertidal zone. Such projects could include experimental as well as pilot programs in:

1. Salmon run enhancement.
2. Shrimp culture.
3. Oyster propagation.
4. Artificial production and nurture of crab or other shellfish larvae.

All of the above-named species suffer tremendous early-life mortality which may be reduced by manipulation of environmental conditions.

*IV. Experimental ecosystems*

All of the foregoing involve or imply enhancement and utilization of existing resources. It is possible under controlled conditions which may require addition of heat, to operate an estuary-like system which utilizes a combination of manmade waste and the nutrients in seawater to produce protein for food, and

Whereas, A laboratory for estuarine studies in southeastern Alaska would have application to a wide variety of projects of direct national interest. Indirect benefits would accrue to existing fisheries in the area. Most importantly, management of the estuaries themselves requires data which would come from such a laboratory in southeastern Alaska, and

Whereas, The most reasonable location for such a center would be at Douglas, Alaska since the Douglas Marine Station, which is currently in operation, could be expanded into such a research center with the additional advantage of close proximity to the Auke Bay Biological Laboratory of the Bureau of Commercial Fisheries, the State of Alaska, Department of Fish and Game and the Institute of Northern Forestry which all engage in allied fields of research providing cross-disciplinary exchanges and a congenial environment for the scientific and technical personnel of the proposed center.

Now, therefore, Be it resolved by the Assembly of the Greater Juneau Borough:

1. The Assembly of the Greater Juneau Borough strongly supports establishment of such a estuarine research center at Douglas, Alaska.

2. The Borough Oceanographic Commission is hereby directed to work closely with the United States Department of Interior and the University of Alaska in all matters necessary to establish such a center.

3. The United States Department of Interior and the University of Alaska are requested to take all steps necessary to establish such a vitally needed research center.

4. Copies of this resolution shall be sent to the Secretary of Interior, the Regents of the University of Alaska, the Director of the Bureau of Commercial Fisheries, the Governor of the State of Alaska and the Alaska Congressional delegation.

Adopted February 24, 1970.

REPORT ON THE ESTABLISHMENT BY THE UNIVERSITY OF ALASKA OF A NEW FACILITY FOR RESEARCH AND EDUCATION IN MARINE SCIENCES

1. BACKGROUND

There is intense interest in Alaska in the establishment of a new center for education and research in the State to provide addi-

tional trained personnel for dealing with the problems of development, management, and conservation of the fishery resources. At the same time, there are opportunities for the application of science to other aspects of the marine environment which are of importance not only to Alaska, but to the entire nation. The group of consultants has, therefore, considered the matter of establishment of a "school of fisheries" in this broader context, both because such broader consideration is believed to be more likely to be of advantage to the industrial development of Alaska, and because the development of a program which takes into account the general national interest may be expected to attract substantial financial support from sources outside the State.

2. ADVANTAGES OF A FACILITY IN ALASKA

One obvious advantage of a research facility on the coast of Alaska is opportunity and need for the further development of the exploitation of the fisheries resources of the adjacent seas. In addition to the substantial fisheries for salmon, halibut and herring, there are newly developed fisheries for king crab and shrimp, which are certainly yet under-utilized, and there are large stocks of pollack, hake, cod, and other fish which are essentially un-used by U.S. fishermen, although fisheries by nationals of other countries have recently been started in the Bering Sea. There are also, of course, the continuing problems of conservation and management of the resources, such as halibut and salmon, which are now being essentially fully utilized.

A research facility on the Alaskan coast, however, can also be of value for other branches of marine science. Such a facility, for example, would be advantageously located for studies of the physical, chemical, and biological processes in estuaries and semi-enclosed coastal waters. It would offer a good location for research in basic productivity and on the ecology of marine organisms, both of the sea bottom and of the overlying water, at high latitudes throughout the year. Such phenomena as the effects of islands on mixing processes in the sea, the nature of oceanic "fronts" at the boundaries between water masses, and the relation of this distribution of pelagic organisms to the physical micro-structure of the water, can be studied particularly well in the semi-enclosed waters of Southeastern Alaska. These topics are some that are of broad interest in our general understanding of the oceans, not only in Alaska but elsewhere, and have, in some instances, also practical applications in solving problems of pollution and waste disposal and in understanding the ecology of the fish resources. For one example, knowledge of the circulation and mixing processes in estuaries and other enclosed waters will have important bearing on the designs of facilities for the disposal of pulp-mill wastes; for another, the circulation and the biological productivity of these waters are important to the survival of young pink salmon.

There are also important problems in military oceanography, such as those connected with anti-submarine warfare, that could be advantageously studied from a facility in Alaska. Some of these problems relate only to operations in Alaskan waters, while others, such as the factors affecting sound transmission in the sea, are of more widespread application.

*It is, therefore, concluded that a facility for marine science in Alaska would be valuable not only to the State but to the nation generally.*

Because of the need for education of additional personnel in the marine sciences, and the special need for additional people with education for fisheries research and management, the new institution should be devoted not only to research but also to education, to provide sound college-level training at the Bachelor's and Master's level of (1) fisheries researchers, (2) fisheries management men, and (3) men who may wish to go into other branches of marine research in subsequent graduate study at other institutions.

Persons being educated in such a facility in Alaska will probably find summer employment in the State and after graduation will tend to remain in Alaska.

3. ADVANTAGES OF AN INSTITUTE OF MARINE SCIENCES RATHER THAN A "FISHERIES SCHOOL"

There are a variety of reasons for having the program at the Institute include work in physical, chemical, and biological oceanography on a fairly broad base rather than restricting it to a fisheries program, although fisheries research and education should be an important element. For the following reasons the new facility should be an *Institute of Marine Sciences:*

(a) The research needed to solve many fisheries problems requires broad studies of marine ecology involving studies of the chemistry, physics, and general biology of the fishes' environment. Indeed, the most "practical" approach to fisheries development and management is a thorough understanding of the ecology and dynamics of the fish populations.

(b) A broad knowledge of the sea and its contents will, in the long run, provide a firmer base for Alaska's industries—both the fishing industry and other industries based on the resources of the sea.

(c) A fisheries program would probably have to be financed, completely by the State, whereas it is to be expected that a broader program will attract financing from various national agencies (NSF, ONR, AEC, F&WS, NIH) and private foundations.

(d) Well-rounded education in fisheries science requires the inclusion in the faculty of specialists in related subjects (chemical, physical, and biologic oceanography).

(e) If the Institute is operated as a national facility, it will attract visiting scientists who can contribute greatly both to the research accomplishments and to the educational program.

(f) It will be much easier to attract and hold highly competent faculty members if the program has a broad scientific base.

4. RELATION OF THE INSTITUTE TO THE UNIVERSITY OF ALASKA

The Institute should be an integral part of the University of Alaska (rather than attached to some other agency of the State), because:

(a) The University of Alaska is a nationally accredited and inter-nationally recognized university.

(b) Since the University already has the faculty for the basic education in sciences and humanities prerequisite to specialized education in marine sciences, only the additional specialists would need to be added.

(c) Grants-in-aid for both research and educational facilities are available to the University that are not available to other agencies.

(d) The University has efficiently operated other institutes of this general type, such as the Arctic Research Stations and the Geophysics Institute.

(e) Both faculty and students at the Institute will profit by association and collaboration with other branches of the University engaged in descriptive sciences (such as the Geophysics Institute). Such collaboration might be particularly valuable in the development of petroleum and other mineral resources of the Continental Shelf.

5. EDUCATION PROGRAM

As noted above, the University of Alaska has already at Fairbanks faculty and facilities for teaching of the sciences and humanities prerequisite to specialization in marine science. It is, therefore, suggested that the first three years of undergraduate study be given at the home campus, with the fourth year at the Institute located on the coast. A suggested curriculum is appended.

It will be noted that the curriculum during the first three years is the same for all students, with the exception of calculus, which would be required only for those who would plan to take the "Research" option in the fourth year. During the fourth year some courses would be taken by all students, but these courses would vary according to whether the student chose the "Research" or the "Management" option.

This four year course allows practically no electives, which is undesirable for students who can devote a greater period to their education. It is, therefore, suggested, that students who are able to spread the requirements over five years, with additional electives and work on individual problems, be encouraged to do this, with the award of the Master's Degree.

Allowance will have to be made for some variations in requirements in individual cases, such as transfer students from other universities.

Much of the instruction in fishery technology and fishing gear and methods can be given by staff members of nearby organizations. Similarly, some of the instruction in methods of fisheries research, seminars, and other courses can be given advantageously by the staff members of other organizations and by visiting investigators.

Vocational training in fishing techniques, navigation, marine engine maintenance, etc., should be continued under the auspices of other parts of the State educational system. However, the cooperation of the Institute of Marine Sciences might in some instances be useful.

6. STAFFING REQUIREMENTS

In order to teach effectively the courses during the fourth year, and in order to carry forward a broad program of research, there will be a minimum requirement for a Director and three senior faculty members representing the subjects of physical oceanography, oceanographic chemistry, marine biology (ecology), and fisheries science, together with necessary laboratory helpers and graduate assistants.

7. FACILITIES REQUIREMENTS

There will be required suitable well-equipped office and laboratory space, including facilities for salt-water experimental aquaria, for the faculty and students, and adequate space for classrooms, library, and collections. In addition, office and laboratory space for visiting investigators will be needed. This will require about 10,000 square feet of floor space.

A research vessel capable of working in the estuaries and coastal waters throughout the year, and of carrying out limited work on the high seas, will be needed. This will require a seaworthy vessel of 85–100 foot length, with adequate laboratory space and seagoing oceanographic equipment.

8. LOCATION OF THE INSTITUTE

A central location for the Institute, meeting certain requirements listed below, is required because a great deal of the research work consists of processing and analysis of data collected in the field—indeed, it requires about three to four man-months in the laboratory for each month in the field. For the educational function, a suitable central location is an obvious necessity.

Requirements for the location of the Institute include:

(a) Location at or near a main population center for ease in procurement of supplies, vessel repair and maintenance, communications and transportation of people and things.

(b) Location where the staff and their families can have a reasonable opportunity for social contacts with other people of similar interests, good housing, and educational facilities.

(c) Nearness to other organizations concerned with the investigation and development of the natural resources of the State, both for the mutual benefit of the research of the various organizations and for the advantages of interchange of ideas among the scientists. In addition, the Institute would provide much needed educational opportunities for the staff members of other agencies.

(d) Location adjacent to the sea for—

1. Ease in transfer of equipment and materials between the vessel and the shore establishment.

2. A supply of seawater to the laboratory for experimental biological studies. (The supply should be of nearly oceanic salinity and unpolluted.)

(e) As low an initial capital outlay as practicable—by conversion of an existing structure if possible.

Temporary field facilities should be established for particular investigations as required, and the vessel will, of course, operate in various waters of the State and adjacent high seas.

On the basis of the above criteria, we are inclined to advise that the Juneau area is the logical choice. We have inspected a possible location at Douglas, consisting of the Mayflower School building and the dock and cannery building of the Douglas Canning Company, both of which appear probably to be available without cost. The structures would provide adequate and suitable space for the Institute at a minimum cost. The quality of the seawater in the channel off Douglas should, however, be verified before the site is deemed fully acceptable.

The Douglas site has an advantage in the availability of additional adjacent land for future expansion of the Institute and other activities of the University of Alaska in this area.

A site near Auke Bay, near to the new Fish & Wildlife Service laboratory, was also inspected. While this site is in a good location, the development costs would be high because of the need to construct completely new buildings.

9. COSTS

Precise cost estimates cannot be made without planning in considerable detail. However, a rough idea can be given, as follows:

*Capital outlay*

(1) Offices, laboratories, classrooms and experimental aquarium facilities (modification of existing structures obtained without cost) and purchase of equipment, $200,000.

(2) Procurement and equipment of research vessel, $200,000 to $500,000 ($200,000 for a conversion, up to $500,000 for a new vessel).

*Annual operating costs*

(1) Salaries of faculty and assistants, travel, supplies, upkeep of laboratory and equipment, $150,000.

(2) Vessel operations, $120,000.

Based on the experiences of similar institutions in other parts of the United States, it may be expected that if the State of Alaska would provide the funds for the capital outlay for the offices and laboratories ($200,000) and the annual costs for the faculty and laboratory operating expenses ($150,000) per year, the funds for the procurement and operation of the vessel can be obtained by grants and contracts from national agencies and private foundations. It may also be anticipated that a strong faculty at the Institute will be able to obtain substantial grants in support of research and education which will permit the expansion of the research and educational programs beyond the minimum magnitude envisioned above.

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SUGGESTED CURRICULUM IN MARINE SCIENCES—UNIVERSITY OF ALASKA

FALL SEMESTER

| | |
|---|---|
| First Year—18 or 18½: | |
| Biol. 111 Gen. Biol | 5. |
| Engl. 101 | 3. |
| Math. 101 | 5. |
| Chem. 101 | 4. |
| PE or Mil | 1 or 1½. |
| Second Year—16 or 16½: | |
| Physics 111 | 4. |
| Chem. Quant. Analysis | 4. |
| Biol. 205 Vert. Anatomy | 3. |
| Biol. 313 Anim. Physiol | 4. |
| PE or Mil | 1 or 1½. |
| Third Year—18: | |
| Foreign Language | 5. |
| Invertebrate Zoology | 4. |
| Elective (Calculus [1]) | 3. |
| Econ. 121 | 3. |
| Pol. Sci. 101 | 3. |
| Fourth Year—at Juneau: | |
| Hydrobiology | 3. |
| Engl. 303 Adv. Comp | 3. |
| General Ecology | 3. |
| Methods of Fisheries Research | 5. |
| For Researchers: Physical oceanography | 4. |
| For Managers: Fishing Gear & Methods | 4. |

SPRING SEMESTER

| | |
|---|---|
| First Year—18 or 18½: | |
| Biol. 112 Gen. Zool | 4. |
| Engl. 102 | 3. |
| Math. 102 | 5. |
| Chem. 102 | 5. |
| PE or Mil | 1 or 1½. |
| Second Year—17 or 17½: | |
| Physics 112 | 4. |
| Biol. 132 Botany | 3. |
| Biol. 208 Evolution | 2. |
| Biol. 316 Embryology | 4. |
| PE or Mil | 1 or 1½. |
| Math. 204 Statistics | 3. |
| Third Year—17: | |
| Foreign Language | 5. |
| Ichthyology | 3. |
| Biol. 334 Plant Physiology | 3. |
| Elective (Calculus [1]) | 3. |
| Genetics | 3. |
| Fourth Year: | |
| English Tech. writing | 3. |
| Marine Ecology | 4. |
| Seminar | 2. |
| Oceanographic chemistry | 4. |
| Population dynamics | 3. |
| Fishery technology | 4. |
| Population dynamics for wildlife managers | 3. |

[1] Prerequisite for physical oceanography and population dynamics.

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## WHY CAN'T PEOPLE GET HOMES?

Mr. CRANSTON. Mr. President, last Tuesday, March 31, I introduced S. 3656, the proposed Veterans' Housing Loan Amendments Act of 1970, which proposed six basic modifications in the VA guaranteed and direct loan program in order to try to promote homebuilding, buying, and borrowing for the benefit of our veterans. That bill would extend for an unlimited period the eligibility for those World War II, Korean conflict, and post-Korean veterans with entitlements remaining, as well as restore and extend for an unlimited period the home loan entitlements of World War II and Korean conflict veterans whose eligibility periods had elapsed; include mobile home purchase under the VA loan program; entitle veterans eligible for GI loans to VA payment of closing costs up to an amount equaling 1 percent of the total loan amount as well as VA payment of the first point of interest owed by the veteran for the first 5 years of the loan; and eliminate the fee, presently one-half of 1 percent of the total loan amount, Vietnam veterans are required to pay at closing to protect against defaults.

Last fall, I also was privileged to cosponsor S. 3008, a bill to permit the Administrator of Veterans' Affairs to invest up to $1,000,000,000 annually from the national service life insurance fund to buy up VA direct and guaranteed home loans. This bill, introduced by Senator YARBOROUGH, already has been the subject of Finance Committee hearings.

Mr. President, I look forward to prompt consideration of S. 3008, by the Committee on Finance, and I plan prompt hearings on S. 3656, which will, when reported, be rereferred to the Committee on Banking and Currency, which has jurisdiction over the VA direct-loan program.

The extent of the need for innovative and substantial new Federal initiatives in the home financing field is excellently presented in an article by L. A. Knight, Jr., entitled "Why Can't People Get Homes?" published in the April 1970 American Legion magazine. I commend the article to the attention of all concerned about the national housing squeeze and the plight of the veteran, especially the returning Vietnam veteran, caught in that wholly unfortunate and inequitable situation. I ask unanimous consent that the text of the article be printed in the RECORD.

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

WHY CAN'T PEOPLE GET HOMES?

(By L. A. Knight, Jr.)

The United States is in the grip of the worst housing shortage since WW2, a shortage that hits young couples, and especially young veterans, hardest.

The door is now all but closed to the young veteran and his wife trying to buy a decent home under the VA's veterans housing loan program. Young non-veteran couples who could once find houses under FHA mortgages are only slightly better off, thanks to their somewhat better foothold in the economy by virtue of their not having been away on Uncle Sam's affairs.

Veterans of recent military service are writing letters about their plight to the White House, Congressional offices, the Veterans Administration (VA), the Department of Housing and Urban Development (HUD) or wherever else they might hope for a sympathetic ear.

Says a Burlington, Iowa, veteran, "After saving for years to accumulate the down payment for a home of our own we now find the G.I. loan, that we have been counting on for so long, is in truth not really available." He mirrors a larger army of ex-servicemen, their G.I entitlement in hand, who are being turned away by banks, savings and loan institutions and mortgage companies; or, who can only find housing and loan terms that are far beyond their means—and beyond any previous price scale and mortgage terms in our history.

"No real estate company or bank will even discuss a G.I. loan with me," a Pontiac, Mich., veteran wrote to George Romney, former governor of Michigan and now head of HUD.

A Lynchburg, Va., school teacher asked

the White House: "What good is my G.I. loan if I can't use it? What am I and other veterans who can't afford a civilian mortgage going to do?"

A young Southington, Conn., housewife, whose husband had just been separated from service, told her Congressman: "Every bank we go to we are turned down. What is the government coming to?"

A former Army sergeant now living in Buffalo, N.Y., wrote: "I have gone to five banks and one mortgage company and only one of the banks says it will make a G.I. loan. But this particular bank has set its standards so high my loan application never reached the VA for approval."

An Edison, N.J., veteran was about to close a purchase arrangement for a new home when the Veterans Administration raised the permissible interest on a G.I. loan from 7½ to 8½% on Jan. 25. Since this would add another $20 a month to his mortgage note he found he could not go through with the purchase. He wrote the President:

"I guess the only way to get ahead in this present condition is to go on welfare. I know of a few people on welfare now who live a lot better than we do. Why is this?"

A California veteran directed this appeal to the White House:

"I have spent my time in Vietnam fighting Communism. Now I'll have to fight inflation on the home front. I happen to be one of those people that has suddenly found out that the house that I was about to buy is now out of my price range."

In large numbers, Vietnam vets and other young people are living in too-small apartments, in single rooms or doubling up with friends or relatives. Some find an occasional rare buy in old housing—perhaps miles from where they work—often because there's something the matter with it. Many are moving into mobile homes, and we'll say more about that later.

To get decent housing it helps if you have well-to-do or influential parents, or if you inherit a house or a wad of money, or start adult life with large earnings.

We've been hearing about bad housing for the poor all along. Today, those with good earnings who are willing to pay more than is reasonable, and to pledge a disproportionate part of their future earnings, find it ever harder to buy or rent decent shelter.

Because most older people with reasonably good income already have homes, the housing crisis falls most heavily on the young. And not just the very young. A 32-year-old Chicago executive who thinks he's off to a good start in earnings for his age says he can't buy a suburban Chicago home. Average price is $32,000. "I could pay that off, all right," he says, "but the down payment is $10,000 and I haven't $10,000 lying around loose." In many areas, new rentals are almost impossible, too. The bidding for the little that's available runs it out of reach of any but those who already have it made in life.

The three main causes of the housing mess are: (1) inflation with its high prices, (2) "tight money"—which is not the same thing as inflation and (3) a serious shortage of conventional housing.

They are all related, and each rests on layers of other causes and effects that chase each others' tails around a series of circles.

(1) *Inflation* simply puts the asking price on living space—for sale or rent—beyond what many can afford to pay. It wouldn't do that if income and housing were inflated equally. But housing is inflated way beyond income. Thirty-five years ago, good, new suburban housing cost about 2½ to 3 times the annual take-home of a couple starting out in life with normally good prospects. Today, good, new suburban housing doesn't exist in any meaningful amount. Good, *old* suburban housing often runs from 4 to 7 times the annual take-home of a similar couple.

(2) *"Tight money"* is a shift of available lending money away from mortgages to other things. It is not a shortage of money, but a diversion of it, as far as housing is concerned.

Tight money makes mortgages unavailable to many people who are willing to pay the inflated home prices. The lender refuses to lend. For others, it loads a mortgage with skyrocketing interest rates and "extra" charges as the price of getting one at all. This happens twice on new housing. The builders are socked with high interest and "extras" for the money they borrow to build with, which they then add to the price of the home. Then the customer pays high rates when he finances his purchase.

To spread the scant amount of mortgage money that lenders have, or are willing to put into mortgages, bigger down payments (smaller mortgages) are required, and quicker pay-back is demanded (meaning larger monthly payments). The total finance costs, over the years, on some houses now being mortgaged come to far more than the cost of the houses.

(3) *The shortage of homes* flows from all of the above, and from more. Builders who are dying to build are not building middle class houses. Their potential customers are priced out of the market, simply can't get mortgages or can't meet the larger down payments now demanded.

The shortage of new housing and its great cost where available have set frantic home seekers outbidding one another for existing older homes. Again, the more affluent win out. Some houses in desirable areas that sold new in the 1920's for $3,000 are going for $20,000 and more today—in antiquated, run-down condition. Houses that were thought to be inflated in 1946 at $13,000 sell for as much as $25,000 and $30,000 after 24 years of occupancy.

HUD Secretary George Romney has been issuing forthright warnings about the explosiveness of the situation for some time. He sits at the top of a heap of authority that doesn't seem to be able to cope with the mess. Small wonder. The interlocking causes of the mess go far beyond the scope of any housing authority. For instance, the Federal Reserve first cut the strings that let interest rates soar, and neither Mr. Romney nor the President can tell the Federal Reserve what to do. It is an independent agency subject only to acts of Congress.

Romney seems to be saying that grass-roots heat is all that can budge the housing monster. He has said quite frankly that those who holler loudest and longest get the most attention. In fact, he seems to have been asking frustrated home seekers to start a wave of reasoned protest now, before their pent-up frustration simply explodes.

He has to be right, if this is what he's getting at. You can't raise new generations of working people in a free country and give them explanations instead of shelter they're willing to pay for. They do this in Russia. Here, the whole situation is going to:

(1) Be remedied along some traditional lines soon, or;

(2) Blow sky-high in some sort of unmanageable "confrontation," or;

(3) Swiftly popularize housing concepts that do an end run around traditional building and/or lending—to leave them back with the horse as intolerable obstacles to the realization of basic human needs, or;

(4) Respond to some combination of these possibilities.

The housing mess is embittering many people who till now have had little patience with attacks on "The Establishment" over phony, misstated or contrived issues. The housing mess is not phony. It is understated. If it continues until we have 3 million or so more Vietnam veterans back homeless, maybe more people will see it for what it is.

Far from being a contrived issue for protest, its victims have suffered in relative silence. But that can't continue. Thousands of servicemen are returning to civilian life every month. Americans who are steadily improving their incomes are eyeing new homes. Negroes given better employment opportunities, are breaking out of inner-city ghettos and looking toward suburban living. The number of young Americans getting married has almost doubled in the past ten years and the population continues to grow by leaps and bounds. But the number of new houses for which ground is broken is running about 1.3 million, far below the estimated needs for the 1970's projected by the Johnson Administration in 1968.

This number is misleading in two opposite ways. First, mobile homes, which are booming, aren't counted in the government figures as new units started. Second, a higher-than-normal percentage of the new houses that *are* started are either public projects for the poor or tailored for those to whom cost is secondary. Builders, many of whom are counted among the embittered, are either closing shop or only building for those who can pay well. In Houston, for instance, most new homes are selling for between $35,000 and $40,000, while in New York's metropolitan area it's almost a joke to expect to have a respectable new home built for as little as $40,000. And the way to get a substantial mortgage on such property is to sign up for lending terms that raise the total to $70,000, $80,000 or $90,000 before it's all paid off.

Why is mortgage money scarce and costly? Many reasons have been published, but there are far more. One traditional source of mortgage money has always been savings and loan institutions, which may *only* invest in real estate. But the amounts deposited with them by savers have fallen far below the needs of home-buying borrowers.

Here are three things that have steered deposits away from savings banks:

(1) Ever growing *taxes*, state, federal and local—income, sales, gasoline, etc. Whatever is paid out in taxes by a householder is money he might have saved, but can't. Governments, which claim ever higher taxes, do many things with the money. Lending it to home-buyers is an unnoticeably small fraction of the take.

(2) *Speculation* in the stock market, and in other sorts of investments, using the sort of funds that people used to save.

(3) So-called *affluent living*. It is a fact that people who used to save are more interested in buying to the hilt. The enormous rise of credit buying reflects how much people are going into hock for purchases, instead of saving.

Then we have the commercial banks, those that you usually call "banks" instead of "savings banks." They are in the savings business, too, but also in checking accounts, etc. They move in and out of mortgages, since they are also active in personal loans, auto loans, loans to industry and business, etc. Mortgages are only attractive to them when they can't farm out enough loans at higher interest rates and shorter terms elsewhere.

During the whole decade of the 1960's, industry and business were expanding at a rate faster than they could manage on pay-as-you-grow. Profits and expectations were so high they were willing to borrow huge sums and pay fancier interest rates to banks than home buyers could pay, or than was legally allowed for mortgage loans in most states.

A couple of years ago the Federal Reserve felt that all this commercial activity on borrowed money was forcing inflation upward too fast. The Federal Reserve suddenly raised the rate of interest it charges member banks when it pumps money into them. The Fed's act not only forced the banks to

raise rates to their customers, but gave higher interest rates the moral sanction of an officially sponsored inflation brake. The Fed thought that higher interest would check borrowing, thus check too-rapid business expansion, thus cool off inflation.

That isn't what happened. Business borrowers willingly paid the higher rates. Their loan demands did not slacken. Interest went up again, and still the commercial borrowers paid it and cried for more. Seeing this, the leading banks raised the rates more, without any goosing from the Fed, and the rest followed. The customers only cried for more. The inflation wasn't stopped. It was just made more expensive for everybody but lenders.

But the banks were only temporarily enriched by the higher rates they were charging. When prices go up, they go up all over—and that's true for the price of money, too. In nothing flat, banks had to increase the interest that they pay out to depositors. We've all seen the savings banks competing with one another to the legal limit, each trying to offer *you* more interest if you'll place your savings with them; sweetening the terms so that they are compounding your interest every quarter, every month, every week, every day—promising interest from "day of deposit," then "from the first of the month"; giving kitchen blenders, cups, silverware to those opening new accounts, and so on.

The commercial banks are doing the same kind of thing. They aren't making any more on the higher rates they are charging than they used to, because their own money costs more.

The whole situation adds up to everybody chasing his tail around a circle. The cost of money becomes astronomical, while in the end nobody gets any richer except those who make the first move. In this silly rat race (a banker who read this said that's just the phrase for it) ever more money that could be buying goods or services is siphoned off to pay for absolutely nothing but the feel of money passing through one's hands.

Previously, goods and labor had been seriously inflated, but not the cost of money. When the interest lid went off it stepped up the inflation of goods and labor and moved rapid inflation into the cost of money, too. The same step sent taxes up for a long time to come, as well. Suddenly governments, from national down to city, found the interest rates they have to pay on bond issues zooming skyward. Now cities, states and Uncle Sam are borrowing at ever higher finance charges—and of course they are going to pay off these higher charges with higher future taxes.

What happened to the home buyer in all this? Most states had a legal limit on mortgages of about 6% interest three years ago. By the time the banks were charging General Motors 8% and paying almost 6% to depositors. They weren't about to tie up money for ten, 20 or 30 years in 6% mortgages.

Mortgage money all but disappeared. Many of the states rushed in to raise the legal limit on mortgage interest—not to soak home buyers, but to let them pay enough to be able to borrow at all.

The FHA and the VA did the same thing, raising the permissible interest rate on the mortgages they guarantee before there just wouldn't be any more FHA or VA mortgages. But, by the time they acted, the "prime rate" was about as high as the new legal mortgage rates. The "prime rate" is the rock bottom interest rate that commercial banks will give to Grade A big business borrowers. There's nothing lower, and everything else is higher, in the field of private lending. So the new, higher legal rate on mortgage money is still so low—compared to what the money can earn elsewhere—that you can hardly find it.

Yet there is always pressure on banks to underwrite mortgages out of a social duty, because the nation's shelter depends on them. In the situation, lenders took three steps to live up to their duty without losing their shirts.

(1) They rationed the money, granting smaller mortgages and thus requiring larger down payments.

(2) They shortened the time limit for paying back a mortgage, thus raising the monthly payments.

(3) They began asking for "points."

"Points" are a one-shot payment, rather than annual interest. "Points" began modestly at about a 1% charge of the face value of the mortgage. That's "one point." Quickly, wherever the law didn't prohibit it, points went up—to 2, then 3, then 4, and kept going up. Recently as much as 10 points have been paid, or 1/10th of the size of the loan sought for the privilege of getting it. Builders began paying "points," so that the first year's charges on a building loan might come to 15% or even more on a 7½% loan. This drove marginal builders right out of business and marginal home buyers into shacks. It made many other builders close shop at least temporarily, or go to rich men's home building or start doing more repair work instead of building.

As another protective device, several years ago some banks began writing small type into mortgages providing for their recall at the bank's pleasure after three years. One of our readers wrote to tell us that his bank had just given him the option of paying up in full or accepting a 1% increase in interest.

There is still a third reason for the shortage of mortgage money. Elsewhere in this magazine is a story on crime which notes that organized racketeering, gambling, loansharking, etc., are now holding $60 billion out of legitimate channels. That's more than the gross annual take of our six leading corporations—a figure in the same order as the federal budget that's held out of the legitimate national flow of money.

Today, there are all sorts of schemes afoot for stopgap measures to put money into mortgages. Unions and others with big pension funds are being urged to invest such funds heavily in mortgages. There's a bill in the hopper to authorize the Veterans Administration to invest what it holds in its veterans life insurance funds in mortgages. The National Association of Home Builders is promoting these suggestions in the hope that, if we can get some increase in building going, the competition for homes won't be so great. Then prices and interest rates might fall off and loosen everything up. They hope.

This is the "shot-in-the-arm" approach. In view of the millions who cannot now get shelter of the quality that their incomes ought to entitle them to, a 1970 shot-in-the-arm seems to be an absolute necessity. A compulsory rolling back of interest rates, or a Big Brother setting aside of billions reserved for no purpose but building loans at reasonable interest, or both, seems to be called for. It's hard to see how we can expect those presently in need of homes to wait out a more fundamental solution.

But the Big Brother approach is basically a bad one for a permanent solution. Our experience with welfare ought to make that clear. Its second, third and fourth level effects are mischievous. It creates dependency where we need initiative. It is inflationary where we need deflation.

However, Big Brother is presently doing worse than nothing. For instance, Uncle is paying part of the rent for people who are too poor to pay all of their own rent. The money is totally wasted. It doesn't create new housing, it supports higher charges for existing housing and it draws off the money of wage earners in the form of taxes to pay other people's landlords. As some builders point out, if only this same money were put into reasonable loans to builders, it would create new housing at lower cost and be returned to Big Brother for more of the same instead of going down the drain to the tune of more taxes and still higher shelter costs.

Consider that if a builder could borrow at 6% and no points, instead of at 8% and 10 points for one year, he could knock off $1,200 for every $10,000 charged for a house and make the same profit. A $20,000 home could go for $17,600. His customers' down payments, their monthly payments on principal and their total interest payments could all be reduced. Any step in this direction would open up new housing for more people. That would add to the total housing supply and tend to take the fat out of high rents and out of prices for old houses, both of which are inflated way beyond their value simply because it's a sellers' market.

But an emergency financial patch-up is no cure. Housing itself costs three or more time what it should. It is still in the Dark Ages. Most Americans could easily afford a good home under the present ridiculous mortgage arrangements if we'd only move home construction out of the 17th century.

Today, a mobile home is made in a factory—complete. The average price of a mobile home, that is the equivalent of a house built on the site for $20,000 or more, is only $6,300. And that is *completely furnished*, delivered to the site, with utilities attached. The mobile home business is booming today while all other housing is stagnant. Young and old are going for mobiles in ever greater number.

Why not? Mortgages became generally acceptable for mobile homes last year. A $4,000 mortgage and a $6,300 furnished dwelling cost is the answer to the dreams of homeseekers and "tight money" bankers alike. A standard mobile unit is 12 feet wide (that's narrow) and about 60 feet long (that's long.) Thanks to eased highway rules, 14-foot width is coming in. Good factory-built homes are surprisingly excellent dwelling inside. Do you want more house than that? You can go up to three stories of "modular home," with units stacked vertically, or make a truly big "ranchtype" home by adding "sectional units" on the ground level. If $6,300 will house a young couple well, for $25,000 you can have a furnished, carpeted whopper that's the equivalent of what $50,000 and more can buy with a bare interior in many metropolitan suburbs. And because the total finance charges fall off in proportion, the saving is far more than a mere comparison of prices suggests.

These savings are astronomical even after the need to buy or rent the land is taken into account. Today, many more corporations are making mobile homes, and many others are entering the picture purely to develop land sites, with streets, lawns, underground utilities, foundation slabs, swimming pools and golf courses. Whole towns and developments are springing up in favored areas, given over to pleasant mobile home settlements that belie the old image of the "trailer camp."

Perhaps the very pressure of today's housing emergency will yet break the back of the old idea of the house build on the spot, mainly with terribly expensive hand labor and materials loaded with needless hauling, handling and trimming charges that factory-manufacture overcomes.

It almost seems silly to explain that mass production to standard specifications in a factory is the key to producing *any* goods—including houses—at prices far below what hand labor at the customers' site can meet. Housing is about the only common product that has escaped the industrial revolution and still hews to basic procedures that are 400 years old.

Houses made of sections that are manufactured entirely at the factory and which

would bring good housing inexpensively to the millions have failed to make the big breakthrough in America. They have always fallen over the stumbling block of local ordinances. These arbitrarily set different standards, sometimes down to the last detail of materials and of construction, from town to town. They also hitch zoning laws to tight and different specifications.

It is not that there *are local* standards, but that they are entirely capricious from town to town. The basic building code in the Chicago area is quite enlightened as modern codes go. Yet in that area there are 58 different variations on it from community to community. If these communities had 58 different requirements for automobile mufflers, carburetors, etc., few Chicago area residents could afford a car today. Detroit would be making special auto models for Chicago proper, Chicago Heights, East Chicago, Evanston, Oak Park, Auoro, Joliet, etc., and the cost of revising production lines at GM, Ford, Chrysler for each town line would send auto prices through the roof. And that's what keeps millions of Americans from having good homes dirt cheap by today's standards.

Ideally, the United States could have nationwide specifications for homes. Towns could still zone, still have high and low specifications for various types of homes in various neighborhoods. There could be Class A, Class B and right on down through Class P specifications, all of them meeting sane standards. A town could elect to be all Class A, or zone for five classes or 20. If each class were standard everywhere, even if there were 15 classes, factory production could begin with an assured mass market for each of them, just as cars are offered in numerous models for different tastes. Apartment houses, stores and office buildings, no less than homes, could be made of sectional units finished at the factory on the same basis, at the same astronomical savings, and with enough variety in specifications to meet any reasonable local tastes. Maybe 20 or so basic units would turn the tide, instead of the thousands now required by the caprice of trivial differences from town to town.

The American people would do themselves a favor worth untold millions of dollars to them if they'd start bringing the heat to bear locally to clean up the jungle of man-made rules that keep us from getting good housing at low cost. Maybe one of these days some guy will go to the Supreme Court to have his local housing ordinances ruled unconstitutional on the grounds that they infringe on his right to purchase available and suitable housing that he can afford. *That* could really take us out of the dumps. There is no such constitutional right but the Court has created less important ones for fewer people out of thin air.

Nobody, not even those in the business, can dream today of what factory-made sectional housing could do if the market were opened up by removing the local legalistic obstructions. The notion that mobile homes make "ugly trailer camps" is the doing of local ordinances. The rules are all against them in the New York metropolitan area, so you see them in such places as industrial areas and swamp edges, and almost nowhere else in that area. Of course they are unsightly. California is the national leader in tailoring local rules to permit factory-made homes, while requiring them to put on a respectable front. Some of the California mobile home developments are superior to conventional developments in more restrictive Eastern towns.

The example now being set in California and other places, coupled with the pressure of the present housing and mortgage mess, just might make the 1970's the decade of breakthrough of American housing into the 20th century—before the 21st is here. But it can hardly come soon enough for all of today's young marrieds and Vietnam vets. This year, thousands of John Does will come home from Vietnam to find that they can't have decent homes because not enough money is deposited in savings banks, because the Federal Reserve doesn't want Universal Conglomerate to grow too fast on borrowed money, because organized crime is holding $60 billion out of legitimate channels. Those don't seem like good reasons. Somebody had better do something about John Doe.

## GASOLINE OCTANE

Mr. BOGGS. Mr. President, a controversy has arisen in recent weeks over the use of lead to increase gasoline octane. Some experts argue that the use of lead must be ended because lead in the atmosphere is a threat to humans. Others argue that no evidence of this danger exists.

Some automobile executives say the lead must come out of gasoline to enable the catalytic reactors proposed for use to reduce pollutants to operate properly. On the other hand, some experts say that the removal of lead would prove costly to the consumer, and that thermal reactors can effectively reduce pollutant levels emitted by vehicles powered by leaded gasoline.

This is a complex question, one which is now under study by a joint committee established by three executive departments.

The Wall Street Journal this week published a most interesting and valuable article on this subject. To assure that it comes to the attention of Senators, I ask unanimous consent that it be printed in the RECORD.

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

GETTING THE LEAD OUT: CAMPAIGN TO CLEAN UP GASOLINE MAY CAUSE MULTIBILLION-DOLLAR HEADACHE OVER A DECADE

(By Roger W. Benedict)

Auto makers and pollution controllers are well on their way toward winning their campaign to "get the lead out" of gasoline. Even oil executives generally agree the industry is moving toward a gradual transition to lead-free fuel for cars.

Now come the problems. "Taking the lead out of gasoline isn't like taking cyclamates out of soft drinks," cautions the vice president of one major oil company. Even stretching the elimination of lead over as much as a decade probably means a multi-billion-dollar headache for those who make and sell gasoline.

The economic side-effects will stretch far beyond the makers of antiknock compounds. Mining companies face the loss of the second largest market for lead. The petrochemical industry will find some of its "feedstocks" diverted to octane-boosting substitutes for lead in gasoline, and feedstock prices may rise. Consumers will have to bear added car-operating costs, which could prove substantial.

Ironically, even the antilead campaigners will have to contend with new pollution worries resulting from the content of the new fuels.

Lead accounts for only about one-fourth of 1% of the about 90 million tons of pollutants motor vehicles spew into the nation's atmosphere each year. But auto makers want lead removed from gasoline, because, they say, it harms all of the devices they're developing to meet a Federal deadline of controlling over 90% of the pollution from new cars by 1975. Their 1971 models will be a little over halfway to that goal.

CROSSING THE BRIDGE

Louis M. Ream Jr., executive vice president of Atlantic Richfield Co., asserts, "Detroit believes that politically lead is dead, and we believe the lead-free bridge has been crossed." His company will begin selling a new grade of lead-free fuel nationally this fall "in a significant number of stations."

Shell Oil Co. has announced similar plans, and most other major oil companies have said they'll make and sell a lead-free gasoline "when it's needed."

But leaving lead out of gasoline is complicated, because most of the 105 million U.S. vehicles on the road won't run on fuels that would remain after the abrupt removal of all lead and because the oil industry hasn't nearly enough of the special capacity needed to make gasoline of present quality in present volumes without lead.

Lead is simply the cheapest method refiners have found to produce fuels, that will burn in today's high-compression engines without destructive "knocking." By adding about 0.6 cent worth of lead to each gallon, they gain the final eight "octane" points in the rating used to measure the smooth-burning characteristics of gasoline. To get those same octane points without lead requires further processing to make and to add a lot more high octane components, at a cost most refiners estimate at two cents to four cents a gallon.

To the chagrin of pollution control experts, the high octane fractions to be added are chiefly volatile "aromatics," which are indicted as a major villain in smog and eye irritation, and which are suspected of harboring cancer-causing agents. The U.S. Bureau of Mines says its tests show uncontrolled cars burning lead-free fuels with higher aromatics contents produce about 25% more pollution than when they're run on leaded gasoline.

Such cost and pollution problems indicate the transition to lead-free gasoline is likely to be extended over 10 years, the life of the average car. But moves by auto makers, the time lag in adding new facilities and competition are forcing oil companies to make decisions within the next few months. Mr. Ream, for example, concedes Atlantic Richfield's decision to move so quickly is largely "gamesmanship."

How much the cost is likely to be is a matter of great dispute. Most oil executives foresee a minimum investment of $5 billion in new refining, distribution and marketing facilities over the next five to 10 years, with some estimates putting the eventual total over $10 billion, or 40% of the present investment in place. But others in and out of the industry are proposing a number of plans they say could reduce sharply the size of such outlays.

Manufacturing costs, for instance, already are being tempered by such factors as auto makers' plans to reduce compression ratios to about 1953 levels on more than 90% of next fall's 1971 models permitting the use of lower octane fuels; possible temporary acceptance by Detroit and control agencies of a small amount of lead in the new fuels; the probability that full pollution-control systems won't go on new cars until mid-1974, and the deferral of a "horsepower race" back to high-compression engines.

M. R. J. Wylie, president of Gulf Research & Development Co., Gulf Oil Corp.'s research arm, says "a 91 octane gasoline (for Detroit's 1971 model engines) containing about one-fifth as much lead as the current average (one-half gram in each gallon, down from 2.5 grams) could be made without new refining facilities." That first one-half gram of lead adds three octane points, he says, while increasing amounts have less and less

effect. Before adding lead, he explains, U.S. refineries have a lead-free "pool" of widely varying components averaging about 88 octane.

LOWERING LEAD CONTENTS

To supply present cars with leaded higher octane fuels, Gulf could simply add a bit more lead to make its 100 octane premium, then blend some of that with the new low-lead fuel to get a third grade of a 95 octane regular, he says. Gulf already sells three grades of gasoline, including a 91 octane it estimates can be used by 23% of the cars on the road.

But Gulf and Humble Oil & Refining Co., the domestic operating subsidiary of Standard Oil Co. (New Jersey), are unusual in being equipped for marketing three grades of gasoline, less than a third of the nation's 225,000 service stations have such facilities. Robert C. Gunness, president of Standard Oil Co. (Indiana), estimates the industry would have to add one million new gasoline pumps and 300,000 new storage tanks and spend $2 billion to $3 billion to switch to three-grade marketing. His company's American Oil Co. division is the only present marketer of lead-free gasoline, but it's a premium grade sold only in the East and South.

An indication of the combined cost to motorists of marketing and manufacturing expenses connected with a 91 octane, lead-free gasoline came last week, when Texaco Inc. introduced on the market in Los Angeles the first such fuel. It set a wholesale price on the new gasoline that is about two cents a gallon more at retail than the company's 100 octane leaded premium and about six cents a gallon more at retail than the company's 94 octane leaded regular.

Fred L. Hartley, president of Union Oil Co. of California, however, says introduction of new lead-free gasolines could be handled without adding either new marketing or new refining facilities, with cooperation of the nation's motorists. He proposes deliberate lowering of compression ratio on present cars by changes to such things as engine head gaskets and spark plug timing.

Such adjustments, he says, would permit the sale of a 91 octane lead-free regular and a leaded 97 octane premium that would satisfy needs of old as well as new cars. General Motors Corp.'s president, Edward N. Cole, generally credited with launching the lead-free drive, endorses this approach. And so does Lee DuBridge, President Nixon's science adviser, who even suggests that oil companies perform the "derating" service as the new gasolines are introduced at their service stations. But some oil marketers note there's a nationwide shortage of auto mechanics, and they estimate it might take years to derate all present cars.

UNLEADED FUEL AN EVENTUALITY

General Motors' Mr. Cole also told the California Air-Resources Board earlier this month that a low-lead content gasoline might be initially acceptable, and promised GM wouldn't resume the race back to high compression engines before 1980.

Use of a 91 octane fuel also could lessen concern over stirring new pollution control problems. W. J. Coppoc, vice president of Texaco's research and technical department, says tests by his company and auto makers indicate that better combustion of such lead-free fuels in the engine more than offsets the moderate rise in aromatics content over leaded regular, so cars emit fewer unburned hydrocarbons.

Most oil executives, however, anticipate they'll eventually have to make completely lead-free gasolines of close to present quality. "We're convinced that by 1978 or 1980, we'll have to raise pool octanes completely without lead," says Gulf's Mr. Wyllie.

That could run into a lot of money. A study by Bonner & Moore Associates Inc. for the American Petroleum Institute estimated the cost of new facilities to make lead-free gasoline of equal quality was $4.25 billion in 1965, which would have added 2.2 cents a gallon to the cost of making gasoline. Atlantic Richfield estimates inflation has boosted this to $7.5 billion, while others put the figure at about $6 billion.

Not everyone agrees. John O. Logan, president of Universal Oil Products Co., which builds refineries and makes catalysts, asserts that modification of present facilities to use more efficient new catalysts could hold down the cost of duplicating present octanes to $2 billion to $2.5 billion, adding only about one cent a gallon to manufacturing costs. He notes, however, that doesn't include costs of distributing and marketing the new fuels.

Even a program to build $4 billion of new refining facilities in five years would be a crash program, straining available technical and construction manpower and supplies, says J. Robert Fluor, chairman and chief executive officer of Fluor Corp., a major builder of refineries. And a vice president of another large construction concern says labor shortages in the Gulf Coast refining area might become a "disaster."

Small refineries, some with lead-free pools as low as 81 octane, face even greater difficulty. James H. DeMaras Jr., vice president of the Independent Refiners Association of California, says his state's 20 small refineries would face the "insurmountable" problem of doubling their present $500 million investment, adding about seven cents a gallon to the cost of making gasoline.

W. H. Burnap, executive vice president of Continental Oil Co., says removing lead from gasoline could close down a number of smaller refineries, severely cutting the nation's sources of asphalt, the most widely used road-building material.

Putting a 91 octane lead-free gasoline on the market next fall in limited quantities, however, presents minimal refining problems for most companies. "We'll simply take enough components out of the lead-free pool for the 91 octane fuel and then put in more lead to raise the remaining pool to our 94 octane regular and 100 octane premium," explains one refining executive. "We're permitted to use up to 4.3 grams per gallon by Federal rule, but it's unlikely more than three grams will be used, because you get very little octane for additional amounts," he adds.

But adding new pumps and storage tanks to sell that gasoline could be another story. The nation's six pump makers currently turn out only 120,000 pumps a year, and Glenn Bailey, chairman and president of Keene Corp., estimates they'd be hard pressed to double that.

"We're already seeking new suppliers and manpower sources in case we have to add a second and third shift to meet demand for gasoline pumps," says Joseph J. Guidrey, vice president and treasurer of Tokheim Corp.

IMPACT ON CHEMICAL FIRMS

The limiting factor on how rapidly new pumps can be added, however, is more likely to be the local contractors who install them than the manufacturers who make them, says Lawrence Marchese, vice president, marketing of Gilbarco, Inc., Jersey Standard's pump-making subsidiary. "They're mostly small 'Mom and Pop' operations that may be be unable to expand quickly," he says.

A slow transition to lead-free gasoline would ease the impact on chemical and mining companies, but effects still could be serious.

The chemical industry will be hit from two sides. It stands to lose the $250 million-a-year market for lead antiknock compounds and could face a sharp price boost on the "building block" chemicals from which it makes many of its products.

Makers of the lead compounds say they can adjust to gradual loss of the market. Ethyl Corp. hardest hit of four makers, notes it has boosted its sales of other products to 60% of total volume from just 30% eight years ago, and it believes it will have time for further diversification.

"Even if the worst happens, we'd likely lose an average of 10% of antiknock sales a year over the next 10 years, and initially sales might not drop at all," say officials of the petroleum chemicals division of DuPont Co., the second largest maker. Lawrence L. Bott, President of Nalco Chemical Co., which gets an estimated 19% of its sales from the compounds, says, "We could offset with gains in other products slow loss of the market." And John M. Robinson, vice president, sales, of the Houston Chemical division of PPG Industries Inc., says even total loss of the market "wouldn't have any significant effort on PPG, for which it's less than 1% of total sales."

Not so lucky would be suppliers of such ingredients as bromine and sodium, who will be hard pressed to find new markets. Ethylene and chlorine used in the compounds likely would be diverted into making plastics, posing possible surplus problems.

JOLT TO LEAD COMPANIES

"Any large increase by oil companies in the amount of aromatics they put in gasoline could seriously affect availability of benzene, toluene and xylene, all basic feedstocks for petrochemicals," says PPG's Mr. Robinson. The Bonner & Moore study estimated the value of these "BTX" chemicals might rise nine cents to 15 cents a gallon with a switch to lead-free gasoline. Last year, oil refineries sold 2.3 billion gallons of such feedstocks.

For lead companies, too, the jolt could be severe. U.S. gasoline presently takes 275,000 tons of lead a year, or 20% of U.S. sales, and world-wide it accounts for 10% of all lead output. That's second only to use of lead in batteries. The threatened loss of this huge market already has halted the dizzying succession of seven rises in the U.S. price of lead last year. And it's certain to defer development of new lead ore prospects for some time to come.

But mining companies generally believe the loss can be absorbed. "We're certainly not despondent about the long-term outlook for the lead industry," says Simon D. Strauss, vice president of American Smelting & Refining Co., a major lead supplier. "A 10% a-year average loss of the gasoline market would cost the industry 27,500 tons annually, but the anticipated growth of lead sales in other areas is 28,000 to 42,000 tons a year."

Herbert Lewis, director of sales for Cominco Ltd., the world's largest producer of refined lead and zinc says, "Lead has taken its lumps before and has adjusted. Plastics took away the U.S. cable sheathing market in just two years, and many years ago lead was abruptly removed from interior paints. Loss of the gasoline market would be much slower and could be offset." But, he adds, "We may get some initial emotional impact on prices."

Some even see mitigating longer-term effects resulting from the same drive to improve the environment that threatens lead antiknock compounds. John Engelhorn vice president, sales and development, of St. Joseph Lead Co., for example, sees potential benefits for lead from increased use "in batteries for electric vehicles, for soundproofing and for undergrounding of utility lines."

ACTION BY LAWMAKERS

Timing of the adverse effects, of course, could be greatly accelerated by state and Federal regulators. Bills have been introduced in the California and New York legislatures to simply ban lead in gasoline by 1974. The California Air Resources Board has recommended banning it by the end of 1976. Health, Education and Welfare Secretary

Finch, already seeking authority from Congress to control content of fuels, has asked over 100 oil companies for comments this month on a proposal to phase lead out of all regular grade gasoline by July 1, 1974. This drew the angry comment from one lead executive that Mr. Finch is trying to "upstage" a thorough economic study of the question by the Commerce Department, which is to be completed by July 1.

That it may take legislation to eliminate all lead from gasoline was indicated by Union Oil's Mr. Hartley, when he told the recent annual meeting of the National Petroleum Refiners Association, "We have no intention to take all the lead out until we're told we have to by law." He urged refiners to introduce new low-lead fuels, but said they also should continue making high lead fuels for present cars until more research is done on pollution.

Some oil and chemical researchers believe too little consideration is being given to the possibility of controlling auto pollution without sacrificing leaded gasoline and high-compression engines.

"Ed Cole of General Motors says his company can't meet the 1975 Federal air pollution standards with leaded gasoline, but Du Pont says 'oh yes you can.'" Donald R. Diggs, technical director of Du Pont's petroleum chemicals division, says Du Pont has put into the public domain a thermal reactor it says will burn up emissions from autos using leaded gasoline. Mr. Diggs says a West German car builder and a Japanese auto maker will each use the device on models being imported into the U.S. this year.

Auto makers dislike high-temperature devices like Du Pont's reactor, favoring instead low-temperature catalytic devices, which are poisoned by lead. But Mobil Oil Corp., as its assignment for the ten-company Inter-Industry Emission Control research program established with Ford Motor Co., says it has developed catalysts that work well up to 12,000 miles with leaded gasoline. "We expect they'll last a lot longer in our coming experiments with low-lead content fuel," adds Dayton H. Clewell president of Mobil Research & Development Corp., Mobil's research arm.

And some believe the final decision on what's to become of leaded gasoline will be made by the public. "If the public decides not to buy Detroit's new low-powered cars or the oil companies' higher-priced, lower quality gasolines, those companies could pretty rapidly reverse course" asserts Nalco Chemical's Mr. Bott.

## THE PRESIDENT'S SMALL BUSINESS LEGISLATIVE PACKAGE

Mr. JAVITS. Mr. President, I wish to advise the Senate of my high opinion of President Nixon's proposals to strengthen Government support for small business.

As the ranking Republican on the Senate Select Committee on Small Business, no one wants more than I to improve our assistance for all small businessmen who need a helping hand. It is especially important that we help those who have not in the past had an equal opportunity to share in our economic structure—this is why I am especially pleased to see that the President included in his request legislation on behalf of minority businessmen.

I view as one of the most important of his proposals the assistance provided for training for disadvantaged entrepreneurs, such as legislation that would help underwrite extension courses, night school, and other management training courses. This is an important first step and a most constructive proposal. Many minority members are vigorous competitors and are highly qualified to become owners of their own businesses; however, we cannot achieve full economic parity unless we first utilize the educational opportunities I expect this legislation to provide.

I am most hopeful that the President's proposal will go a long way toward meeting the need of small business and small business generally. I hope, and believe, that the Senate will give these proposals every support, and I hope to join in sponsoring the implementing legislation.

## A WORD TO THE WISE

Mr. MONTOYA. Mr. President, today the air is filled with threats, counter-threats and an aura of fear. One of the violent horrors which affects more and more of our people has to do with the menace of drugs. Everyone is worried about drugs, but no one really knows quite what to do. Everyone ponders, while the evil grows. But every once in a while, something clear and practical emerges, to be offered to the young people of this country. One such piece of advice seems to be increasingly popular, and I believe will have more than a passing effect in weaning America's young people away from the desire to take a crack at drugs.

Young people in our smaller towns and cities pay close attention to their local publications. These local publications can perform great service by offering some very practical and meaningful advice to them. One newspaper in my State has done this in the area of drugs and the young. The March 9, 1970, issue of the Deming Graphic contains an "Open Letter to Kids," which I find pertinent, practical, effective, and worth more than much of the high-sounding theory that is being heaved around these days. I offer it for the enlightenment of other Members of this body, and commend the publisher, Wendell Faught, and his news editor, Harold R. Cousland, for their presentation. I am certain that more than one youngster who reads this will think at least twice before plunging into the grotesque evil that is drug experimentation.

I ask unanimous consent that the letter be printed in the RECORD.

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

OPEN LETTER TO KIDS

"The Municipal Reporters," the publication of the New Mexico Municipal League, contains a letter that should be read carefully by all Deming parents and students.

Titled an "Open Letter to Kids," the advice was prepared by The Newburgh (N.Y.) Evening News.

The following letter answers the question: "What kind of a future is there for a young person who is convicted on a drug charge?":

This is an open letter to kids, but anyone may read it. It's addressed to all kids: smart kids, stupid kids, militant kids, have-everything kids, the have-nots, weak kids, strong kids . . . and kids who hope some day to be something.

I'm talking particularly to you kids who may some day be swept up in a drug raid, and come out of it with a conviction on your record.

This can dog you the rest of your life! Whether you hate The Establishment or not, there it is. Even a relatively minor conviction, say for disorderly conduct, will ride your back; Forever.

Suppose you're picked up and police find one . . . ONE marijuana cigarette on you. You're convicted and maybe put on probation, since it's your first rap . . . no fine, no jail term.

You think, "Boy, I got off easy?" But did you . . . sucker? The picture of you and your name in the newspapers may fade, but the record never does.

You're not alone in your notoriety, your Mom and Pop are right there with you, whether they want to be or not, sharing your spotlight. But for now, let's just talk about how your escapade affects you.

Do you realize that you've cut yourself off forever from all governmental jobs? They don't want you.

Do you realize that one cigarette will keep you from getting any type of professional job where a license is required? Had you thought about becoming a beautician? A practical nurse? A registered nurse?

Forget it!

You'd thought about becoming a doctor: Studying law:

Forget it!

Ya' say you'd like to become a pharmacist? A chiropractor? A private investigator? An insurance claims adjuster? A teacher?

Forget it.

Ya' say you'd like to become a—ah, what's the use. You're not going to make it, baby, because in order to obtain a license for any of these and dozens of other professions you have to show "good moral character."

Attorney Andy Mauriello points out, "A conviction on a drug rap or anything else does not carry the connotation of good moral character, no matter how you look at it." Mr. Mauriello, assistant district attorney of Orange County, says penalties for a conviction—either misdemeanor or a felony—are endless and lifelong.

Under the banking law you can never become an officer of a banking institution.

And, if you wanted to become a specialist in securities with a seat on the stock exchange you couldn't. Why? The Conviction. You can't obtain a bond. You're not considered a good risk to handle other people's money.

You can never be able to act as a trustee, guardian or administrator in any kind of fiduciary matter . . . position of trust, that is.

Your driver's license is subject to suspension or revocation by the Motor Vehicle Bureau in drug matters.

Oh, you can probably get a job, even with a conviction. But when it comes time for a promotion, and the company has a choice between you and someone else with a clean record, whom do you think the boss will choose?

Ironically, you may hold a public office, even with a blot on your name. If you can get elected that is, after your opponent tells the voters you were on LSD or smoked grass.

There's a lot more to this business than I've room for in this space. A long list was made available by Mrs. Mauriello.

Do you know you can't even obtain a permit to raise cattle, under the Agriculture and Markets Law, if you've been convicted of a felony? They don't think too much of you, do they?

Before you get involved, you smart kids, stop to think what effect your police record will someday have on your children.

It's like you throw a pebble in a pond. The ripples you make are ever widening and eventually, they touch all shores.

## A NORTHERN SAFARI

Mr. STEVENS. Mr. President, Helen L. Atkinson is a talented freelance writer who resides in Fairbanks, Alaska. She has written two excellent articles concerning Alaska and its emerging petroleum industry. The first of these is entitled "Transport Difficulties Beset Alaska," and was published in Oilweek for March 16, 1970.

The second article, entitled "South Brooks Range Safari," is a reminder that in Alaska, man's unique relationship to nature is not taken for granted.

I ask unanimous consent that both of these excellent articles be printed in the RECORD.

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

[From Oilweek, Mar. 16, 1970]

TRANSPORT DIFFICULTIES BESET ALASKA

(By Helen L. Atkinson)

"Alaska is faced with a tremendous amount of transportation competition," said H. D. Scougal, Deputy Commissioner of Highways, to Alaskan legislators in Juneau. He was trying to jar loose $250,000 in maintenance funds for 1970 operation of the Hickel Highway. Alaska has no road systems between the Yukon River and the Arctic coast, except the Hickel Highway—a highly controversial road originated in '68–'69.

Focus of attention is on Alaska's North Slope with its 10–20 billion barrel Prudhoe Bay field.

To get oil from the North Slope to oil-hungry markets in the United States a consortium of companies formed the Trans-Alaska Pipeline System (TAPS). They plan to build an 800-mile 48-inch pipeline from Prudhoe Bay to Valdez, bisecting Alaska from north to south. If obstacles can be overcome the line should go "on stream" by 1973 with an initial throughput of 500,000 b/d. Oil will move from Valdez to west coast refineries by tanker.

To produce 500,000 b/d will require a minimum of 50 wells each producing 10,000 barrels a day. To drill 50 wells will take men, machines, and supplies. To move the oil out of the Arctic will take a pipeline. To build the pipeline will take a road. To build a road, construction camps, pumping stations, auxiliary oilfields, and hundreds of miles of pipe-trench will take thousands of tons of supplies.

Meantime, back at Prudhoe Bay, more thousands of tons will be needed to support operating oil fields, production facilities, flow stations, camps, and people living there.

Interior and northern Alaska have no year-around waterways, are sadly lacking in road networks, and of necessity transportation has been mainly by air. A pipeline through the center of the state, and refineries in Fairbanks, geographical heart of the state, should cut both fuel and transportation costs to the Interior.

Transportation costs are high because construction costs of transportation systems are high. Lack of roads, railroads, and adequate airfields have prevented Alaska from developing its own resources. Alaskans have had to import almost everything.

From Prudhoe Bay the closest city is Fairbanks, second laregst city in the state, and only major city not on the coast. Fairbanks is connected by paved highway and a railroad to Anchorage and Seward. It is connected by two different gravel roads to the Yukon River. The Alaska Highway connecting to Canada and Seattle ends in Fairbanks.

Fairbanks is 380 air miles and 600 (winter) road miles south of Prudhoe. By road, Fairbanks is 340 miles north of Valdez, 440 miles north of Anchorage, 565 miles from Seward, 600 miles from Kenai, and 660 miles northwest of Haines—all coastal port towns.

The distance from Kenai to Fairbanks by paved highway is the same as the distance from Prudhoe to Fairbanks by winter road. It costs an average of $40 a ton to haul oilfield cargo by truck to Kenai to Fairbanks. With a permanent road to the North Slope, truck haul rates could be comparable, at least competitive, with other methods of transportation.

This year the State of Alaska opened a 175-mile section of winter road between Livengood and Bettles on Jan. 15. Private contractors opened the 350-mile stretch from Bettles to Prudhoe. The Legislature last spring appropriated $433,000 to open the road in 1970 but no maintenance funds to keep it open.

Due to politics, a late start, and an unusually severe winter in '68–'69 the Hickel Highway cost $476,568.52 to build. It extended from Livengood to Sagwon, a distance of 538 miles. Maintenance cost $289,723.23, approximately $500 a mile. Construction costs averaged less than $1,000 a mile.

Burgess-Houston is completing a 53-mile segment of gravel road between Livengood and the Yukon River as a pipeline-access road. This road meets the Yukon 20 miles west of Steven's Village, the Hickel Highway crossing. (Beyond Bettles the Hickel Highway follows the John River north through Anaktuvuk Pass before turning east along the northern foothills of the Boorks Range to Sagwon). TAPS pipeline-access road bends east from Bettles and follows the Jim River to Wiseman, then through Dietrich Pass to the headwaters of the Sagavanirktok (Sag) River. Pipeline grades can exceed eight percent, the maximum desirable road grade.

The Hickel Highway and TAPS' road do not parallel each other beyond Bettles. TAPS agreed to "give" its access road to the state when the pipeline is completed. TAPS needs the use of the road to haul hundreds of miles of pipe, trenching, blasting, and construction materials, plus supplies for men based at "spreads" through 426 miles of Brooks Range country north of the Yukon.

Letters of intent, rather than contracts, have been issued to five contractors for construction of the TAPS road. Permission was secured by TAPS from the Department of Interior to "mobilize" camps and equipment, pending a final okay for the road and pipeline right-of-way. Special land use permits (SLUPS) were granted by the Bureau of Land Management for camp stockpile areas.

More than 14 million gallons of fuel, 800,000 pounds of explosives, hundreds of pieces of heavy equipment, and a dozen camp-compounds, have arrived in, or passed through Fairbanks in the last two months. One contractor has made more than 300 trips over the winter road to Bettles already. Last year the Yukon River ice-bridge was unusable after April 19.

Bettles is on the south side of the Brooks Range, a formidable barrier more than 100 miles wide, with peaks towering to 8,000 feet in the Dietrich Pass area. Galbraith Lake is on the north side of the mountains near the headwaters of the Sag River. Prudhoe Bay is more than 100 miles from Galbraith Lake. TAPS' pipeline-access road through the Brooks Range may take more than one year to build.

Pipe for 150 miles of pipeline will be barged to Prudhoe Bay this summer. An oil company spokesman estimated that some 257,000 tons would be barged to Prudhoe in 1970 and about 55,000 tons airlifted.

At Prudhoe Atlantic-Richfield is completing a $10 million complex. It will contain living quarters for more than 400 men, with expansion plans for that many more. ARCO's complex is essentially a private city with its own sewer system, gas generator plant, warehouses, garages, offices, laboratories, communications centre, library, theater, laundry, medical facilities, dining and sleeping accommodations.

A new hangar and control tower at the Prudhoe airport are nearly completed. ARCO has completed a diesel topping plant, a gas dehydration plant and is starting construction of a gas refrigeration plant. ARCO let a contract to Delta Engineering for a $20-million flow system. BP Alaska Inc. let a contract to Brown and Root for a separation and flow system estimated at $100 million. Again—materials, men, and supplies must be transported to Prudhoe to accomplish this.

To drill exploratory wells in 1969 oil companies had to build their own airfields, roads, and docks on the Slope. Construction costs, according to an oil company engineer, ranged from $1.70 a square foot and up, for five feet of compacted gravel fill over tundra. Gravel is plentiful in river beds and was purchased from the state.

More than 50 miles of permanent gravel roads connecting drill and camp sites have been built by ARCO and BP in the Arctic since 1968. Road beds are ordinarily built up a minimum of five feet, to keep an insulation blanket between vehicle heat and permafrost, and to elevate the roads to help keep them blown free of snow.

Twelve private airfields were constructed on the North Slope by oil companies in 1969, according to the Federal Aviation Administration (FAA). Seven strips could handle F–27 or larger aircraft. At the peak of the season 47 ice strips were in use. They were made by "dozing" snow off a frozen lake and installing runway lights along both edges. Cost of one ice stripe was $125,000. Cost of one 150 by 5,000-foot gravelled runway was $1,250,000.

During the summer, movement on the Slope was confined to helicopter lifts or light planes using short strips, where no roads existed. Hovercraft tried to move small loads on an experimental basis but proved unsatisfactory. Drill rigs were moved by Sky-cranes for $3,000 an hour. Maximum lift was 10 tons, it took an average of 20 lifts to move a drill rig.

Year-around roads built to secondary standards, such as the 53-mile TAPS section from Livengood to the Yukon, have been costing the state Department of Highways from $85,000 to $460,000 a mile to build in interior Alaska. In southeastern Alaska roads can cast as much as a million dollars a mile.

"Secondary standards" means a good gravelled road at least 22 feet wide. Cost of construction depend on variable factors like whether borrow pits are close or far away, length of haul, if weather is wet or dry, moderate or freezing, and the terrain to be crossed—tundra, swamp, permafrost, forest, bare ridges, pure rock, wide braided rivers, deep swift water, or flat open country.

Primary roads are paved roads. They are built to federal specifications. By the mile paving costs less than basic construction. In interior Alaska road paving has cost from $50,000 to $140,000 a mile.

"Asphalt topping should be available for $40 a ton rather than $100 a ton when we complete our Fairbanks Refinery," said Dan Krausse, president of Energy Company of Alaska. "Crude oil from the Prudhoe-Valdez pipeline will be used to make jet fuel, diesel and heating oils, gasoline, asphalt, and numerous byproducts. This should lower fuel costs in the Fairbanks area by about 20 percent."

Petroleum products cost approximately six cents a gallon to haul by train from Anchorage to bulk plants in Fairbanks. To rehandle the fuel—from the bulk plant eight miles away to the airport—costs another three cents a gallon. Over the highway from Valdez to Fairbanks it costs about eight cents a gallon to haul fuel; by truck from Anchorage slightly more.

Fairbanks business and civic leaders are trying to convince federal and state officials

of the need for a railroad spur to the airport to cut fuel handling time and costs. In January of 1969 there were as many jet landings in one month as there had been for all of 1968; traffic increased 406% in '69.

More than 100,000 tons of air cargo funneled through Fairbanks enroute to Prudhoe on scheduled and non-scheduled carriers last year. Some freight originated in Calgary and Edmonton, some in Anchorage and Kenai, but most came from Seattle, or through Seattle from other parts of the United States.

Seattle barge companies towed 100,000 tons of dry cargo and petroleum products into the Beaufort Sea for oilfield use in 1969; another 26,000 tons arrived on Canadian barges via the Mackenzie River. Less than 8,000 tons were delivered over land to the Slope due to lack of an all-weather road system. Total tonnage moved to Alaska's Arctic by all methods in 1969 was in excess of 300,000 tons according to an FAA report.

Canadian barge rates by Northern Transportation Company were $88 a ton in 1969 and remain the same for 1970. This includes loading at Hay River but no off-loading in Alaska. Bering Sea barge rates averaged $125 a ton in 1969 are reported higher for 1970; they include beach delivery.

Revised estimates by other than barge companies placed actual sea lift cost at closer to $160 a ton when insurance demurrage, inventory charges, and long shorting was added in.

From Texas through Seattle by truck to Fairbanks drill bits and oilfield equipment runs around $300 a ton; from Calgary and Edmonton to Fairbanks by truck from $130–$140 a ton. Discovery of a major new Canadian oilfield less than 400 miles east of Prudhoe, and drilling at the mouth of the Mackenzie, 250 miles east of Prudhoe, bring the Alaskan and Canadian Arctic closer together. Cheap transportation to the North Slope via Canada is very real competition.

Seattle, economically depressed because Boeing Aircraft Co. laid off 13,000 employees in 1969 and is scheduling an 18,000 lay-off in 1970, is plugging for direct Boeing 747 cargo flights from Seattle to Prudhoe Bay.

The State of Alaska and a private company each plan to lengthen, improve, and pave airstrips on the North Slope. If this happens—Deadhorse and Service City runways could handle 747s.

Last year air freight rates were quoted at $140 to $175 a ton. Except for one drilling company that "wet-leased" a Herc with three crews on tap to fly as many as six round trips a day, costs were closer to $175 a ton. Rates actually varied from $2,000 to $4,000 a trip depending on type of cargo, loading and unloading time, backhaul charges, crews available and other factors.

This year one airline quoted a tariff of $150 a ton; another line flies mud and cement for $190–$260 a ton; dairy products and perishables for $10 a hundredweight. A different airline charges $4.50 a mile in each direction whether empty or full; still another charges from 50–85 cents a gallon to deliver fuel, depending on the type of plane used and volume delivered. Airline operators said that fuel, explosives, and equipment for the TAPS' road construction would have to be flown in to the Brooks Range because there are no roads.

"For each ton of petroleum products required it takes four tons of general cargo—food, mobile equipment, and trailers," an airline president said. Alaska Airlines and Interior Airways won contracts in February for hauling some of the 14.5 million gallons of fuel to TAPS camps. PEDCO was awarded the fuel distribution contract; it is primarily diesel fuel, which will be supplied from Tesoro's Kenai refinery.

Fourteen million gallons of fuel weighs approximately 50,000 tons. Another 200,000 tons of general supplies will also be needed to build the TAPS' road. Part of this tonnage is now moving north over the Hickel Highway to Bettles and on to the SLUP areas. Contractors hope to move more than 1,000 truck loads over the winter road before the Yukon River ice-bridge melts out in mid-April.

Last year 7,464 tons were hauled over the 538-mile winter (tote) road from Livengood to Sagwon in 482 trips by 20 different carriers. Most truckers operated under the Alaska Carriers Assn. tariff charging a set sum for a 125-hour trip, plus $16 an hour straight time for all 24-hour days beyond the 125 hour maximum. It took an average of two weeks to make the trip; road speed was about five miles an hour; each truck burned an average of 1,000 gallons of fuel a trip.

On a good gravelled road, well maintained and with some service facilities along the way, some truckers felt they might be able to reduce rates to as low as $60 a ton.

One oil company executive said freighting by highway and air to the North Slope looked better all the time. He refuted the claim that water transportation is cheaper than any other method when he remarked, "I don't really like to write one check for a whole year's amount of freight. It really ties your money up. You write one check for the tugs and barges; you write one for preparing the staging area on the beach—then you've got a warehousing problem! The weather is terrible in the Arctic. You have got to get supplies out of snowdrifts in the dark and cold if you don't have warehousing, then you've got to load them on trucks to haul them where you want them. It's no saving."

Although barging to the Arctic is risky, it has been accomplished successfully for many years. Only once did the polar ice pack prevent cargo delivery. Sea lifts do have to be planned months ahead and delivery is made annually during a six weeks' period. Last August a barge flotilla was held south of Icy Cape for more than a month awaiting favorable weather.

South of Icy Cape and north of Nome is Kotzebue, sheltered by Kotzebue Sound. It is in the Sealwik sedimentary basin and on the Chukchi Sea, exploration hot spot. Three airlines have reportedly purchased land at Kotzebue in anticipation of the need for a reliable competitive method of delivering supplies—to the northwestern Arctic, or from Kotezbue to the North Slope. Another barge company recently leased surplus military land and buildings at Icy Cape for a tanker base.

Development of a country depends on logistics—transporting crews, camps, fuel, vehicles, machinery, supplies, equipment to where it is needed when it is needed. The most economical method of transportation, whether it is by pipeline, rail, road, air, barge, or a combination of them, is the key that will unlock the door to the Arctic's treasure house.

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SOUTH BROOKS RANGE SAFARI

(By Helen L. Atkinson)

FAIRBANKS, ALASKA.—Convoy ho! We were off to Koyukuk country, north over the much-demeaned "winter road" from Fairbanks to the North Slope oilfields. The 4:30 a.m. sky was black. Green-Associated was moving out with its seventh convoy of heavy equipment destined for campsites at Prospect Creek, Coldfoot, and Snowden.

At 3:00 a.m. we had met in the only restaurant open downtown, ate breakfast, then stopped by Sally's Catering to pick up box lunches, and by 4:00 a.m. had gathered at Green's staging area near the Fairbanks International Airport.

It took awhile to round up all the horses under the hoods of powerful Caterpillar scrapers, graders, and trucks to get the "wagon train" ready to roll.

"You will be the first woman to ever go over the road up the Jim River to the headwaters of the Dietrich River," said Jack Jiles, superintendent for Green, who was doubling as wagon master and fearless leader of the convoy.

We led off in a four-wheel drive Ford pickup, one of 120 new pickups ordered for use on the 133-mile section of pipeline access road Green was to build for Trans Alaska Pipeline System (TAPS) south of the Brooks Range. Our truck carried a rotating flashing beacon on top of the cab and a sign "Wide Load" wired across its front. Following were 14-foot wide scrapers, huge twin-engined 657s, and several graders, the "lube" truck and mechanic's truck.

Making up the convoy were "old hands" at pioneering, men who had been over rough terrain before. Car radios were turned on to check assembly progress. Finally every piece of equipment that was going fell into line. The mechanic brought up the rear. While most of Fairbanks still slept the convoy wound its way slowly down Airport Road to University Avenue, then to Farmers' Loop, off on the McGrath Road to the Steese Highway, on to Fox and the Hickel Highway turn-off.

Here Jiles stopped at the Alaska Transportation Commission's checking station to leave the equipment list. Ahead, at the fresh water spring, our first casualty occurred. A fuel line broke on one of the big scrapers. Another 657, piloted by an operator unused to synchronizing twin engines, was blatting its warning horn persistently. Our wagon master explained to him how to "rev" the engines to synchronize them. The horn stopped blowing, but was to plague us, and the driver, intermittently during the whole trip.

We had to abandon the sick scraper; the mechanic went back to Fairbanks to get parts, and to accompany a scraper which had been delayed in the yard with hydraulic problems. Before he departed the mechanic brought five extra lunches to the lead car; they were freezing in the back of the scraper. Every scraper was loaded to the brim with extra tires, chains, blocking, and spare parts. These monsters were all new 1970 models. Their ten-foot diameter wheels dwarfed a man; their carrying capacity varied from 32 to 44 cubic yards. The 657s had 500 HP motors in front and 400 HP motors in the rear—a lot of machine—burning a lot of fuel.

About 1:00 p.m. the contingent refuelled just past Livengood on a straight stretch near an old mining dam. Our lube truck carried 800 gallons of diesel for the big machines, and gasoline for the pickups and trucks. A spare tanker of fuel was parked at Livengood. When convoy tanks were full, the lube truck returned to Livengood to meet the balance of the convoy, and to refill his supply tanks.

Somehow this all seemed like a page out of a 20th century "covered wagon" story.

We headed up Hess Creek. Traffic bound north along with us were trucks belonging to Weaver Brothers carrying house trailers; Consolidated Freightways hauling explosives; Usibelli Coal Co. carrying tractors and dozers; N.C. Co. hauling caterpillar parts; Sourdough Express, Bayless & Roberts, and Pioneer Alaska Express hauling miscellaneous construction supplies for Rivers, Wagley, and Mullen construction companies.

Drums of fuel were "cached" along the road. Stranded semi-trailers loaded with cargo were pulled off the road along the way. It reminded me of the Fairbanks-Valdez trail in the early 1940s. Before it became the paved Richardson Highway it used to be a single-lane dirt road with grass growing in the middle, drums of fuel cached alongside, and traveled by truckers who helped each other out of tight spots.

On the other side of Hess Hill the 50 miles between Livengood and the Yukon River is flat and full of scraggly spruce trees. Hess is

steep, but was not the challenge I'd expected. It was a challenge for Sourdough Express though. A few days before Gene Rogge's new quarter million dollar 150-ton Kenworth couldn't pull its heavily loaded rear trailer up Hess. The trailer was disconnected. Gene was winching it up the hill when the winch cogs gave way, caroming the trailer back down the hill with a brand new 988 loader on it. No one was hurt, but the injured trailer and loader with its smashed cab remain off the road for all to ponder.

Truck after truck passed south as we moved north. Each carried another truck "piggy back". This saved fuel, tires, and wear and tear on one truck. The extra weight gave a better ride and an extra driver is always of help.

Weaver Bros. trucks, and carriers labeled "Leased to Weaver Bros." were most numerous on the road. Weaver has ferried more than 500 loads north for Green-Associated, a combine of Green Construction Company and Associated Pipeline Contractors Inc. With more than 1,000 loads to deliver at the three Green camps, Weaver started hauling January 15, the minute the state declared the Yukon River ice-bridge safe and the Hickel Highway open.

We reached the Yukon about 4:00 p.m. A barrel holding a wooden sign "Ice may be unsafe cross at your own risk" did not identify the crossing. While waiting for the rest of the convoy to catch up, I tried to letter "Yukon River" on the board with my eyebrow pencil. It was too faint. A little axle grease mixed in helped some. The ice-bridge itself was covered with snow and looked much like any other frozen river. Vertical willow sticks marked its line, just in case the wind decided to blow and obliterate the trial.

We saw no wild game, but the vast openness of the Yukon Valley brought to memory early days in Fairbanks. Until so many people came to shoot them, caribou roamed on Cleary Summit and near Harding Lake. The Fairbanks Exploration Company's noisy gold dredges, five-foot diameter siphons, big hydraulic pipeline and 70-mile long Davidson ditch were no deterrent. Caribou and moose traveled in the valley jumping pipelines and ditches with the greatest of ease. The five-foot fence at Alaskaland could not contain the caribous on exhibit there in 1967.

Downriver from the Hickel Highway ice-bridge is Stevens Village. No trail or road connects the five mile distance so it was not possible to visit the village. John Greenway, famous dog musher from Tanana, who was piloting one of the big pieces of machinery, said he thought about 15 or 20 people lived there now. John used to trap along the Yukon, but said he had been living and working in Fairbanks for some time and hadn't been to Stevens Village for several years.

Our drivers checked fuel supplies, compared notes, and munched on turkey, beef, and ham sandwiches until the convoy was ready to roll again. We had too many lunches and we knew somebody didn't have any. But who? There are no restaurants, or service stations, of any kind in the whole 250 miles between Fairbanks and Bettles.

Somewhere along the line we lost the lube truck, that was probably lagging along with the last two scrapers. Our wagon master tried in vain to make radio contact with the lube truck and the mechanic's truck. Communications were a real problem most of the way.

At the risk of running short of fuel before we reached our first destination, Jim River, we once doubled back for miles to look for the lube truck. He had stopped to repair a broken hose; then we lost radio contact. We feared he might have slipped over the edge, but found no tire marks. After 15 miles we assumed he was okay and would be picked up by the mechanic's truck, so turned north again.

Until we started up Dall Summit the terrain remained flat and full of black spruce. We clipped along in the lead at 40 miles an hour, with one of the big scrapers crowding us behind. Top speed of the No. 14 and No. 16 motor graders was 25 miles an hour. The 16-blade usually went ahead after each rest stop. Mixed frozen dirt and snow made a fine smooth-as-pavement surface across the Yukon Valley.

The only really bad hill we approached was Glacier Hill. It had curves leaning in the wrong direction, many glaciered sections and no "hot pots". It was narrow and winding and steep. Our big grader stopped to widen and smooth several hundred feet or so near the bottom of the hill so trucks having trouble would be able to make it up the incline with their heavy loads.

Hot pots are unique Alaskan devices dreamed up by the State Department of Highways—to keep glaciers melted in front of culverts. This keeps the water running through the culverts instead of over the top of the road and freezing into bumps. The hot pots consist of two fuel drums—one full and one cut and partly full. Fuel is piped from one to the other to keep a slow steady flame burning. The heat maintains a melt condition. State personnel check the drums daily to keep the eternal flame going and the water running.

Last year the state had no permanent camps along the "winter road" so could not maintain hot pots. It was truly an "Ice-Hickel" Highway. This year the state has base camps at Dall Summit and Fish Creek. There is a good airstrip at Dall Summit. Maintenance on the road is better this year, but the truckers emphatically say "I wish Governor Miller would hurry up and sign the maintenance bill before it is too late" and "I sure hope the Legislature will appropriate money for next year's road NOW and not wait until next spring to do it!"

The shadows were falling as we passed Dall Summit. Somewhere between Dall and Glacier Hill we stopped at a low spot where clouds of steam were frothing over a timber-bridged stream. I scooped up an empty fruit-juice can of the sulfide-smelling stuff to see how hot it was. It was only lukewarm. Someday an enterprising soul might decide this is a great place for a bath house for truckers.

The wind kicked up in Kanuti Flats, scudding snow down the road in North Slope style. Attesting to its sometimes-strength was an overturned 38-foot camp trailer laying on its side. This one had blown off a semi-trailer on another trip. It had been destined for one of Green's base camps. On the edge of Kanuti Flats was a tiny tent and row upon row of stakes in a test plot. The fellows said "the conservationists have planted a garden here," but the stakes really marked thermocouples—wires and instruments set to measure ground temperatures at different depths.

Between Fish Creek and Dall Summit was Glacier Hill. Our big grader's heater went out earlier in the day and the driver's lunch was fresh frozen, but a fuse blew on the light system just as we topped the hill and darkness surround us at 7:00 p.m. The wagon train halted until repairs were made. We tried repeatedly to contact the rest of our convoy by radio, no luck. Only five mobile units waited together on top of Glacier Hill. The rest of our convoy was strung out we knew not where. "We don't even have enough to form a circle," our leader quipped, referring to possible native uprisings over land claims. On a trip like this we had time to deliberate these questions.

Natives from Stevens Village, Bettles, Allakaket, Rampart, and Minto gave permission for the pipeline and road right-of-ways to cross their lands. They later revoked permission, claiming TAPS had not given them promised jobs. Nativie groups, through the Alaska Legal Services, stated that they did not wish to prevent construction of the 48-inch pipeline from Prudhoe to Valdez, but they do wish to delay it until they have assurance that the ecology won't change and they can still "live off the land."

Oddly enough, a strip of land 100 feet wide and 800 miles long occupies only 15 square miles of space. Figure it out. TAPS has asked for a 100 foot right-of-way for the pipeline and another 100 foot right-of-way for an access road. That amounts to a total of 30 square miles out of Alaska's 586,400 square miles of land, or less than a quarter of one percent. Alaska has another 550,000 square miles of continental shelf. Primary roads lacing the "lower-48" states require a 200 foot right-of-way.

Numerous delays have prevented full assurance that the pipeline access road can be built this summer. If it isn't, many trucks and drivers, pilots and planes, service and supply people in Alaska, including natives, will be unemployed. Individuals and companies who have invested in equipment will still have to pay for the equipment, even though it is marooned north of the Yukon.

As a 40-year resident of Alaska, with an engineering education and background, and as an outdoor person who used to like to hunt and fish but now prefers to photograph wild game—I feel very protective toward Alaska's natural resources, but do realize that none of us can survive here without jobs.

This is the crux of the matter. I have talked recently to native friends about native land claims. One old Eskimo said, "All we want is a chance to work and earn money like everybody else." He did say he thought some of the younger natives were asking too much, but felt they were influenced by white lawyers.

I continued to ponder all of these problems as we traveled past Fish Creek to the turn-off on Jim River, about 20 miles south of Bettles. This was the beginning of the Brooks Range, the unknown and most beautiful part of the land. It was too dark to see it. We were to stay at Green's temporary camp near the Four Corners. One road leads to the Jim River camp, another branches to Prospect Creek, the third to Snowden, and the fourth goes to Bettles.

Green-Associated has three segments of road to build as soon as the final okay on right-of-ways is obtained. Letters of intent, rather than contracts, were issued to five contractors for construction of 426 miles of road from Prudhoe Bay to the Yukon River. Green will build the 133-mile mid-section. The Department of Interior gave TAPS permission to authorize "mobilization" of camps and equipment for the road job. The Bureau of Land Management issued special land use permits to allow camp staging areas to be set up. Prospect Creek will be Green's first permanent camp.

Prospect Creek is several miles from the Jim River camp-on-wheels, which is 101 miles north of the Yukon and inside the Arctic Circle. It will contain facilities for 300 men, and include a camp for TAPS personnel. Coldfoot, 51 miles beyond Prospect, will house 100 men; the last camp at Snowden, 36 miles past Coldfoot, will be home for 200 men, including TAPS people. Snowden Creek flows into the Dietrich River and is in the very heart of the Brooks Range.

It takes a lot of people and a lot of equipment to establish and maintain a camp. It takes a lot of equipment to build a road through the Brooks Range.

"Without a road or trail of some kind there would be no way to get equipment here," Jiles remarked, "The scrapers are 14 feet wide and wouldn't fit inside a nine foot wide Hercules airplane."

For Green-Associated more than 200 personnel housing trailers, 50 dozers, 30 big scrapers, dozens of compressors, generators, air drills, blades, rippers, and rollers; and

hundreds of truckloads of food, parts, and supplies have already crossed the Yukon. Green moved more than 1,000 loads across the U.S. and Canada by rail to ports at Seattle and Prince Rupert, and then by rail car ferry through Alaska to Anchorage for rail shipment to Fairbanks. From Fairbanks cargo moved north over the Hickel Highway to the Jim River, then up the Jim River on the old Wiseman trail toward Dietrich Pass.

The Alaska Transportation Commission reported that 976 loads, approximately 19,500 tons, passed over the Hickel Highway between February 17 and March 14. No record was kept of traffic using the road between January 15 and February 17. Cut-off date for freighting over the "winter road" is March 31.

Improvements to the state's Hickel Highway would extend the driving season. The state collects from two to eight cents a gallon for every gallon of diesel and gasoline consumed. A lot of fuel was consumed to haul an estimated 1,800 loads. Next year the pipe has to be hauled.

The TAPS pipeline access road was to be completed by December 1, 1970. It will be 28-feet wide, with a screened gravel surface, and built to state secondary standard specifications. After the pipeline has been laid, the road will revert to the state for public use.

Unfortunately, new conservationists, people unfamiliar with Alaska, and those concerned about disrupting the ecology are unaware of the fact that it is better to haul gravel in the winter time when the ground is frozen, and that now is the time to begin road construction.

Not only is it more difficult to cross wild terrain in the summertime, but it costs more to build roads in new country then. In the winter time the rivers are frozen, no birds are nesting, no fish are spawning, bears and squirrels are hibernating. Working conditions aren't comfortable, but man can adapt to them.

At this point I wasn't too sure I could adapt. Just 18 hours after leaving the Airport in Fairbanks we pulled in to the Jim River camp. We "ran the gauntlet" through hundreds of parked trucks, scrapers, dozer, trailers, and vans. It was overwhelming.

"If you'll lend me one of your pickups I'll just run over to Bettles and stay at the Lodge," I offered.

The wagon master assured me that although the camp had no plumbing, there were plenty of vacant trailer bunks, the men had been warned that I was arriving, Jim River camp had the best cook in the country, and if I went to Bettles I would have to share a room with at least three men. I stayed at Jim River. Everyone was friendly and courteous and seemed glad to see a woman. The bull-cook apologized because the clean sheets hadn't come back from the laundry.

After coffee and conversation I turned in and slept like a log. I awakened at 4:30 a.m. and peeked out the window to check on camp activity. (I couldn't see sharing an outhouse with 76 men). The coast was clear so I dressed and made a quick trip to the woods, washed 'n snow, and waited for the breakfast call.

The last man to the breakfast table was our mechanic; he'd rolled in about 4:00 a.m.; breakfast was at 6:00 a.m. He was the one who missed lunch all the day before.

"I was too busy to eat anyway."

He made up for it when the fried potatoes, bacon, eggs, sausages, rolls, and stacks of hotcakes were served.

Elmo Braggs, the cook and baker, looked very tired. He said he was set up to cook for 20–25 men but had been serving 60–80. I asked him how he could plan and cook for so many unexpected guests.

"I can't, I just cook all I can."

While we talked a plane landed on the airstrip-road and five of our drivers hurried out to pile in and fly back to Fairbanks.

Men and machines were moving in all directions. Another plane took off for Fairbanks. A helicopter landed to pick up some Michael Baker surveyors. Trucks were coming in, pulling out, fuelling up, piggy-backing; equipment was being parked, trailers placed, and questions asked about where to put this and that.

Bill Powell, assistant supervisor for Green-Associated, was trying to answer everybody before he caught a plane to Fairbanks. Also at Jim River were Verl Norris, who will be in charge of the Prospect camp; Wayne Hunt, who will be in charge of Snowden camp; and Jack Jiles, our wagon master, who will be in charge of Coldfoot camp. I was taking pictures of the activity and enjoying the beautiful blue-sky morning, 30-degree temperature, and magnificent view of the mountains.

Soon our graders and mechanic's truck were ready to roll. We headed for Coldfoot and Snowden down the old Wiseman trail, again driving through miles of parked equipment. We passed an icy-blue lake, spied two timber wolves and some wolf hunters, and had to stop when a helicopter landed in the road. A man with a transit jumped out and started to shoot the center line for the TAPS road, which closely paralleled the Wiseman trail at that point.

Every mile brought views that begged to be photographed, but we had to hurry our equipment to Snowden because a plane was to pick us up there at noon to return us to Fairbanks. Coldfoot was 51 miles from Prospect; Wiseman 24 miles from Coldfoot; and Snowden 12 miles past Wiseman.

We drove by tailing piles, good gravel, and an airstrip at Goldmine, near Coldfoot. The second Green camp bears the name of an old mining town across the Koyukuk River and several miles away from it. We unloaded the big tank we were carrying in the pickup at Coldfoot and hurried on.

At Wiseman we stopped to speak to Harry Leonard, an old sourdough who was out in his shirt sleeves brushing snow off his river boat. He told us a story about an old cemetery, that the mail plane comes in twice a month, that the total population of Wiseman is six, and that he had been in the country "too long."

The mountains were getting taller and marked the land with beauty. Separating the middle fork of the Koyukuk River from the Dietrich River is Mt. Sukakpak. It appears to be of pure rock, is sharp and craggy, and veers skyward 4,000 feet. Up the Dietrich near Snowden Creek, and backdropping Green's third camp, making Mt. Sukakpak look small, is another massive rock intrusion—Mt. Snowden. It looks so mysterious and inviting that one of the men remarked wistfully "I wish I had all of the minerals that are in that mountain melted down. I bet I'd have so much money I couldn't spend it, or even give it away, fast enough to use it all up."

We reached our final destintaion, Snowden. We gathered up our belongings, the "Wide Load" sign, flashing beacon, mechanic's tool box, and were waiting for the plane to pick us up, right on time. But the plane didn't come at noon. We wandered around and drank endless cups of coffee until 5:00 p.m. Without communications it was difficult to tell what had happened.

Some teamsters drove in ferrying five pickups. They said a plane was waiting for us on the Wiseman airstrip, because the Snowden strip was too short. We jumped into a crew-cab and barreled down the canyon to reach the little Cessna 206 as the sun was sinking.

Once in the air and looking down at all those towering peaks, they seemed bigger and sharper than when we viewed them from the ground. Since it was getting dark we decided to land at Bettles and try for a multi-engined plane for the trip into Fairbanks.

Bettles was a madhouse. It consists of an airstrip, an F.A.A. station, a two-story log roadhouse, a new "bar" building, and clusters of S.S. Mullen trailers. Somewhere out of sight is the small native village of Bettles—population guesstimated at less than 100. The only telephone (microwave) in the Yukon Valley is in Bettles Lodge. Entry into the lodge is directly into the dining room-lobby, which seats about two dozen. It was jam-packed with people—standing in corners, on the stairs, and everywhere there was an inch to spare.

Harley McGibbons, who leased the lodge last year, built the bar, and has the franchise for fuel sales in the area, said "Do you want to eat dinner?" He has a staff of six to take care of all operations and had served 97 for dinner already. The posted menu prices looked reasonable, only $7 for steak.

The bar closes early so men can spread sleeping bags on the floor, every chair and sofa is filled, and a shed out back has been converted into a bedroom. Ten Bureau of Land Management men had just arrived, 27 TAPS people were guests, and Rivers and Wagley construction men, a few Air Force men, and miscellaneous people taxed facilities. The fellows in the convoy weren't kidding when they said I'd have to share a room if I stayed at Bettles. There are as many as 10 to a room.

"I can't leave them outside to sleep in the cold," McGibbons apologized.

Since it was SRO at the Lodge, I meandered over to the bar. It was almost as crowded, but I ran across several friends and caught up on the news. South of Bettles the road was in great shape, but north of Bettles was a different story. Toward Anaktuvuk Pass, in a canyon 20 miles south, winds whipped up a storm that trapped a convoy of some 100 trucks for three days. Rivers, Mullen, and Wagley all sent convoys from Bettles on March 5. They were destined for Galbraith Lake, 350 miles distant, but got delayed by snowdrifts piled 20 feet high.

John Clark, veteran of the Arctic, opened the road for Mullen and part of the convoy got through Anaktuvuk Pass. The following day the wind tempo increased from 100 miles an hour to 150 miles an hour and the drifts got deeper. Bill Wright went out with a "cat" train to plow the road for Wagley Construction.

"We burned 134 gallons of fuel and never made five miles the drifts were so bad," Wright explained.

Fearful of running out of fuel, two cats were shut down, and all three drivers huddled inside the cab of one machine trying to keep warm while they waited 24-hours for the wind to die down. They ate Spam and crackers. Eleven of Pioneer Alaska's big Kenworths got stuck only two miles from River's construction camp and never knew they were so close. Visibility was zero zero. It was March 9 before the road was clear and traffic flowing again.

Green's camps are all south of the Brooks Range. Convoys to the Jim River camp averaged 16–20 hours running time. The three contractors (Rivers, Wagley, and Mullen) who have to haul to sites north of the Brooks Range feel lucky if they make Bettles in 20 hours.

The fifth contractor, Burgess-Houston, got one segment of road beginning at Prudhoe Bay where he already has a camp and equipment, and the other segment on the Yukon River end, where he also has a camp and equipment.

"Plane is here," announced our fearless leaders, so we had to leave the exciting wild-west atmosphere of Bettles.

We departed for Fairbanks about 9:00 p.m. and flew back over the Hickel Highway in our single-engine plane. Down below us truck lights were bright and shining in strung-out

convoys. It was hard to imagine that just last night we were down there feeling kind of lost in the wilderness when there was so much traffic.

I would like to make another trip—only this time fly to Bettles first and then ride north through Anaktuvuk Pass to Sagwon.

## VETERANS' ADMINISTRATION HOSPITALS

Mr. CRANSTON. Mr. President, the New York Times of April 3, 1970, contains a well-written, generally accurate picture of medical care for our disabled Vietnam veterans. The article is largely based on excerpts from testimony received over the 6 days of oversight hearings by the Veterans Affairs Subcommittee, of which I am privileged to be the chairman, on "Medical Care for Veterans Wounded in Vietnam" conducted in November, December, and January.

I ask unanimous consent that the full text of the article "Crippled Veterans Find Hospitals Crowded and Attitudes at Home Ambiguous," written by Sandra Blakeslee, be printed in the RECORD.

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

[From the New York Times, Apr. 3, 1970]

CRIPPLED VETERANS FIND HOSPITALS CROWDED AND ATTITUDES AT HOME AMBIGUOUS

(By Sandra Blakeslee)

"The only time the American people ever see a Vietnam casualty is when he's got blood running out of him on the Cronkite program. After that he's forgotten."

The man who said that speaks from personal experience. His name is Max Cleland and he had both his legs and his right arm blown off near the Sanh, South Vietnam, 23 months ago.

At that time, a long and arduous journey began for Captain Cleland. From a field emergency station in Vietnam he was taken to a hospital in Japan, then to a military hospital in the United States, where he received formal discharge from the Army, then on to a Veterans Administration hospital and, finally, home.

More than 13,000 other Vietnam veterans, whose wounds have been severe enough to merit a military discharge, have made that same journey—some disabled for life, many in pain and perhaps most in varying stages of depression and confusion.

Not all of their troubles stem from their wounds, however. There are some things about the war in Vietnam, many experts on veterans' affairs say, that make these wounded men different from American soldiers smashed up in previous wars, that make readjustment to civilian life more difficult.

They show up on three fronts—on the battlefield, during the wounded man's stay in a military and veterans' hospital, and back home as he strives to live with his disability.

Going home often means encountering ambiguous or hostile attitudes toward the war in parlor discussions about its "worth" or "morality" attitudes to which the injured veteran is acutely sensitive.

In a veterans' hospital, according to most experts, the young men will still get good clinical care but will find facilities seriously understaffed, underfunded and overcrowded—conditions that President Nixon moved to alleviate yesterday by approving a $6.5-million increase in the V.A.'s budget.

On the battlefield, the chances are good that the young man will have been one of the increasing number of soldiers who are experiencing and surviving more severe, permanently disabling wounds than ever before. In Vietnam, 81 per cent of those hit are surviving their wounds compared to 74 per cent in Korea and 71 per cent in World War II.

THE 12.4 PERCENT FULLY DISABLED

The Veterans Administration classifies disabilities on a percentage scale. Only 4.4 per cent of World War II wounded were 100 per cent disabled (for conditions such as multiple amputation, paraplegia or blindness.) In Korea the figure was 6.7 per cent. In Vietnam 12.4 per cent of the wounded thus far have received 100 per cent disability ratings.

The wounds suffered in this war are more devastating for two reasons. Combat is close up, guerrilla-fashion. Also, the enemy weapons are more prone to maim a man than not, weapons such as the high-powered AK–47 rifle, rockets, mortars, claymore mines, booby traps and punji stakes.

At the same time, more lives are being saved because of greatly improved medical evacuation techniques, starring the helicopter. During World War II it took an average of 10.5 hours for a man to reach medical attention. In vietnam it takes an average of 2.8 hours and can take as little time as 20 minutes. All of this means that the wounded entering American military and V.A. hospitals are more battered than in previous wars.

"Some patients who in earlier conflicts would have died on the battlefield and been counted among 'killed in action' are now reaching hospitals alive," says Lieut. Gen. Hal B. Jennings, Jr., Surgeon General of the Army.

The V.A. and military hospital systems are having a tough time coping with the crush. Frequently military hospitals are forced to shuttle men in or out quickly because of the demand for bed space. The V.A. hospitals, by their own admission, have deteriorated in the last five years.

Dr. Beverley Oliphant, an intern with the Veterans Administration Hospital in Washington, speaking for the House staff, said recently: "Our facility has acres of beautifully kept lawns watered by a newly installed sprinkling system; there are newly paved parking lots and a new 9-foot chainlink fence, and its facade smiles on the rest of the city while inside its harbors a festering sore."

The Veterans Administration, with 7,000 fewer beds available this year than last because of short funds, has fallen back on nursing homes to pick up the caseload spillover. In 1965, 168 nursing homes were so used; in 1970, nearly 7,500 are.

Because of budget restrictions in the last three years, the V.A.'s 166 hospitals remain staffed at 1966 levels, or at least 10,000 people short. As a result, $20-million worth of facilities are not in use because there is no one to staff them. Staff ratios at V.A. hospitals are 1.5 per patient, compared to 2.6 per patient at most voluntary hospitals. Sometimes only one registered nurse cares for 80 patients at night.

PAY FOR VA PHYSICIANS

In addition, tight budgets have left pay for V.A. physicians at an average of 20 to 25 per cent below that of physicians in university hospitals. No funds are available to provide air-conditioning in 66 older V.A. hospitals. And the number of beds in spinal cord injury units has been reduced at a time when the ratio of paraplegics and quadriplegics is eight times that of World War II.

But beyond any shortcomings of the hospitals, the war seems to continue exacting a psychological price after the wounded veterans go home. Captain Cleland, who today drives his own car and plans to enter state politics from his home town, Lithonia, Ga., described his return from the war in an interview.

"You have to defend what you did, explain it," he said. "But the veteran can't communicate the actual feeling of being there, the trauma, the draining that goes on personally. You come back 13,000 miles to a country that can't understand anything that you've done. There's no aura in your being in the military. There's an onus around your uniform."

At recent hearings held by Senator Alan Cranston, Democratic of California, who heads a subcommittee on veterans' affairs, Captain Cleland elaborated:

"To the devastating psychological effect of getting maimed paralyzed or in some way unable to re-enter American life as you left it, is the added psychological weight that it may not have been worth it, that the war may have been a cruel hoax, an American tragedy that left a small minority of American males holding the bag."

"SOMEONE HAS GOT TO EXPLAIN"

The fighting man in past wars came home to brass bands filled with the sense that his sacrifice and that of his buddies were worthwhile, according to Dr. Robert Jay Lifton, a psychiatrist at Yale's School of Medicine who has studied the psychological impact of the war.

But Vietnam is different, he and many other experts agree. The stresses of guerrilla warfare bring on an unusually strong state of psychic numbing, they say, and hostility toward the war at home often leads to a deep sense of betrayal, of having been manipulated. "The Vietnam veteran serves as a psychological crucible of the entire country's doubts and misgivings about the war," Dr. Lifton said.

One 19-year-old marine said not long ago: "I think any other war would have been worth my foot. But not this one. One day, someone has got to explain to me why I was there."

Not all of the hospital experiences of wounded veterans are depressing or discouraging. There are 180 military hospitals around the country. The wounded servicemen is sent, on his first stop home, to the one nearest his family or to the one where the best care is given for his particular injury or condition.

Many veterans say that the time spent in the military hospital can be helpful to a wounded man, surrounded as he is by friends in similar straits.

A few weeks ago Jack Farley, a 27-year-old Army captain from Massapequa, N.Y., who lost his right leg from above the knee, told a visitor to the officers' amputee ward—affectionately called "The Pit"—at Walter Reed Army Medical Center in Washington how this group support works.

"Every now and then you find a guy who's really sorry for himself," he said, "a guy laying up sorry." He turned to a friend in the room. "Remember Carpenter? Lost a foot. He would cry a lot, even after weeks here. He always wanted to stay in bed. One day some other amputees got together and threw him out of his wheelchair and watched him crawl back. Did it three times in an hour and a half. It's kind of cruel, but it straightened him out."

AVERAGE STAY 6 MONTHS

The average stay in a military hospital for a seriously wounded man is six months. During that time, the serviceman is "processed for disability," that is, a medical board decides if he should stay for treatment for ultimate return to active duty or if he should be discharged to his home or to a V.A. hospital for further care.

If he is to go on to a V.A. hospital, the wounded man is treated until he reaches "optimum hospital improvement," or until he is sufficiently stable to be moved on. He is discharged or retired from service at this juncture.

Between 1966 and 1969 admissions in military hospitals rose by 134,000, reflecting the buildup in Vietnam, while the number of

military medical personnel rose by 10,000. The Army today has 7,100 full-time physicians serving 1.5 million men. The Veterans Administration by comparison, has 5,186 full-time physicians serving 27 million veterans.

Once the military hospital has served its function to "heal you up" one veteran said, "you become pretty much a case of paperwork." Hospital care, in the words of another, becomes "sheer boredom interspersed with periods of stark terror."

The Vietnam veteran who goes to a V.A. hospital for further treatment of his wounds, such as for fitting of artificial limbs, is placed in with all other patients and suddenly loses the sense that he is special, said Dr. Philip Rowens, previously with a large V.A. hospital in New England.

"He feels neglected, unloved and indeed even insulted that he is no longer singled out for his heroic acts, for his supreme sacrifice," Dr. Rowens said.

It is at this point that the V.A. pulls out all stops to try to help the wounded servicemen through its vocational-rehabilitation branch. This office, operating on an ample budget with headquarters in Washington and 57 regional offices, had 19,000 veterans under some form of training in fiscal 1969.

The wounded servicemen begin to receive visits from V.A. educational and vocational counselors while they are in the hospital if not before. It is the counselors' duty, an administrator said, to tell patients what benefits are available to them and to let them know that they are not alone.

Some of the young men in V.A. wards face extremely difficult decisions. "Let's face it," one V.A. psychologist said, "many of these kids were never God's gift to the academic world. They joined the Army to delay making a decision on what to do with their lives. And now they are in a real fix."

The V.A. offers training in some 30,000 occupations. It pays the disabled veteran full tuition and book fees plus a living allowance if he wants to go to college. Such benefits are available for nine years from the time of his military discharge.

"The Congress has never stinted funds in this respect," said Dr. Joseph Samler, head of the V.A.'s rehabilitation-vocational counseling services.

Once back in society, the wounded veteran must sometimes also contend with simple physical barriers to his mobility. One paraplegic veteran who went to Madison Square Garden recently found seven steps blocking his entry and had to wait, his pride hurt, for policemen to lift him up the steps.

## THE RESIGNATION OF CHARLES ROGOVIN

Mr. BROOKE. Mr. President, I was deeply disturbed to read in the Washington Post this morning of the resignation of Charles H. Rogovin as Administrator of the Law Enforcement Assistance Administration.

This agency was created by the Omnibus Crime Control and Safe Streets Act of 1968. Its purpose was to encourage, and to lend Federal assistance to, efforts aimed at improving law enforcement procedures and providing needed modern equipment for State and local governments.

The agency has a yearly budget of $480 million—hardly enough to even begin to achieve the objectives of the agency itself or of the Congress which created it. But the efforts of this potentially creative agency have apparently been even more seriously hampered by the "troika" administration imposed upon it by the Congress. Three men cannot share coequal authority and responsibility for the administration of a Federal agency. It was frustration over this arrangement which seems to have led to the resignation of its able and effective Chief Administrator.

Charles Rogovin is from Massachusetts. He has a long history of experience with the problems of crime in this country. My first contact with him came during his last year of service as Assistant Director, in 1966 and 1967, of the President's Crime Commission. When that Commission completed its work, Charles Rogovin returned to Massachusetts where my able colleague and successor as attorney general, Elliot Richardson, appointed him assistant attorney general in charge of the criminal division. In May 1967 the decision was made to create a special organized crime section within the criminal division, and Charles Rogovin was appointed to head this section as well. Those who worked with him and those who followed his efforts from the vantage point of their involvement in law enforcement activities around the country are virtually unanimous in their praise of his expertise and administrative qualifications.

The loss of Charles Rogovin will be deeply felt. At a time when crime is on the increase throughout the Nation and new, innovative methods are desperately needed to cope with the growing threat, we can ill afford to lose the services of one of our most qualified and experienced citizens.

I ask unanimous consent that the article published in the Washington Post be printed in the RECORD.

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

ROGOVIN IS QUITTING AS ANTICRIME CHIEF

(By Ronald J. Ostrow)

The head of the Nixon administration's chief anticrime effort is resigning because of what he regards as a snarled bureaucracy and policy differences that have seriously undermined the program.

Charles H. Rogovin's letter of resignation as administrator of the Law Enforcement Assistance Administrator already has been sent to the President, the Los Angeles Times learned yesterday.

In the letter, he said he was stepping down because the troika directorship of the agency has hampered the multi-million dollar program badly. The agency is headed by three men—the administrator and two associate administrators—and Rogovin interprets the law to mean they must all agree on major decisions. This has made it impossible for Rogovin to resolve important policy differences with his two colleagues.

Rogovin's departure, set for June, is likely to trigger other resignations at the infant agency, whose $480 million budget for the coming year is larger than that of any other Justice Department entity, including the FBI.

Rogovin, whom President Nixon appointed in February 1969, declined to comment. But an administration source confirmed that the resignation letter arrived at the White House on Tuesday.

The agency was created by the Omnibus Crime Control and Safe Streets Act of 1968 to channel hundreds of millions of dollars to upgrade state and local police, courts and prisons. Attorney General John N. Mitchell is known to regard the agency as the government's most effective tool for curbing street crime.

Word of Rogovin's impending departure spread rapidly through LEAA yesterday, and it was learned that Henry S. Ruth Jr., director of the National Institute of Law Enforcement and Criminal Justice, an arm of the Rogovin agency, also plans to resign soon.

Sources said conflicts between Rogovin and the two associate administrators, Richard W. Velde and Clarence M. Coster, delayed hiring key personnel for the agency.

The differences between the men also resulted in disagreements—and thus often no decision—over what kind of law enforcement programs should be funded.

As first proposed by the Johnson administration, the agency was to be headed by a single director.

But a coalition of Southern Democrats and Republicans in the Senate amended the bill to provide for the troika setup, stipulating that only two of the three administrators could come from the same political party.

Rogovin, 39, is a Democrat. He was a Massachusetts assistant attorney general who helped create an effective organized crime investigative unit there. He also served as an assistant director of the President's crime commission.

Velde, 38, the son of former Rep. Harold Velde (R-Ill.), was legislative aide to Sen. Roman Hruska (R-Neb.) when President Nixon named him an associate administrator. He is a Republican.

Coster, 41, also a Republican, was police chief of Bloomington, Minn., when he was picked.

## LOWER AUTO REPAIR COSTS

Mr. HART. Mr. President, the Subcommittee on Antitrust and Monopoly has been deeply involved in trying to come up with the suggestions that would result in lower repair costs for the Nation's auto owners.

I have proposed a five-point plan which over the next 5 to 10 years could, I think, do much to alleviate the problem.

The plan was based on information witnesses gave the committee during extensive hearings.

A recent issue of Parade magazine added more testimony—this time directly from a former mechanic—on the need for at least two of the things I had suggested.

These are a nationwide system of auto diagnostic centers and licensing and/or certification of mechanics as to their skill quality.

The Parade article, entitled "Confessions of an Automobile Mechanic," written by Charles Bresnihan, builds a good case for these steps and offers an insight into the problems now facing consumers.

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:

CONFESSIONS OF AN AUTOMOBILE MECHANIC

(By Charles Bresnihan)

I'm writing this because it's high time that you, the automobile owner, got an even break. Chances are you're not getting it from your friendly neighborhood mechanic.

The fun really starts when it comes to maintenance and repairs, items that currently cost you and other car owners upward of $30 billion a year.

I was an automobile mechanic for 15 years, both as the owner of my own service station

and as an employee. I can tell you straight out that most car owners are babes in the wood asking to be taken.

In a field where anybody can pass himself off as a mechanic without bothering to learn his trade, it stands to reason many will be inexperienced car butchers, petty con artists and outright thieves. And they are. Take my words for it. I've done it myself when the boss demanded it, and I've seen enough of others "practicing" their trade to turn my stomach.

TAKING CANDY FROM A BABY

With today's sophisticated cars it's a simple matter to cheat the customer. Forget about a mechanic switching your auto part for a beat-up one he has around the garage to prove you need a major repair. And forget about him purposely fouling up your engine to hike the bill. The desperate ones might try it, but it's not necessary. There are too many easier, more foolproof ways.

For example, wouldn't you be concerned if you asked your man to check your wheel alignment and he showed you that one or both of your front wheels was so loose either might fly off at high speeds? You bet you would. And you would go for up to $65 for new ball joints.

The cost to the shop would be around $10, *if* they replaced the ball joints. They could just clean up your old ones at no cost because there wouldn't be anything wrong with them.

Bring me a new car and I'll show you a loose wheel. How? By jacking up the car in such a way that pressure is taken off the front spring. With the spring pressure gone, any wheel will wobble badly. And when the sucker returns (That's you Mr. Car Owner), I jack up the car properly and the wheel is solid.

TRANSMISSION TRICK

Or, let's say, you're losing transmission fluid. In most cases it's the cooling lines or a pressure fitting. But what do you know about your transmission? A thief will convince you it's a resealing job. Cost: $55. And what you get is a pressure fitting or a patched cooling line. Cost: $1.

How about a haywire carburetor? Flooding all over the place. Looks bad. The fast-buck boys will shake their heads and start a conversation about the cost of a new carburetor, then tell you they can save you money with a rebuilt one at about $35. You're grateful. What you don't know is that in nine out of ten cases all that is needed is a needle valve and seat, which runs about $6 or $7. Then they steam-clean your old carburetor and you've been had.

And did you know they make rebuilt spark plugs? They do. Only you are charged for new ones?

Then there is the "Flat Rate Manual," which is issued annually and lists all standard repairs with the length of time they take to complete. Since a mechanic's labor can be the most expensive part of your bill, this is a very important book. You will see it any time you question the charge for labor. There it is in black and white.

BEATING THE BOOK

What they don't tell you is that any mechanic worth having around can always beat the book, that is do the job in much less time than allotted in the manual. Any decent mechanic can usually cut the time in half. I know I can. At $9 or $10 an hour for labor, you are paying through the nose for something you don't get.

Let it be said that most mechanics must do this to make a decent living. Not many are on salary. They usually get paid by the job. The faster they work, the more money they make for themselves and for the shop owner who gets half the action.

Speaking for myself, I can beat the book on almost any job, and beat it good on most. But I won't be responsible for little mistakes made while I'm rushing through, little mistakes that might necessitate further repairs and, more important, make your car something less than safe to drive.

Another easy area for the sharpy mechanic is the road call. This is money in the bank, especially if the driver is not a regular customer. I worked for one station owner who had a standing rule that we were not to start the car under any circumstances on road calls. Always tow it back to the shop.

Once there, if the customer got out with a tuneup, he was lucky. The bill was usually what the traffic would bear. We never found one thing wrong when we could find three or four. And I used to marvel at the drivers who would buy this. Why? Because with almost no exceptions, when a car stalls out or won't start there is a *single* cause. Any mechanic who tells you three or more parts went at once should be avoided.

I never ceased to be amazed at how much the average car owner didn't know about his car. Considering the investment and the necessity of the transportation, it doesn't make sense. Still, a little knowledge can be more dangerous than complete ignorance.

Let me explain. Let's say you know something about how your car works, the basic stuff. You hear a noise or the car isn't performing right. You diagnose the trouble yourself. Not being an expert you might figure it's the generator when it isn't. But the minute you tell the mechanic you think it's the generator, you leave yourself wide open.

If the mechanic is a thief, he'll agree with you even if he knows it's nothing more than a faulty connection. He might even feed your ego, telling you how smart you are, as he builds up the bill to $30 or more for work he'll never do. And you don't question the charge because you're too busy being smart.

KEEP IT SECRET

If you think you know what's wrong with your car, keep it to yourself. It might only be a minor, inexpensive adjustment. That makes you a winner. But if the mechanic says it's a motor job when your unspoken theory holds that it's the water pump, try another mechanic. You can't lose anything.

And don't be sucked in by offers of "free" inspection service or diagnosis. If any mechanic is going to spend time on your car, he's got to be paid. And who pays him? You, that's who.

I've heard it many times, and I've read about it in various consumer publications, that anybody can check out a mechanic by having him look into something you know is working perfectly. Don't you believe it. I can spot this gambit from across the garage. So can most other mechanics.

We didn't come down with yesterday's rain. We can tell if something has been worked on recently and we can tell if somebody has fiddled with a wire or a plug.

In such cases, the mechanic becomes Mr. Nice Guy. Nothing wrong, he tells you. But I steamed your engine clean. No charge. Drop in again. Then he sits back and waits for you to return now that you trust him. This misplaced faith could cost you plenty.

There is another fable I'd like to put the lie to. That's the itemized bill. I know mechanics who love customers who demand itemized bills. A flat price for a job always sounds high. But when you break it down, a couple of dollars for this, a few more for that, you can make it palatable, while overcharging like mad.

However, despite all this outright dishonesty, it's still the butchers or inexperienced mechanics, however honest, who jack up your repair and maintenance costs more than anybody else in the business. Since they have little or no training, they get their education on the job. They use the trial and error system. And you, the car owner, pay for every trial and every error.

Suppose you have car trouble and you have the misfortune to consult a butcher. He decides it's your distributor. He doesn't know if it is, but it's a nice place to start.

FIDDLE AND FOUL UP

So he fiddles around with your distributor and probably botches it up in the process. When the trouble persists, he tries the carburetor or the fuel pump or the voltage regulator or something, all of which are functioning properly until he gets his hands on them.

If the butcher ultimately finds the cause of the trouble after several entirely unnecessary bills, chances are he'll foul that up too. Now you have a lot of bills, your original trouble and some new ones. What you have paid for is a slice of the butcher's terribly expensive education.

Fortunately, most car owners get the message after a while and move on to another mechanic. If they are lucky, their engine and supporting systems won't need a complete overhaul.

Still, the butcher isn't the real heavy. The crime is that he is allowed to operate at all. It seems incredible, but there isn't a state or municipality in this country that regulates auto mechanics.

I don't know how many petitions I've signed in an attempt to get some kind of licensing for auto mechanics. It's the necessary first step if car owners are ever to get an even break on repairs and maintenance. It will at least assure them of a certain level of competence when anyone works on their cars.

License auto mechanics and you get rid of the butchers and the petty con artists. A few thieves will remain, but if they have to worry about their licenses being revoked, they won't want too many complaints filed against them.

And licensing will raise the level of the whole industry, giving it stature that might attract new men into the field, men who are sorely needed. There are about 800,000 auto mechanics now working in the approximately 114,000 shops around the country. *Automotive News* says at least another 150,000 are needed to handle the growing number of cars on the road.

I believe licensing is not far off. Several cities, New York and Philadelphia among them, have been pushing for such legislation, and Congress now has before it a bill that would empower states to issue such licenses. Some states, New York, for example, are proceeding with hearings into the matter.

DIAGNOSTIC CENTERS

But that is only the first step. Equally vital is a second step—the establishment of independent automotive diagnostic centers throughout the country. These "car clinics" would allow motorists to get their cars completely checked out periodically, much as they now visit their doctors for physical checkups. For a set fee of $15 or $20, these clinics would tell an owner exactly what repairs or maintenance his car needs. They would also be able to tell him how well prior repairs had been handled.

At present there are from 250 to 300 clinics of this type scattered around the country. Unfortunately, all but a handful are connected with repair shops or related automotive sales, which makes them suspect. Once the clinics themselves deal in repairs, the repairs become more important than the diagnoses and we are *right back where* we started.

If these diagnostic centers are to function for the benefit of you and other car owners, they must be entirely independent and deal only in diagnosing trouble and checking the quality of repair work of outside mechanics.

THREE MODELS

One of the few that has no connection with repair work is run by the Automobile Club of Missouri in St. Louis. Another American Automobile Association clinic recently opened

in San Francisco. And I know of another in Denver that is privately owned and operated. If these three can show a profit without branching out into repairs and sales, others will follow.

These are the long-range solutions. But what do car owners do in the meantime to keep from getting sub-standard, shoddy work or having their pockets picked, or both?

First, I'd shop around. For some mysterious reason, car owners don't do this. They usually stick with a mechanic, good or bad. I've known many who use a particular mechanic simply because that's the station where they buy gas.

If you don't want to shop around, check with your friends and neighbors. Out of this consensus you can usually get a line on a good mechanic. He might cost a few dollars more, but it's money well spent.

FAVORITE GAS

On the matter of your favorite gas, it might not have occurred to you that you can buy it at one station and have your car serviced at another.

But the mechanic will get angry if you call on him for road calls and small repairs and then take your car elsewhere when you need major repairs. You might save a few dollars, but I can tell you that the mechanics won't like you. And if you cut corners with him, he'll cut corners with you.

There are thousands of good, honest auto mechanics at work today. Take the time and energy to find one. And when you've found one, give him all the business you can. The mechanic deserves it. So do you.

A FEW DON'TS

Don't get repair work done in transient areas where the mechanic knows he'll never see you again. If you can, have your car towed home. You'll save money in the long run.

Don't leave your car at a station where a lot of kids congregate. They may get to practice on your car.

Don't pick a man because he can always give you immediate service. It might mean he doesn't have many other customers. This is doubly bad. The lack of customers usually means he's a butcher. And if he doesn't have many customers, he's got to make his money where he can. That means you.

Don't go for personality. Go for workmanship. If he also happens to be a nice guy, fine. But too many butchers are all personality and no talent.

And, last, don't ask the two questions everybody asks: "How much will it cost?" and "When can I get my car back?" Just say: "Call me with an estimate before you start the job." It will keep the mechanic loose. The other questions have hidden traps. The estimate is almost always lower than the bill. And if the mechanic sees you're pressed for time he can work you by getting the job fast "as a favor," which makes you so happy you don't mind the extra $10 or $20 tacked to the bill.

## THE PRESIDENT'S COMMISSION ON HUMAN RIGHTS: THEIR 1968 RESOLUTION FOR U.S. ACTION ON HUMAN RIGHTS IS EQUALLY APPROPRIATE AT THIS TIME

Mr. PROXMIRE. Mr. President, the United Nations General Assembly designated 1968 as an "International Year for Human Rights," during which efforts to secure international protection of human rights were to be redoubled by the member states. Special emphasis was to be placed on ratification of certain United Nations human rights conventions.

In January of 1968, President Johnson established the President's Commission for the Observance of Human Rights Year 1968, to further U.S. participation in this vital work. In his proclamation of Human Rights Year 1968, Mr. Johnson stated that:

American ratification of these Conventions is long overdue. The principles they embody are part of our own national heritage. The rights and freedoms they proclaim are those which America has defended—and fights to defend—around the world.

The Commission on Human Rights resolved in August of 1968 to "give the strongest support to the President in his call for the ratification of human rights conventions by the U.S. Senate." These words are as appropriate today as they were in 1968, and the arguments for ratification are just as compelling.

Mr. President, I ask unanimous consent that the resolution of the President's Commission for the Observance of Human Rights Year 1968 be printed in the RECORD.

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

RESOLUTION

At the third meeting of the President's Commission for the Observance of Human Rights Year 1968 it was decided that the Commission should give the strongest support to the President in his call for the ratification of human rights conventions by the United States Senate.

The year 1968 was designated International Year for Human Rights by the United Nations General Assembly. The General Assembly in connection therewith requested Member States to ratify certain of the human rights conventions before 1968. In his Proclamation of Human Rights Year, the President also called for the ratification of human rights conventions. He stated:

"American ratification of these Conventions is long overdue. The principles they embody are part of our own national heritage. The rights and freedoms they proclaim are those which America has defended—and fights to defend—around the world.

"It is my continuing hope that the United States Senate will ratify these conventions . . ."

This call to the Senate to ratify human rights conventions was repeated by the President on January 30, 1968, when he signed the Executive Order establishing the President's Commission for the Observance of Human Rights Year 1968.

The United States played a leading role in the drafting of the Charter of the United Nations and of the Universal Declaration of Human Rights. In the United Nations Charter we as a nation undertook to take joint and separate action with other members to promote "universal respect for, and observance of, human rights and fundamental freedoms for all. . . ." The United States also played an active part in the drafting of international conventions that would give legal force to some of the standards in the Universal Declaration. Thus far, however, the United States has ratified only one human rights convention—the Supplementary Convention on Slavery, in 1967.

It is generally recognized that peace is related to progress and ultimately depends on the quality of life of the people governed. The quality of that life depends on the interest and willingness and capacity of each country to assure and to respect human rights. In a world in which enlightened and effective government is such an important and such an elusive goal, cooperative efforts to help countries promote internal tranquility and progress are proper activities for our Government.

These human rights conventions are an expression of principles that have guided our own citizens in the development of a progressive and enlightened government. The fact that United States law is in accord with the provisions of these conventions does not mean that there is no necessity for this country to participate in them. It is the nature of international obligations, designed to promote a common objective, that they be cooperative in purpose and reciprocal in effect. Therefore, in the pursuit of world order and the welfare of all countries the United States must not deny to others its participation. By this participation the United States would not impose, or seek to impose, its laws or traditions upon any country; nor would any country impose its laws or traditions upon the United States.

The United States Senate should move forward on international human rights conventions, just as the Congress has moved forward on human rights legislation at home. Ratification of these conventions would help to set and uphold international standards. Ratification of these conventions would demonstrate once again our national commitment to a stable and democratic world order.

Therefore, the President's Commission for the Observance of Human Rights Year 1968 endorses the President's "earnest hope that the Senate will complete the tasks before it by ratifying the remaining Human Rights Conventions" and expresses its strong hope that the Senate Foreign Relations Committee will act favorably at its earliest opportunity on the six* conventions that are pending before it.

The Convention on Freedom of Association and Protection of the Right to organize;

The Convention on the Prevention and Punishment of the Crime of Genocide;

The Inter-American Convention on the Granting of Political Rights to Women;

The Convention on the Abolition of Forced Labor;

The Convention on the Political Rights of Women;

The Convention Concerning Employment Policy.

## AFTERMATH OF MARIETTA, OHIO, NURSING HOME FIRE

Mr. MOSS. Mr. President, last February 9 and 10, my Subcommittee on Long-Term Care of the U.S. Senate Special Committee on Aging considered significant questions relating to the nursing home fire that occurred in Marietta, Ohio, last January 9 and which has to date taken 32 lives.

The events of that most tragic day in the history of Ohio's oldest city have caused us to look with renewed dedication at the fire protections that we provide our citizens, who are both ill and old.

Our investigations revealed that while almost one-fifth of our nursing homes were participating in the medicare nursing home program and have received almost $500 million annually from the Federal Government, regrettably, there were no fire standards under medicare.

The appropriate section of the medicare regulations—The Conditions of Participation in an Extended Care of Facility—is 405:1134 which provides mere "guidelines" to the States. Significantly, by the terms of this same section these guidelines can be waived by

*The Protocol relating to the Status of Refugees was sent to the Senate on August 1, 1968.

the States as they "are to be applied to existing construction with discretion in the light of community need for services."

The response from the Social Security Administration to our hearings was Bureau of Health Insurance intermediary letter No. 137, which applies specifically to carpeting. The impact of the new regulation is to make the medicare program congruent with the Hill-Burton program which applies to construction of hospitals and nursing homes. In 1966 the Public Health Service imposed a flame-spread rating limit of 75 for floor coverings to be used in exitways and patient occupied areas in hospitals under the Hill-Burton Act.

The first question seems to be, Why was carpet singled out? The answer, of course, is that testimony at our hearings revealed that the carpeting on the floor of the Marietta nursing home burned quickly and the foam rubber backing produced excessive amounts of thick black smoke that was the premier cause of death.

The next question is, Why did the Bureau of Health Insurance adopt the Hill-Burton standard which is based upon flame spread values determined from use of the American Society of Testing and Materials—ASTM–E84—tunnel test? The answer here seems to be the indictment at our hearings of the "pill test" which was offered by the Secretary of Commerce as the proposed test for the flammability of carpets and rugs.

After some reflection there are a few things that should be said. While our hearings focused on the events of one very tragic fire in which carpet played an important role it is to be hoped that the Bureau of Health Insurance will broaden their medicare fire regulations beyond carpets. Before our hearings there were no medicare fire requirements. Today the only medicare fire requirement seems to be that no carpeting be installed that has a flame spread rating higher than 75. Certainly, the medicare regulations should speak in definitive terms about the use of sprinklers for patient occupied areas, of the need for fire doors, automatic closing doors, the need for fire resistant decorating materials and waste paper baskets.

Second, it should be pointed out that there are a great many unanswered questions growing out of the Marietta Nursing Home fire. The ultimate cause of the fire is unknown although evidence supports the theory that it was started by a lit cigarette that was deposited in a plastic wastepaper basket. As Mr. James Regan, fire consultant of the American Nursing Home Association, said at our hearing, we know very little about what role burning gases played in the fire. We know little about the toxicity of burning gases. We are at a loss to explain why the Marietta carpet which burned so quickly and produced so much smoke stopped burning abruptly three-quarters of the way down the long corridor of the nursing home.

Third, there is presently hopeless confusion among the ranks of both the public and the industry as to what is acceptable standard for flammability of carpets. The structure of this disagreement has already been implied. The Public Health Service in 1966 adopted the tunnel test and the maximum flame spread value of 75 under this test as the upper limit of carpet to be installed in patient-occupied areas. In the same year the General Services Administration adopted the so-called pill test. Both have been in use since that time. Both have proponents and opponents.

In what was a most significant development last December, the Secretary of Commerce recommended the adoption of the pill test as the proposed standard for flammability of carpets and rugs under the Flammable Fabrics Act of 1967, which was passed to protect the public from the threat of unnecessary injury from fire.

There is some question at this time whether the Secretary intended this test to be the test for public protection or merely an interim test designed to eliminate from the market items which are extremely inflammable, subject to easy ignition as perhaps from a falling cigarette or match.

At our hearing almost all independent experts were in agreement that the pill test was inadequate and could not properly serve as the test for flammability under the Flammable Fabrics Act. This was my conclusion and I expressed it in my letter to Secretary Stans. The pill test cannot and should not be allowed to stand alone. It is essentially a test for ignition and in this capacity it can serve in conjunction with an agreed upon test for flammability.

There was little criticism of the tunnel test at our hearing with most of the experts pointing out its superiority over the pill test. Notably, this test does at least measure smoke emission. Consequently, the Federal Trade Commission has recommended to the Secretary of Commerce that the tunnel test be adopted as the test for flammability under the Flammable Fabrics Act.

What has followed has been sharp criticism for the tunnel test from the Carpet and Rug Industry and from some independent sources. Mr. Calvin H. Yuill, manager of the fire research section, Southwest Research Institute writing in the Fire Journal of January 1967 was early to state his doubts about the tunnel test:

> There is no acceptable test method for flame spread of flooring materials . . . Until such time as a test method more suitable to floor coverings has been developed, the use of the tunnel test is justified as a stopgap measure.

Mr. Yuill concluded that every effort should be made to define the need for a new fire test designed specifically for floor coverings.

What needs to be said at this point is that the National Bureau of Standards and the Department of Commerce have been working on just such a test in part fulfillment of their responsibility under the 1967 Flammable Fabrics Act. The announcement of this test would do much to dissolve the criticism and confusion that presently exists. It is regrettable that the development process has taken so long.

In fact, the Department of Commerce has been slothful in their implementation of the entire Flammable Fabrics Act. The pertinent question is, Why? Why has there not been some effort made to announce regulations with the effect of protecting consumers from the dangers of flammable fabrics? Why has the Department taken so long to develop an acceptable test to measure flammability and smoke emission of carpets and rugs?

I plan to seek answers to these and other questions in oversite hearings under the Flammable Fabrics Act in the near future before my Subcommittee on Consumer Affairs. I will be conducting these hearings at the request of committee chairman WARREN G. MAGNUSON who was the sponsor of the Flammable Fabrics Act.

I will also seek funds for the Fire Research and Safety Act of 1968—Public Law 90–259—with the intent of providing answers to the many questions raised at our Marietta fire hearings about the propensities of burning materials and the possible toxicity of burning gases.

I look forward to the day when Americans both young and old will have the protection they deserve from death or injury caused by flammable fabrics.

I ask unanimous consent to have printed in the RECORD an article written by Mal Schechter, published in the Delphos, Ohio Herald, which gives an excellent account of our February hearings.

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

SENATE HEARINGS MOVE TO IMPROVE NURSING HOME CARE FOR AGED

(By Mal Schechter)

WASHINGTON—What's the federal government going to do now?

That's the question two days of U.S. Senate hearings backgrounded here this week in developing the history of the Marietta, Ohio, nursing home fire that took 32 lives recently.

A U.S. Senate Aging Committee panel on long-term care, under Sen. Frank Moss (D-Utah), brought out weaknesses in Medicare and Ohio regulations governing fire safety in nursing homes. The point that even the meager Medicare requirements on fire-evacuation procedures were not followed was underscored in testimony by Marietta's mayor and fire chief.

The core issue appeared in testimony by the American Patients Association. APA President Theodore O. Cron, who was right hand man to former Food and Drug Commissioner James Goddard, declared:

"It is the duty of the national government to provide a national base of protection for the lives of every citizen, especially for those who are aged and feeble, and, to our shame, trusting as well."

Sen. Moss said he expected to hear about steps to improve Medicare regulations from the U.S. Public Health Service and the Bureau of Health Insurance, Social Security Administration. ASA is Medicare's executive arm, and PHS advises on health standards.

The senator also put pressure on the U.S. Commerce Department to move quickly to establish a tough standard on flammability of carpets sold to the public. Sen. Moss said a proposed standard was inadequate. During the first day's hearing, Mayor John Burnsworth ignited a piece of carpet taken from the nursing home. Sen. Moss and Sen. Harrison Williams Jr. (D-N.J.) held it. As it began to smoke, Mayor Burnsworth dropped it into a galvanized trash can and put a lid on it. "Smells like a burning tire," he said

as the acrid fumes made spectators screw up their faces.

The carpeting, produced by Dan River Mills in 1965 under the name "Marathon" but no longer made, passed the proposed Commerce Department test. Mayor Burnsworth said that if his demonstration didn't convince people that the proposed test is worthless, "then they're blind."

The senator said he was considering introducing a bill that would ban smoking in hospitals and nursing homes, except in designated areas away from feeble or immobilized patients. Mayor Burnsworth had urged that something be done to forbid smoking in health facilities.

Marietta Fire Chief Beman Biehl said the probable cause of fire at the Harmar House Convalescent Home in Marietta on Jan. 9 was a lit cigarette thrown by a patient, or an ash tray dumped by an employe, into a plastic wastebasket, which caught fire, the fire spread to some furniture and the carpet. The room's heat sensor set for 136 degrees Fahrenheit triggered an alarm at the nurses' station up the long corridor. Chief Biehl said the carpet burned with dense smoke that turned away one employe, but a diminutive nurses' aide, Doris Watts, got the patient out of the door. She did not close the door, however, and the fire spread down the hall. Because an exit door at the other end was left open during the evacuation, a draft fanned the blaze.

There was a delay of five minutes or more in telephoning the fire department. Engines arrived in less than five minutes, but by then many patients exposed in their beds to the dense smoke had died of asphyxiation, the chief explained.

He and the mayor emphasized that the building met all requirements of the Ohio building code but that the code was not very good. "One responsibility the federal government has is to do things for us who can't do for ourselves. Otherwise, you get 50 pressure groups in 50 state capitals against fire safety improvements. I'm not against federal intervention for the benefit of patients," he said.

Sen. Stephen Young (D–Ohio) asked Chief Biehl when the last fire drill was conducted at the home. That was in April 1969, to the best of his knowledge, the chief said. This was about the time, the Delphos Herald learned, that the Social Security Administration was informed that deficiencies in the home's fire disaster plan had been corrected. The deficiencies included frequency of fire drills. Medicare requires three a year. The Ohio Nursing Home Association recommends monthly drills. Harmar House, a Medicare-participating facility, was not a member of the ONHA, a representative of the association said.

A Senate staff member said the committee had information that a group of Cincinnati nursing homes were contesting improvements in the Ohio building code. W. H. Veigel of the state health department told the Herald that the improvements were in effect but the court case probably raised doubt in some minds as to whether they would stick. The hearing did not develop any points on whether the contested improvements would have made a difference in the construction or operation of Harmar House.

Sen. Young, noting that doors had been left open during the fire, asked if there was negligence on the part of employes. Chief Biehl said he didn't know what to call it, negligence or human error. He said the aide knew she didn't shut the door and that this was wrong. "Whether it was negligence or human error, it was poor judgment, wasn't it?" Sen. Young pressed on. "Yes." the chief said.

"Has the county prosecutor made an inquiry?" Sen. Young asked. "Not to my knowledge," the chief said. Mayor Burnworth said he thought the responsibility for inquiry lay with the state fire marshal and state attorney general. Sen. Young replied "as an Ohio lawyer" that the county prosecuting attorney has authority to call a grand jury. Mayor Burnworth said the attorney has found no reason for one.

Marietta officials, Ohio State Fire Marshal Samuel T. Sides, and national experts on fire safety concurred in saying that if someone had closed the door to the Harmar House patient's door the fire would have been confined to one room. Besides making this point, a fire-safety consultant for the American Nursing Home Association listed other factors contributing to the deaths: (1) inability of the heat detection system to sound an automatic alarm at the fire department and the delayed alarm to the department; (2) presence of combustible carpeting throughout the building as well as the extensive use of synthetic materials which burned and may have added to the toxicity of the fumes; and (3) the design of the building, which allowed for undivided corridors and lofts with no barriers to smoke and fire.

The fact that Harmar House was approved by the state and Medicare was emphasized by Sen. Moss. But he focused his attention on the Medicare regulations, pointing out that they included a network of fire-safety loopholes. He concluded that there really are no requirements.

"I am asking here today that the Public Health Service tell me why there are no fire safety requirements under Medicare. If PHS or the Social Security Administration needs more legislative authority, I will introduce legislation forthwith," he declared.

The Medicare regulations on fire-safety begin with a statement that the standards to be listed are to be taken as "guidelines" for the use of Health department personnel working as surveyors for Medicare. "As if this were not enough," Sen. Moss said, "this same paragraph contains a further disclaimer that those guidelines are to be applied to existing construction in light of community need for services."

The senator pointed out that because the Medicare guidelines refer to state codes, "the result is a different fire standard for participation in the Medicare nursing home program for every state of the Union."

"Ohio has had more than its share of nursing home fires," Sen. Moss continued. "Most of us will recall the nursing home fire near Sandusky in 1963, when 63 persons perished. This committee investigated that fire and I received promises that the Ohio Code would be revised so that it would be the model fire safety code for the entire country.

"It isn't. Far from it. On the contrary there continue to exist serious deficiencies. Not the least of these deficiencies is its failure to provide any semblance of a standard for the acceptability of carpets and curtains," he said.

He noted that the Ohio building code, Section HE-17-47, has a vague reference covering interior finishing (including carpeting) and trim. It calls for a Class D flamespread rating. By comparison, the federal Hill-Burton hospital and nursing-home construction act requires Class B materials in patients' rooms and Class A in corridors.

Here is what these terms mean:

Class A has a flamespread rating of 0 to 25, Class B 25 to 75, Class C 75-200, Class D 200 to 500. Red oak has a 100 rating. Thus, the Ohio standard allows carpeting that will burn 2½ to 6½ times faster than the maximum Hill-Burton allowance.

The Life Safety Code of the National Fire Protection Association recommends nothing more than a 75 flamespread in patients' rooms, the same as Hill-Burton. However, this code—which applies to Medicaid nursing homes in Ohio and other states—has a waiver provision. A local authority may waive the recommendations as to carpeting if, in his opinion, there would be no hazard to patients. However, Medicaid would require him to state the reasons why he believes there would be no hazard in a waiver.

Sen. Moss led the fight in 1967 to make the Life Safety Code part of the Medicaid law. This provision became effective Jan. 1, 1970, and the state health department says it is enforcing it. No federal requirements apply to homes that do not participate in such programs as Medicare and Medicaid. These are governed by state regulations only, including those of the State Board of Building Standards. This board has no fire safety expert on it.

It is not clear whether the Life Safety Code would have applied to Harmar House, which had no Medicaid patients at the time of the fire but had a Medicaid vendor number making it eligible to participate in the program.

Sen. Moss indicated he would work to assure that the Life Safety Code would apply to homes that served Medicare patients but had no Medicaid patients.

Declared Mr. Cron of the patients association: "The truth of the matter is that such tragedy (at Harmar House) may occur at any time anywhere in the United States where nursing homes are allowed to operate under present permissive laws and regulations." He said the federal and Ohio regulations "are shoddy and grossly inferior" and, despite the loss of life on Jan. 9, "they have yet to be strengthened."

"We strongly protest this official indifference to the needs of nursing-home patients who cannot protect themselves. This indifference lies within the administration of the Medicare program," he declared.

The Moss committee called no Medicare or Public Health Service officials to testify. They are expected to be called at a later time, committee staff members said.

Turning to the Commerce Department, Sen. Moss urged them to work faster in getting better carpet-safety standards for the public. A Commerce representative said the program was slow in starting because of funding problems and difficulty in getting personnel. In addition, he said the setting of scientifically valid standards on carpeting took time and the law required Commerce to proceed in consultation with all parties affected, such as industry.

Dan River Mills Inc., which made the Harmar House carpet, told the committee that "Marathon" was manufactured under commonly accepted standards of quality and was not hazardous in any respect from the standpoint of any known standards of flammability in 1965. The company noted that "Marathon" passed the proposed Commerce test. This style of carpeting, consisting of 100% nylon face pile with a high density foam rubber backing, was discontinued in 1968 "in response to changing fashion, consumer and marketing demands," the company said.

The statement noted that in 1968 the industry produced 71 million square yards of carpeting that was backed by foam rubber. This was 12% of all carpet production. The 1969 estimate is that production rose 10%. The company said the Commerce test, the so-called "pill test," simulates the most realistic flammability hazard to floor covering products, like the dropping of a match.

The so-called "tunnel test," regarded as far more severe, examines the response of carpet to many ignitions or the conditions of a raging fire. Fire-testing experts have termed the "pill test" to be very mild, not discriminating enough as to ease of ignition, and a poor basis for claims as to safety as the consumer would understand it. However, the Carpet and Rug Institute, the industry trade association, believes the "pill test" is workable and meets obligations to the consumer.

Nonetheless, files at the Commerce Department containing comments to the proposed test for flammability, show that at least one

manufacturer, Cone Mills, is unhappy with the test.

John E. Field of Cone, New York City, wrote on Jan. 16, 1970, that he didn't think a need for the proposed test had been established. He noted the proposed test and standard would seriously affect, among other products, the manufacture of scatter and bath rugs as well as area rugs. About 55 million scatter rugs, having area less than 4 feet by 6 feet, were made in 1968 at a cost of $224 million. "The proposed standard," Mr. Field said, "Will eliminate 80–90%. "To use fibers that will pass the test will increase cost 30%, or $55 million a year.

"To the best of my knowledge, until the Marietta, Ohio, tragedy, there have been very few injury cases reported from this type of accident," he wrote. He noted that the Marietta carpet had passed the Commerce test and suggested that this "highlights a principal point upon which, I suggest, a successful attack on the (proposed) standard and test method might be maintained."

"As tragic as the Marietta fire has been," he said, "It is to be hoped that some sound lessons may be drawn from it. The first that occurs to me is that the government must determine, first, a need and, inseparably related to the need, what type of need. The remedy you are proposing in the new standard and test method would not address itself to the need in the Marietta fire case. Flame and char spread was not the problem, but rather emission of smoke."

A Public Health Service fire expert says the tunnel test provides a reasonable measure of smoke production.

These comments and the Moss hearings suggest that the field of flammability testing is in its infancy, but, nonetheless, there are concepts that can be used, with research and development to upgrade them later on, observers point out.

The Dan River Mills people told Sen. Moss that the furniture, vinyl plastic upholstered chair, and wooden nightstand in the room where fire began at Harmar House "generated total heat far exceeding any conditions that carpet or any floor covering must reasonably be expected to withstand." However, they said that only carpets that pass the tunnel test as required by Hill-Burton "are advertised by Dan River for hospitals and convalescent and nursing homes."

Marietta Mayor Burnworth and Chief Biehl told the hearing that "Marathon" had been installed at Marietta Memorial Hospital and Selby General Hospital, and at schools and dormitories. Fire Marshal Sides said he had that type of carpet in his office at Columbus, he discovered.

Sen. Moss reported that Chief Biehl had found similar carpet in an anteroom in the New Senate Office Building. "Senate carpet burns, too. Very readily," he said.

He promised to release reports from Commerce, PHS, and SSA as he receives them. The Herald was told that the Medicare regulations are being rewritten, but how tough they will be remains to be seen.

## THE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION ANSWERS LEAGUE OF CITIES

Mr. HRUSKA. Mr. President, the Federal crime control program is currently undergoing some scrutiny. Many of us have watched this program closely to make sure that, legislatively, it is able to do the job as well as possible of helping local and State governments improve their law enforcement programs. On behalf of the administration, I have introduced amendments that would make some changes in the program; these aim for excellence and great efficiency and leadership in this important effort. Twenty-eight Senators are cosponsoring this bill with me.

During the past 12 months, the National League of Cities has issued two statements criticizing the crime control program—specifically the block grant provisions of the Omnibus Crime Control and Safe Streets Act. The league issued the first of these statements in April 1969, when the program was barely underway. In mid-February of this year, the league came out with another statement, again critical of the program and its authorizing legislation.

However, the LEAA takes a very healthy approach to this criticism and I am pleased to see that the LEAA's associate administrator, Richard W. Velde, addressed the League of Cities on March 10 giving a frank discussion of their position and charges.

I believe Mr. Velde summed up very well the points on which the LEAA and the league can agree wholeheartedly:

1. Crime has doubled and must be brought under control;
2. Crime control is the primary responsibility of the State and local governments;
3. Our criminal justice system is in disarray and must be repaired and modernized;
4. There must be national financial and technical aid, but we want no Federal police state or domination and control.

Mr. Velde noted the real issue when he said it is simply this:

How best can we get on with the job to be done, which is to improve and make more effective our police, courts and correctional systems.

And, as he pointed out, there is no "instant solution button to be pressed to effect a miraculous transformation. The job will take lots of hard work and dedication by competent, informed professionals and adequate resources and massive public support."

Mr. President, I ask unanimous consent that Mr. Velde's address on March 10 to the Congressional City Conference of the National League of Cities be printed in the RECORD.

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

REMARKS BY RICHARD W. VELDE, ASSOCIATE ADMINISTRATOR, LAW ENFORCEMENT ASSISTANCE ADMINISTRATION, U.S. DEPARTMENT OF JUSTICE, BEFORE THE CONGRESSIONAL CITY CONFERENCE, NATIONAL LEAGUE OF CITIES, WASHINGTON, D.C., MARCH 10, 1970

THE CRIME PROBLEM

I appreciate the opportunity to make like Daniel and enter into the "Lion's Den." I will utilize the chance for a frank discussion on how best to improve the nation's criminal justice system and reduce crime—and I am sure that is why you are here, also.

Stated simply, crime has doubled in the last decade. There is crime on the streets, in the suburbs, in rural areas. There is white collar crime in offices; crimes of passion in the homes. There is vicious organized, professional crime. There is drug abuse and addiction. All of this is unprecedented numbers and in staggering ratios of increase. And something must be done about it.

Why has all this occurred? This is a very complex question with no simplistic answer, but one of the principal reasons is that our criminal justice systems are in a desperate state of affairs. Our peace forces are undermanned, underpaid, and undertrained. Our criminal courts are congested and bogged down, many of them to the point of total chaos trying to apply 18th and 19th century methods to 20th century caseloads. Our corrections systems don't correct. With very few exceptions, they are cruel, inhuman graduate schools in criminality. Our prosecutors are swamped. Probation and parole are largely paper shams. From just about every objective standard and measurement applied so far, the criminal systems are dreadfully inadequate. I speak with some authority because my agency has received and reviewed the comprehensive plans of the states submitted to it, and we have travelled the width and breadth of the land seeing at first-hand that this is so. In sum, our criminal justice system has very little to be proud of. We have a very long way to go to achieve effective and efficient law enforcement—at all levels of government, city, county and state.

Why is our criminal justice system in such a deplorable state? You know the answers as well as I. For centuries our police, courts and corrections have suffered from lack of manpower and money. There is little professionalism. Their needs have most often been met with public and official indifference, apathy and neglect—sometimes even hostility, particularly in the case of corrections. You know that just about every other public cause, whether it be schools, roads, hospitals, parks, transit, even zoos and garbage collection, has come above law enforcement. We are now reaping the bitter harvest of these decades of deficiencies.

Until the past year, all participants in the criminal justice system were largely preoccupied with their own operational problems and routines. There was very little planning, very little cooperation. Most often there was jurisdictional jealousy or a great indifference to the problems, needs and objectives of other participants in the process. Chiefs didn't talk to sheriffs; judges didn't talk to jailers, and so on, all up and down and across the system. The President's Crime Commission observed quite accurately: "—that the officials of the criminal justice system . . . must stop operating, as all too many do, by tradition and rote." This is another way of saying that just one year ago we were essentially starting from scratch. There was some studying of the problems and some progress in a few of the large jurisdictions. But, on the whole, no meaningful attention was being given to planning or research. Key officials were usually defensive, suspicious, overworked and lagging in resources and managerial skills. I am convinced that we are beginning to see a change for the better.

I believe we agree also that no one Federal program has or can solve all the Nation's ills and shortcomings—not even the Law Enforcement Assistance Administration. LEAA's mission has been defined by Congress to assist in making improvements in the institutions of and participants in the Nation's criminal justice system. We cannot solve the ills of society and eliminate the causes of crime. The role is a task far beyond the competence and resources of the 230-man agency which I represent. We agree though, that Federal financial and technical assistance in large amounts is needed. And I hope you agree with the Congress when it enacted the Omnibus Crime Control and Safe Streets Act of 1968, and with the Nixon Administration, that there is no interest in establishing a Federal police state nor that Federal aid should bring with it Federal domination and control of state and local law enforcement. The preamble to the LEAA enabling legislation put the matter very well:

"Congress finds—that crime is essentially a local problem that must be dealt with by state and local governments if it is to be controlled effectively."

To what, then, can we agree? I have suggested the following:

1. Crime has doubled and must be brought under control;

2. Crime control is the responsibility of the state and local governments;

3. Our criminal justice system is in disarray and must be repaired and modernized;

4. There must be national financial and technical aid, but we want no Federal police state or domination and control.

Having said all of the above, let me state the issue before us: How best can we get on with the job to be done, which is to improve and make more effective our police, courts and correctional systems? May I state for the record, right off the bat, that there is no instant solution button to be pressed to effect a miraculous transformation. The job will take lots of hard work and dedication by competent, informed professionals and adequate resources and massive public support.

THE LEAA PROGRAM

To assist in this Herculean task, the Congress established a program of Federal financial and technical assistance. And as you know, by floor amendments in both the House and Senate, a concept of block grants was incorporated, whereby the principal amounts of Federal aid are allocated to the states on a population basis. The states then make sub-grants to local governments. It must be added that we also administer direct grants to cities and others, make grants to colleges for student loans and grants, engage in research and statistical activities all outside the block grant formula.

Congress appropriated $63 million for the first year of our existence including only $25 million in block action grants. For our second year, which ends next June 30, we received last December some $268 million, including over $180 million in block action grants. While the issue is very much in doubt for the coming fiscal year, the President has asked Congress to nearly double our funding level and many Members of Congress apparently would add significantly to that increase. Some even would double again the President's request.

Pursuant to the Congressional mandate, all 50 states had established state level plannnig agencies. By last June they had submitted to us their first attempt at comprehensive planning. These plans were approved even though some were quite sketchy (the only alternative at the time was if they were rejected, the money would revert to the U.S. Treasury). For this first effort, with impossibly short deadlines and with difficult staffing problems (after all a new profession—criminal justice planner—had to be created), the states, by and large, did well. The most striking feature was the candor with which existing programs were assessed. With such small amounts of action funds to be disbursed, just $25 million for the entire country, the list of priorities and improvements to be made was quite modest.

On balance, a good start was made, and substantially more is being accomplished now that funding levels are beginning to rise.

Yet, the ink was hardly dry on the implementing legislation when the critics of block grants, who had lost a political fight in Congress, were beginning to examine the effort in detail.

THE LEAGUE OF CITIES REPORTS

The states received the first planning grants to establish and staff their planning agencies in December 1968 and January 1969 after a five-month delay at the Federal level in appointing the first Administrators and issuing implementing guidelines. One month later, survey teams from the League of Cities were in the field to assess the progress made. By April 1969, the League had published its first of what will apparently be annual report on our program. The report focused principally on the composition of the supervisory bodies of the state planning agencies and found that not enough local elected officials were tapped by Governors to serve on them. Although the statutory requirement was that the agencies "shall be representative of law enforcement agencies of the state and of the units of general local government", the League report apparently wanted more mayors to serve; local police chiefs and assistants to mayors didn't count. In some cases, however, the point was well taken and efforts have been made to make the boards more representative, not just of mayors, but minority and other as well.

It is important to note that Title I of the Omnibus Crime Control and Safe Streets Act makes no provision of minority or community representation on state boards. LEAA felt that such representation not only was important but represented the intent of Congress. Therefore, LEAA has repeatedly told the states adequate minority and community representation is essential. There may indeed have been instances where representation of diverse interests on state boards was not adequate. But critics may have overlooked the facts. Let me cite a few: New York State has 23 board members—including six community representatives, four local elected officials, three representatives from courts and prosecution, and two from corrections. In many instances, the figures for local elected officials do not fully show the amount of city and county representation, for those from other categories—police chiefs and judges, for example—represent urban interests as well. Let me cite a few more states at random. In Utah, four of eight board members are local elected officials. In Ohio, it is five of twenty-two, plus nine police, courts, and prosecution officials. In North Carolina, it is four of twenty-six, plus 13 police, courts, and prosecutions. In Oregon, six of the twenty-two, seven of the twenty-two board members are local elected officials.

In many cases, requests to serve were turned down. Mayors, after all, are very busy people. Their meeting and committee schedules would make veteran clubwomen blanch.

In mid-February, the League issued its second annual report after additional field surveys and calling in to Washington 23 representatives of some of the larger cities.

Please let me state that LEAA welcomes constructive criticism from all responsible groups and civic organizations. Since local government obviously plays a major role in the new crime control program, we are especially anxious to hear the considered views of local elected officials—mayors, councilmen, heads of county governments. In that spirit, we were happy to read the recent second annual report of the League of Cities on the LEAA program. That study has undergone—and is undergoing—careful, point-by-point study. Time obviously precludes a point-by-point discussion of it on my part. But let me say, first of all, that we are delighted at the interest shown by local elected officials in the crime control program. We want your views—not only on the latest report, but in the future as well.

However, I would be less than candid if I did not say I was seriously disappointed by some things in the report.

The report of the League of Cities cited no broad national statistics to support its basic contention that the Nation's large cities are not receiving enough funds. If memory serves me correctly, it did not even cite any of the large 15 cities which have the most pressing crime problems. The League report cited an example here, an example there—but failed to offer statistical evidence of alleged shortcomings on aid to the major cities. Let me disclose to you one statistic developed by an LEAA survey. As of December 31, the states had subgranted to local governments about ¾ of the 75 percent share of the $25 million in block action grants they received last June. Of that 75 percent, slightly in excess of 45 percent had gone to the Nation's 411 cities of more than 50,000 persons. The figure represents only money for direct use in the cities themselves. It does not show the appreciable amounts of money that have gone to the heavily populated suburban areas surrounding the cities. The remaining 25 percent of the local share of funds are now being distributed. We do not yet know if the $18.7 million distributed followed exactly the formula that states must give at least 75 percent to local governments and keep up to 25 percent for statewide law enforcement projects. But if we assume that such a distribution pattern did occur, then cities of 50,000 persons and over had received at least 60 percent of all funds given to local governments as of that date.

The League of Cities report cites perhaps 30 to 40 instances of alleged shortcomings in grants. Again, let me stress that none of the Nation's 15 major cities was cited. But the states in fiscal '69 gave funds for some 2,500 projects. To evaluate the entire program, as the League attempted to do, on the basis of 30 or 40 projects, is clearly an inadequate sampling.

The League report cited Denver as an example of the argument that large cities were not receiving enough funds. Denver, by the way, was about the only city over 500,000 cited.

Our figures show that Denver, with 24 percent of the state's population, received 32 percent of all funds available to local government in Colorado in fiscal 1969. Denver made one request for funds which was granted, but the state planning agency awarded funds to the city for three other projects. Colorado already has received its fiscal 1970 action grant—and 13 separate grants for Denver have been approved by the state. Three fiscal 1970 applications were turned down—one for an $1,800 library for police, which has been referred to another, and more appropriate, Federal agency, and one for construction of a police substation, turned down because construction funds were too limited. One salary support grant was rejected because it violated statutory requirements. For fiscal 1970, Denver is receiving 28 percent of the local share of Colorado funds, and the Denver metropolitan area is receiving another 29 percent—meaning that Denver and its suburbs are receiving 57 percent of the total funds distributed by the state.

Birmingham, Alabama also has been cited as an example of a state which received scant funds. At the time the report was written, the point was well taken. Alabama was one of the slower states. But as of March 4, Birmingham had received all of the funds for which it applied from the state's fiscal 1969 block grant of 8 percent.

LEAA is deeply concerned that adequate crime-fighting funds flow to cities with major crime problems, and we have said so again and again—and backed up our contention with numerous meetings with state officials and by guideline requirements. In addition, LEAA has given direct discretionary action funds to a number of cities, and plans major direct aid this fiscal year, when $32 million in discretionary action funds are available. In fiscal 1969, a total of $1.1 million was given directly to the Nation's 11 large cities in grants of about $100,000 each. Three of the projects have not yet been launched by the cities, according to the latest information we have. This was money given directly to the cities. Eight months later, important projects have yet to get underway and in all only about ⅓ of the $1 million has been spent by the cities. I suggest it may show that certain cities themselves—which are so quick to criticize LEAA and the states—shall take a hard look at themselves.

THE HARTKE AMENDMENT

Last fall, Senator Vance Hartke, supported by the League of Cities, introduced a Bill to amend and recast the LEAA authorizing legislation. The bill has three sections: the first would add a new program category for

street lighting and building security. The second section would limit block grant allocations to states to 50 percent of the total funding down from the present 85 percent share. The LEAA would have discretion to allocate the remaining 50 percent as it saw fit. The second section also contains two provisos with regard to the discretionary funds—a state's allocation may be increased by 20 percent if LEAA determines the state's plan adequately deals with the problems and needs of the major urban areas, and may be further increased by another 20 percent if the state contributes at least 50 percent of the matching funds of local programs. Also, section two exempts discretionary funds from matching requirements and salary increase limitation of the Act. Finally, the bill provides appropriations authorizations for the three coming years at levels of $800 million, $1 billion and $1.2 billion, respectively.

The bill does not amend the existing provisions requiring an automatic pass-through on 75 percent of the block grant funds to units of local government.

Although the Senator's interest in improving the Act is appreciated, there are some problems with his approach. Let me identify a few for you. First, there would be great potential for a major erosion of the block grant concept before enough time has elapsed or substantial funds have been committed to give it a fair test. LEAA is just beginning its second year of full operation and the state planning agencies are not far behind. Ask yourselves how the activity so far in this program compares with the start-up time of other Federal programs you have experienced—say, Model Cities, for example. I submit that our record compares favorably. And it must be agreed that $25 million in action funds for the entire Nation is not going to go very far meeting the multitude of law enforcement needs and priorities—at any level when the national criminal justice budget is about $6 billion a year.

Another problem with the Senator's approach is that there would be little incentive, if any, for the states to pick up the options offered to increase the block grant share. First, the matching requirements would be totally lifted for discretionary grants, but not block grants. Second, with no change in the automatic pass-through requirements for block grants, it would actually cost the states more for the privilege of giving 75 percent of the increased block grants to the local governments than under the existing formulas. In all probability, the states would join in and vigorously compete with local governments for the increased discretionary funds. And with their professional staff support and political influence, they would be fierce competitors.

So far, I can report that there has been negligible political influence in the Federal decision-making process on LEAA grant awards, especially under the block grant formulas based on population. But I don't need to tell you that this condition is not necessarily representative of other Federal aid programs, as those of you who applied for and were not designated "model cities." Giving Washington bureaucrats—even Republicans—wide latitude in distributing funds is an open invitation for political skullduggery.

The League of Cities has complained about the layers of bureaucracy needed to administer block grants. The Hartke Amendment would not alter this condition at all, since there would still be substantial block grant funds to dispense through the existing administrative machinery. But another layer, principally at the Federal level, would be needed to process the greatly increased volume of applications that the expanded discretionary grant funds would generate. LEAA now has about 100 employees servicing the block and discretionary grant programs. We will be severely pressed, at present manning levels, to process the expected 1,500 discretionary applications in Fiscal '70 to make the expected 500 grant awards. Multiply that workload by a factor of ten—assuming $300 million in discretionary funds would be available for the coming fiscal year if the Hartke Amendment were passed and funds appropriated—and there would have to be a mushrooming of Federal bureaucrats to handle the workload. That is, unless you would prefer that LEAA go the way of another aid program I heard about recently. In the early days of that program, which was funded very substantially at the beginning, so many applications flooded the agency that they were arbitrarily stacked in piles from floor to ceiling. Every 25th application was reviewed. If it was acceptable, then the 24 above it would be automatically approved! That's a helluva irresponsible way to run a railroad and can get the program into serious trouble with Congress and the taxpayers—let alone the auditors.

In short, the Hartke Amendment is premature and it probably wouldn't achieve its intended results any better than the block grant formula. Now let me briefly discuss the Administration's proposed amendments to the LEAA legislation. Incidentally, I will comment on the funding level proposed by the Senator shortly.

THE ADMINISTRATION'S AMENDMENTS

Believe it or not, the Administration has proposed several amendments to LEAA legislation, though the press statements from the League of Cities and Senator Hartke focus on only one provision which they attacked quite vigorously. There are other proposals, which I submit are meritorious and should meet your approval. When Senator Hruska introduced the bill in the Senate last week, he did so for himself and 24 other Senators including Democratic Senators Pell of Rhode Island, Yarborough of Texas, Eastland of Mississippi, Ervin of North Carolina, and Republican Senators Scott of Pennsylvania, Dole of Kansas, Griffin of Michigan, and Goldwater of Arizona. With that kind of support there must be something worthwhile in the Bill.

Consider the other amendments first, then we will take up the controversial "small state" waiver provision. First, the Administration has proposed that special emphasis be placed on the critical needs of our Nation's correctional programs and facilities. States would be required to develop comprehensive plans for corrections and the Federal share of the costs would be up to 75 percent, rather than the 50–50 or 60–40 formulas which now exist.

Second, we are proposing that the Law Enforcement Education Program be broadened to include costs of books and supplies; to add those desiring to teach in the field to be eligible for assistance; and to expand the LEAA role in support of law enforcement training. I hope you would agree that these are worthy purposes.

Third, modification in the salary support limitations is offered so as to construe the limitation narrowly to uniformed police only. This would provide some relief while gaining time to amass more experience as to the effect of the present one-third limitation.

Fourth, there is offered an easing of the matching requirements in 20 percent of the discretionary funds, as opposed to the total lifting proposed by Senator Hartke.

The so-called small state amendment we propose would give the LEAA Administrators discretion to waive the pass-through requirements that 40 percent of planning funds and 75 percent of action funds must automatically go to units of local government, no matter what their relative expenditures for law enforcement purposes. There must be a finding by LEAA that adherence to the original formula would not result in an "appropriately balanced allocation of funds between the state and units of local government."

The purpose of this amendment is to allow flexibility in the small number of states—not more than 12 at the present—where the relative share of state-level expenditures for law enforcement is substantially more than 25 percent. Let me give you two examples of the problem. Alaska has only five local police departments. All other police, court, and correctional activities are the responsibility of the state. The state's share of total expenditures is 70 percent. Other small states with similar problems: Delaware—60%; Vermont 72%; Maine—55%; North Carolina—50%. The District of Columbia is defined as a "state" in the LEAA legislation. How can it technically comply with the requirement of sub-granting 75 percent of its action funds to "local government" when it is the only government in that "state?" Yet, this is the inflexible requirement of the Act.

We seek only the authority—which incidentally we may already have—to waive the pass-through in extreme instances as cited above. We seek to get specific Congressional approval to apply the standard of section 303(3) to the requirement of section 303(2) for the pass-through. Rather than take administrative action, we are seeking to place the matter squarely before Congress for a fair determination.

In seeking this flexibility, we are asking much less than the Johnson Administration asked in its original "Safe Streets" bill, a proposal which the League of Cities strongly backed. And in its impact, the amendment would be much less authority than Senator Hartke would give LEAA. This amendment should be read in concert with Section 510 of the existing law which gives dissatisfied potential grantees comprehensive appeal rights including an administrative hearing and a trial de novo in Federal court if needed. The legislative record to be made in the pending hearings in the House Committee and elsewhere in Congress will amply demonstrate that this is our purpose.

The legislative history of the original pass-through requirements for action grants, though very sketchy, was based on the relative expenditures of the states and local government expenditures for law enforcement—on a *national average*. For planning grants, the 60–40 provision was totally arbitrary because there was no prior history of expenditures at any level of government. This is the essence of why the flexibility is needed.

At the beginning of my remarks I somewhat flippantly alluded that Daniel was entering the "lion's den." Of course, this is not the case. You have been courteous, attentive, and patient. I genuinely appreciate the opportunity for this candid exchange of views with you. In closing, I call your attention to a letter circulated among the League's membership last December. That letter said in part:

"The point at issue is whether the National League of Cities will assume primarily a role of incessant criticism of all other levels and forms of government in America or whether we will evolve a constructive and more harmonious relationship with the national administration of President Nixon, the United States Congress, State Governors and Legislatures, and County Officials."

It must have been persuasive, because the author was Mayor Lugar of Indianapolis, your new First Vice President, and was written when he was campaigning for the job. His counsel will stand you in good stead. We all face a vital and staggering task to make meaningful and lasting reform in our justice systems and curb crime. We don't really have the luxury of quibbling over delivery methods of funds. In short order, there will be enough for real progress. Let's get to work.

LEAA will do its damnedest to see that you are treated fairly!

## BICYCLES—A SOLUTION TO THE COMMUTER CRISIS

Mr. TYDINGS. Mr. President, most Americans regard bicycles as toys; people of other countries regard them as viable, nonpolluting, and inexpensive means of transportation. Although the bicycle makes a direct assault on four problems that plague modern cities—traffic, noise, parking space, and air pollution—planners have overlooked it in their search for solutions to the urban transportation crisis.

In a most unusual article entitled "Easy Rider: A Solution to the Commuter Crisis," published in the November 1969 issue of the Washington Monthly, Thomas R. Reid III argues well the case for a national plan for commuter bike routes. It is indeed time for commuters and communities to give bikes a chance. 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:

[From the Washington Monthly, November 1969]

EASY RIDER: A SOLUTION TO THE COMMUTER CRISIS

(By Thomas R. Reid III)

I can get to work in the morning faster than you can. I can get to work cheaper than you can. I can park much closer to my office than you can. And I have more fun commuting than you do.

The secret to my success is a two-wheeled, three-geared vehicle that I bought last year—complete with a galaxy of optional extras—for $35. I go to work on a bicycle. On it, I am able to travel the four miles from home to my job downtown in the quickest, cheapest, easiest, and healthiest possible way.

Not only do I get to work faster, easier, and happier than you do, I'm a better citizen about it, too. My bike never blocks traffic, and I don't need vast acreages of space to park it. Instead of a honk, roar, and crash, the only sound I make is the gentle swish of pedals. Most important, my bike does not pollute the air. While the automobile industry works to eliminate defects in the internal combustion engine, I've gone one step further. I eliminated the engine.

I didn't always have it so good. For years I used to go out every morning, charge up my 350-horsepower, four-on-the-floor Detroit dynamo, and crawl through traffiffic to my office at 15 miles per hour. I found that pace exasperating. But by present automotive standards I was making good time. In a recent study of central Manhattan, rush-hour traffic was clocked at an average speed of three miles per hour.

It wasn't just the exasperation, though, that led me to stop driving. When my parking lot man told me one morning that he was raising his rate to $3.00 per day, I decided that there must be a better way.

So I started taking a bus to work. But it didn't take me long to realize that public transit was not much better than fighting through the streets in my car. I was still paying too much for a ride that took too long, even on those red-letter days when the bus ran on schedule. Standing on the bus each morning, looking out at the chaos on the streets, I concluded that none of the conventional forms of transportation could cope with the traffic problem. Then, one day about a year ago, I stopped thinking conventionally. I started commuting by bicycle.

Commuting by bicycle? Is this some kind of put-on? It may sound like a joke to motor-minded America, but in the rest of the world nobody is laughing. In countries that are willing to take it seriously, the bicycle is making a significant contribution to transportation. Switzerland, for example, which traditionally places a high value on peace of mind and purity of air, has more bicycles than automobiles. In Amsterdam—a national capital with roughly the same population and climatic conditions as Washington, D.C.—150,000 people ride bikes to work every day. Hundreds of thousands more commute by bicycle in other European cities. The same is true in much of Africa and Asia.

Probably the most dramatic example of the importance of bicycle transport can be seen in Vietnam. Harrison Salisbury reported in *The New York Times* that the North Vietnamese are using bicycle battalions to carry tons of supplies over routes that have become impassable for trucks. The French historian Jules Roy argues in *The Battle of Dienbienphu* that the bicycle was instrumental in the outcome of that battle.

Nonetheless, the United States has displayed a curious isolationism toward the bicycle; we have refused to learn from the example of other countries. Americans still see the bicycle as a toy, the notion that someone would seriously rely on a bike for transportation is considered rather silly. It doesn't bother me, though. Maybe some drivers and bus riders think it funny when they see me pedal to work, but when I consider the advantages my vehicle has over theirs, there isn't much question about who is really laughing at whom. Besides, I have an assured seat.

Consider the time it takes to get to work. From a residence within five miles of the city center, bicycling is the fastest way to get downtown in rush hour. That may seem incredible, but I have proved it. This summer I entered a commuter race in Washington, D.C. I raced against one commuter who drove his car, and another who rode the bus. The "track" ran from a residential neighborhood in Northwest Washington to the Mayor's office in the heart of the central business district.

It wasn't even close. At the moment I arrived to win the race, the car was barely visible behind a long line of stop-and-go traffic; the third man was waiting at a bus stop some three miles away.

It may be some solace for automotive buffs to know that the driver did finish first in one aspect of the race: he managed to spend more money than anybody else. By the time he had parked his car for the day, his total expenses were over $3.00 for the trip to work. The bus rider spent $.30 each way for his trip. My expenses on the bike are harder to determine, but a reasonable estimate would place my total cost for the three-and-a-half mile race somewhere between one and two cents.

The economic advantage of commuting by bike can be seen even more clearly when calculated on an annual basis. Internal Revenue Service formulas for depreciation and operating expenses—assuming a fee for hard-to-find parking of only $1.00 per day—suggest that a commuter who drives five miles to work and back each day spends over $500 in a year of commuting.

Compare that to my annual commuting budget. By extrapolation from the same Internal Revenue Service figures, the depreciation rate for a bicycle comes to $.0016 per mile. Adding depreciation to annual operating expenses (one broken spoke, one flat tire, two headlight batteries, and one can of oil), the total cost for a commuter who bicycles 10 miles a day all year is around $5.50—about 1/100 of the cost of driving.

Bicycling is as good for the psyche as it is for the pocketbook. The bike commuter may have to stay cooped up in his office all day just like everyone else, but he knows that morning and evening he can be outside for a while in the bright of spring or the crisp of autumn. The bike rider participates in the sights and sounds of the street in a way that no other commuter can. The bike rider also enjoys the particular satisfaction of being self-propelled, a rarity in this age of powerlessness. It is a good feeling to know that you can get somewhere under your own steam.

Doctors agree that commuting by bicycle is good for the body as well as the soul. Dr. Paul Dudley White, advisor to Presidents and a leading heart specialist, says that "bicycles are the answer for both brain and body. If more of us rode them, we would have a sharp reduction in the use of tranquilizers and sleeping pills."

Dr. White cites the following specific benefits of bicycling: "In the first place, it is an aid to good muscle tone, much needed by the American people today. It aids the circulation and thereby the heart . . . it aids the lungs . . . it aids our digestion and it may even protect against peptic ulcers . . . it aids our weight control . . . it probably aids our longevity . . . it aids the nerves by improving sleep and maintaining equanimity and sanity."

A word on weight control: even a leisurely bike rider burns up 100 to 120 calories per mile. This means that a commuter who has an easy half-hour ride to the office and back will use 1200 calories per day just getting to and from work. Thus, even without its time, money, and health benefits, bicycle commuting could still be the best thing that ever happened to the Metrecal-for-lunch bunch.

Of course, bicycle commuting has its disadvantages, too. One disadvantage is winter, which keeps coming back every year. Although year-round riding is feasible in the deep South, it is just too cold for at least one or two months in most American cities. The only real problem, of course, is that the commuter has to arrange an alternate way to get to work during the winter months. But as soon as spring appears, he can get out his bike and start arriving at work on time again.

The most serious problem facing the bicycle commuter is the hazard of venturing into traffic on a bike. The bicycle rider in American cities today has an identity crisis—nobody knows he's there. Consequently, motorists will pull out of a driveway, switch lanes, swing U-turns, and back up without even noticing that a bicycle is in the way. This problem is being alleviated in some large cities through large-scale publicity campaigns designed to sensitize drivers to the fact that there are bikes on the streets. This is a public problem, and it will be up to governments to solve it. As cities take steps to improve the lot of the bicyclist, experience indicates that the number of bicyclists will increase.

It is clearly in the cities' best interests to encourage bicycling; bicycle commuting, after all, holds just as many advantages for the community as a whole as it does for the individual commuter. There are indirect benefits for the city in the decreased economic burden and improved health that result from commuting by bicycle. In addition, the bike makes a direct assault on four problems that plague modern cities: 1) traffic, 2) noise, 3) parking space, and 4) air pollution. (The automobile companies have been somewhat successful in their own attempts to control pollution. Depending on whose estimate is used, harmful emissions have been reduced 50 to 80 per cent in the past few years. Nonetheless, cars and busses are the major cause of air pollution in urban areas. The cities will not solve this problem until they reduce the number of cars coming downtown every day.)

Politicians, mindful of the social advantages of bicycle communting (and sensing that there must be a few voters among the

country's 57 million bicyclists and tricyclists) have been enthusiastic backers of the bike. John Lindsay remains a strong advocate of bike routes in New York City. In fact, bicycles have traditionally been one of the few points of agreement among New York mayoral candidates. Following the 1965 municipal elections, the New York Post commented that Bill Buckley's proposal for an elevated bikeway along Third Avenue may have been the most reasonable suggestion advanced in the entire campaign. While this may be more of a reflection on New York City than it is on the bicycle, it is indicative of the fawning attention that candidates tend to pay to bicyclists.

On the national level, Stewart Udall has been a strong supporter of bicycling as the only way to offset "the tyranny of the automobile." Lyndon Johnson waxed almost poetic in a message to Congress: "I see an America where our air is sweet to breathe and our rivers are clean to swim in. I see an America where [there are] bicycle paths running through the hearts of our great cities. . . . The forgotten Americans of today are those who like to walk, hike, or ride bicycles. For them we must have trails as well as highways."

With bicycles, as with everything else, talk has been more plentiful than action. There is still nothing like a national plan for commuter bike routes. On the local level, however, much has been done, and there are in fact "bikeways"—especially designated, clearly marked routes—running through the hearts of many of "our great cities."

One of the most ambitious and most successful bikeways runs through downtown Chicago. An extensive system of bike routes leads through several city parks and along the lake shore. As is the case in most other cities, Chicago started its bikeway project strictly for recreation purposes, and then expanded it as shoppers and commuters began to use the routes, too. The city now has 36 regularly traveled bike routes.

And Chicago isn't all. You can commute from Cambridge to downtown Boston on a bicycle path that runs along the Charles. Milwaukee has 64 miles of marked bikeways. Cities all over Florida have responded to the possibilities of bike commuting. Miami is the hub of an extensive system of bicycle routes connecting the central city with outlying suburbs. Bicycles are so common in Florida that the Coconut Grove National Bank has set up pedal-in teller windows at its branches.

The most carefully planned and most instructive program for bicycle commuter routes is a proposal prepared earlier this year by three young staff members in the Division of American Studies of the Smithsonian Institution. The Smithsonian Plan was designed specifically for Washington, D.C., but its approach and general strategy make it a good model for cities everywhere.

The Smithsonian Plan calls for a radial system of routes bringing commuters from various sections and suburbs to a common axis—in this case, the Mall—running through the central business district of the city. It is designed to serve shoppers, tourists, and schoolchildren, as well as thousands of commuters.

The Smithsonian Plan is modular. It can be started on a relatively modest scale and augmented in phases. The initial "pilot" phase of the project, which is under consideration among city officials now, would provide routes from three residential areas—Capitol Hill, Georgetown, and Arlington, Virginia— to the Mall. These first routes can be expanded logically in definite steps into an extensive system serving all major residential areas. The expanded system also includes bike routes leading downtown from pocket areas in the inner city, where few residents own cars and where bus and taxi service is practically nonexistent.

The Smithsonian Plan combines three different types of bicycle paths into one integrated system. Where traffic is heavy and sidewalks are wide enough, bicyclists will travel on the side walk. In other places, the bicycle will share the street with automobile traffic. Along particularly busy roadways, the proposal suggests that special bike paths—paved areas, about six feet wide, running parallel to the road—be constructed.

The Smithsonian Plan takes extensive precautions for the bicyclists' safety. Wherever possible, the proposed routes run along side streets rather than major trunk lines. Where bikes must share the road with heavy automobile traffic, the streets will be clearly identified and motorists will be reminded to watch out for cyclists. The plan emphasizes marking and identification of routes in order to bridge the visibility gap between bicycles and motorists.

Washington is a city on a river; the river means bridges; and bridges mean special hazards for bicycle commuters. The Smithsonian planners have side-stepped this problem in a delightful way. They propose that a special ferry service be established to bring bicyclists across the Potomac to and from the Virginia suburbs. They have even found a ferry boat—the *S.S. Old Duck*—which was recently taken out of service and docked at a backwater in the Washington Navy Yard. The authors of the Smithsonian Plan have recommended that the District of Columbia put the *Old Duck* back in service as a bicycle ferry.

To date, nobody has taken the suggestion seriously. Everybody knows that ferry boats were pronounced dead by the city planners eons ago. Ferries were a victim of progress; in this era of convenience the river ferry is an obsolete as—well, as the bicycle.

The irony here, of course, is that the onward thrust of "progress" has brought us to the point where the *Old Duck* is a quicker and more convenient form of transport than any of its vaunted successors. No doubt the planners can prove conclusively on paper that the idea would never work. But ask a commuter—the *Old Duck* would make sense to somebody who actually makes the trip twice a day.

And what a wonderful trip it could be. To ride a bike to the river bank, chug across the river on the faithful old ferry, pedal down the gangplank and on to the office—it's the kind of thing you'd pay $2.50 to do at Disneyland, and you could do it every day, twice a day, in the heart of the city. With a little imagination, the city could make some money in the process. It would be easy to serve a continental breakfast on the trip across the river, and in the afternoon the ferry could become the club car of the cycling set.

In short, the *Old Duck* would be an opportunity to put some fun into the workaday grind. The possibilities—for the city and commuter—are endless. They deserve to be explored not only in Washington but in every city that still puts a premium on such an outmoded commodity as pure pleasure.

This ferry proposal represents all the best features of bicycle commuting in general—it is simple, inexpensive, and rather quaint, perhaps, but at the same time obviously feasible and emminently reasonable. City planners who are racking their brains to find simple, feasible, and reasonable solutions to their traffic problems might do well to study the Smithsonian Plan and to consider the bicycle.

In the light of our collective motormania, the idea of giving the bicycle serious thought may be hard to accept. But as space to move and to park the automobile in downtown areas runs out, as clean air begins to have a price tag, with no readily available alternative in sight, the demands for recognition of "Pedal Power" become less and less funny. Bicycles are not a panacea for the traffic problems, but, given the chance, they can help. It is time for commuters and communities to give bikes a chance.

## THE SEA, THE SKY, AND THE MOUNTAINS

Mr. FONG. Mr. President, the national campaign to preserve and improve our environment has inspired a leading Hawaiian composer, R. Alexander Anderson, to write a song entitled "The Sea, the Sky, and the Mountains." Its theme is that these great natural blessings may be ours for as long as man has the will to preserve and protect them.

"Alex" Anderson's song is his latest in a long list of successful compositions. Among his most popular hits are "Lovely Hula Hands," "Cockeyed Mayor of Kaunakakai," and "Mele Kalikimaka," each of which has sold more than a million records.

I congratulate him on composing a new song with an important, timely message. It is a song which the composer says "will best suit those singers with robust voice who can stand up and really deliver a message."

I ask unanimous consent that the words of "The Sea, the Sky, and the Mountains" be printed in the RECORD.

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

THE SEA, THE SKY AND THE MOUNTAINS

(By R. Alexander Anderson)

The sea, the sky and the mountains
Must never change, will never change
If man has the will to preserve them,
To keep them always the same.

Golden sunshine, welcome rainfall,
Cooling sea breeze sweeping the land,
Lakes and rivers ever flowing
From the monutains to the shore
Keep them unpolluted, unsullied, undefiled.
Protect all God's creatures,
Birds up in the sky, fishes and wild things
Do not let them die.
And the sea, the sky and the mountains high,
Let man preserve them,
Learn to conserve them
To have to hold them forevermore.

## CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

## WAIVER OF THE GERMANENESS RULE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Pastore rule on germaneness, which I understand began operating some minutes ago without our being aware of it, not be considered to have begun operating until now.

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

## MESSAGE FROM THE HOUSE—ENROLLED JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled joint resolution (S.J. Res. 190) to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees, and it was signed by the Acting President pro tempore (Mr. ALLEN).

## SUSPENSION OF FURTHER DEPLOYMENT OF OFFENSIVE AND DEFENSIVE NUCLEAR STRATEGIC WEAPONS SYSTEMS

The Senate resumed the consideration of the resolution (S. Res. 211) seeking agreement with the Union of Soviet Socialist Republics on limiting offensive and defensive strategic weapons and the suspension of test flights of reentry vehicles.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote on the pending business occur not later than 4 o'clock p.m. today. This, I understand, has been cleared on all sides.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

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

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

### SALT AND THE FUTURE FOR STRATEGIC ARMAMENTS

Mr. MUSKIE. Mr. President, it is now almost 25 years since the first atomic bomb was dropped on Hiroshima. In that quarter-century we have added enormously to our arsenal of nuclear weapons; we have increased the number and types of delivery systems. The Soviets have entered into nuclear competition until now both the United States and Russia have the capacity to destroy each other and much of the rest of the world.

Because we have lived so long with the threat of nuclear war, and because we have become accustomed to the ingenious and terrible weapons which made such a war possible, we sometimes act as if the threat did not exist, and we behave as if the expansion of our nuclear capacity were essential to our security and national welfare.

The fact is, Mr. President, that more nuclear weapons do not buy more security. The only value in having nuclear weapons is to discourage and deter others from attacking us. We and the Soviets have ample numbers of deliverable weapons to serve that purpose today. Adding a new generation of nuclear weapons adds to the danger of global disaster without increasing national security, and it decreases our capacity to deal with those social and economic problems which plague our country and many others.

But we and the Soviets are in real danger of launching our countries into a new round of futile, dangerous, and potentially disastrous competition in nuclear weapons. At the same time, we have an almost unique opportunity to reach an agreement with the Soviets on arms control which can reduce the danger of nuclear destruction, without lessening our national security and without diverting $20 billion a year from the needs of people.

In the years since 1945, our sizable lead in nuclear armaments has meant that proposals to control the strategic arms race had little chance of succeeding. Now, in 1970, there is the first clear opening. There is both a situation of mutual deterrence and an acceptable parity of nuclear strength between the United States and the Soviet Union. This unique and fleeting opportunity must not be allowed to slip away through design or delay. We can act promptly and decisively without committing ourselves hastily to any final solutions.

The choice that presents itself is not that of simply talking to the Russians at length while the arms race continues, or seeking desperately to reach what might be an inadequately thought-out agreement. There is a third choice—taking steps now to preserve the opportunity for effective agreement without locking ourselves into a final position.

Reasonable equality is the all-important new element in 1970. Today the United States and the Soviet Union are roughly equal in technology and in the destructive power of deliverable nuclear warheads. A condition of mutual deterrence has prevailed for many years, because deterrence does not depend on even rough equality. The likelihood of any appreciable nuclear devastation by retaliatory attack is a powerful deterrent to the first use of nuclear weapons. But although relatively little opposing nuclear strength is enough to deter, substantial equality must be reached before both parties will be willing to negotiate. With the balance as it now exists, neither side need fear that an immediate halt to the arms race will mean permanent inferiority.

The present situation of nuclear balance is adequate for our own security needs. We can never hope to do much better and we can do a lot worse. Both sides have learned the costs and the dangers of attempting to win the nuclear race. It is a race with no finish line and the runner in second place always has time to close the gap.

It is therefore in our interest to end the arms race and we should do it now. If it continues, we both at best will continue to squander our resources in a fruitless drive for meaningless superiority. At worst, time will run out for us both—and for mankind.

There have been indications that the Soviets recognize that security is not synonymous with nuclear superiority. A recent Pravda article on the SALT talks dated March 7, 1970 was notable for the absence of the traditional propaganda theme of "general and complete disarmment." Instead the article extolled the virtues of restraint and limitation, and talked sensibly about parity. It noted that "a new spiral in the arms race could not change the essence of this balance" and that "none of the weapons systems now seemingly within the reach of this or that side can change this fact."

I do not know President Nixon's personal views on the question of seeking nuclear superiority. But to the extent that he recognizes the search for such superiority to be futile and self-defeating, his actions are either inconsistent or incomprehensible.

His vague demands for linking SALT to the settlement of other political issues complicate the negotiability of SALT without making the other issues more negotiable.

His criteria for what he calls nuclear "sufficiency" insofar as they are understandable can undermine stability and create a climate of unfounded fear about mutual deterrence.

His negotiating tactics and tentative approach are allowing the essential condition of mutual security to slip away.

While the actions of the Soviet Union have been equally ambiguous, it is not clear whether this is a cause or a consequence of the Nixon administration's policies. The continuing Soviet missile buildup and most especially their recent SS–9 deployments do not square with their hints of stabilizing the strategic balance as expressed in the Pravda article.

I am not prepared to disregard their missile buildup or the possibilities for mischief in their position. But neither am I willing to dismiss the possibilities for serious negotiations. My point is that we do not have to argue about interpretations of Soviet motives. SALT provides an opportunity to assess their real position and see if we can do business together.

I do not want to assign blame for the past 25 years of the arms race. It is unknowable and unnecessary. I do not want to have to engage in guessing games about President Nixon's goals and strategy. I want to do something about them here and now.

The way to start ending the strategic arms race is to seek agreement with the Soviet Union to an immediate and mutual interim strategic standstill. This would mean freezing the present strategic nuclear balance in all of its dimensions. It would mean time to make sound and lasting decisions later. It would preserve negotiating opportunities.

This standstill would encompass all further deployments of offensive and defensive strategic weapons system and all testing of MRV's and MIRV's. Because of the totality of its scope, because of the necessity of its taking effect immediately, and because of the complexity of the issues involved, I believe that the mutual freeze should first be introduced for a 6-month period. Starting with a 6-month period would not by any stretch of the imagination impair the security of either the United States or the Soviet Union. It would also enable both sides to determine

whether a continuing strategic standstill is both workable and verifiable. It is my understanding that this is consistent with the intent of Senate Resolution 211 as amended. I shall vote for the resolution.

I. A MUTUAL INTERIM STRATEGIC STANDSTILL

Let me describe more precisely why I support Senate Resolution 211, how it would work, what its advantages are, and why I believe it should begin as a temporary arrangement. I visualize five elements in the MISS:

First. The United States should take the initiative in making the proposal. It should be the first order of business at Vienna. If the Soviet Union is not interested, we can move on to other negotiating possibilities. If the Soviets are interested, the entire initial Vienna session can be well devoted to ironing out the details.

Second. The substantive effect of the proposal would be a mutual halt to first, MRV and MIRV flight testing, and, second, further deployments of all other strategic offensive and defensive systems. Only by prohibiting Soviet missile testing that could lead to the development independently targetable warheads could we have the confidence that Soviet MIRV's would not be deployed. Because of our open society, the Soviets need not have a similar concern about U.S. circumvention. MRV and MIRV testing and deployments would be halted, thus giving neither side an opportunity to gain advantage. Research and development, an area which is inherently unverifiable and hence uncontrollable, would continue. The ban on further deployments would encompass land and sea based ballistic missiles, strategic bombers, and ABM radar construction and upgrading along with associated missiles. The halt would apply only to strategic offensive and defensive nuclear systems. It would not in any way affect the current deployment of ground forces, air and sea units, or of tactical nuclear weapons. We would be as prepared to deal with any contingency—strategic, tactical, nuclear, and conventional—as we are today.

Third. The halt would be for a 6-month period with an automatic lapse unless renewed in the same or in modified form by both sides. Initially, this would be long enough to provide negotiating room and short enough to forestall either sides' having the jitters. Of course, if we detect Soviet cheating, we would have the option to call off the whole arrangement. If all works satisfactorily, both sides could extend the temporary halt.

Fourth. Both sides would agree to rely on national means of vertification to detect violations. For the United States this means utilization of our ample technological capabilities. For the Soviet Union, it means also the ample supplement obtainable by reading American newspapers. Given the all-encompassing nature of the temporary agreement, both sides would have high confidence of being able to detect cheating. Any new deployment would be a violation, and would bring an end to reciprocal restraint.

Problems associated with detection and verification need to be looked at closer when it comes to making a final agreement. These problems are not an excuse for rejecting the interim arrangement I propose.

Fifth. As a measure of precaution, we should maintain a high state of readiness to resume testing and deployment programs.

The limited duration of the initial suspension makes possible the breadth of its coverage. As I see it, this approach has the advantages of more limited proposals to ban MIRV testing or ABM deployment and the like, without involving their disadvantages. More limited proposals which focus on banning one or more weapons systems are open to the charge that compensatory actions in other weapons systems could upset the balance. For example, simply prohibiting MIRV testing and deployment would do nothing about ABM systems, and simply banning ABMs would leave the MIRV threat intact. Pressures to resume deployments and make new deployments are bound to arise in such situations.

A mutual interim strategic standstill takes no chances with our security. No one in the Nixon administration has argued, and I believe no one can argue, that no matter what happens, our security could be impaired over such a short period of time. The President and the Secretary of Defense have said that we are in good shape now and in the short term, and that our only cause for concern might be the possible situation in the mid-1970's. For example, even the very first stage of the supposedly "vital" Safeguard ABM system is not due to become operational until 1973 at the earliest.

The immediate benefit to the United States of a MTSS is that it would halt Soviet ABM and SS–9 buildups and multiple warhead tests. The Nixon administration points to these ongoing Soviet programs as the cardinal reasons for U.S. ABM's and MIRV's. To be specific, Secretary Laird has said that 420 SS–9's with three warheads per missile could destroy almost all of our Minuteman missile force. But if we do not act now to hold off this MIRV'ing potential, the situation could only become worse. The Soviets eventually could develop a five or a 10 headed MIRV'ed missile, and with a force of only 300 SS–9's do more damage that at present. Can this kind of development be checked by anything other than an arms control agreement? Would a 6-months freeze, which I have proposed, make the threat of the SS–9 greater?

Of course, U.S. ABM and MIRV programs would be suspended as well. But this should be no cause for concern. Those who still take great comfort in U.S. "superiority" in numbers of nuclear warheads and technology ought not to be disturbed by the mutual freeze. To the extent that this superiority is translatable into diplomatic and strategic currency, the mutual freeze leaves the United States with those advantages as well.

Another benefit from a mutual interim strategic standstill is that it keeps the door open for permanent agreement either along the same over-all freeze lines or along more limited lines. So in a sense, Mr. President (Mr. HOLLINGS), it would be a negotiator's pause.

Without this pause, all chances of banning MIRV's and ABM's are lost. Once both sides go beyond present testing of MIRV's and deployment of ABM's, banning becomes impractical. In the case of the MIRV's, we would not be able to detect with confidence whether or not they are being deployed. The Soviet Union is not nearly far enough along—if they have started at all—on a MIRV testing program. If an agreement is not made which prevents their testing and they do develop MIRV's, they could deploy this weapons system by the simple process of putting new upper stages on their present missiles and by changing internal guidance systems. These operations present some difficulty for detection. As is now well known, our own country is well down the road with MIRV testing. MIRV deployments are readied for next January. Once these take place, the door is completely shut on the possibility of banning MIRV's. For once MIRV's are placed on missiles, the only means of verification is onsite inspection and a canopener. Neither the Russians nor ourselves are prepared for this degree of intrusive inspection.

So far as ABM's are concerned, deployment would create problems of political inertia as well as problems of verification. Once present ABM deployment schedules are met, political pressures would make it difficult, if not impossible, to tear it down. The technical verification problem concerns the potential for upgrading present radars which are associated with air defense. Some try to argue that the radar support for an ABM system cannot be banned effectively because of this. Given all the difficulties with sophisticated radars in general, this argument seems to me overdrawn. It is no easy task to make existing radars much better, and my proposal would ban the construction of new radars.

If, at the end of the freeze period, we decide that MIRV's and ABM's serve some useful purpose vis-a-vis other nuclear powers, we can make other kinds of agreements which do not ban these systems.

Finally, if the talks make unsatisfactory progress, or if we become dissatisfied with the freeze, both sides can go forward on their own.

The point is that only a mutual temporary freeze preserves all three of these options.

SALT is a very complicated and sensitive matter. The technical aspects, the intricacies of strategic thinking, the potentialities of different weapon systems, are not easy to comprehend—especially when all the pieces must be fitted together in an agreement. *No one* can be confident today as to what a good agreement should look like at this time, and we should not commit ourselves to any long-term arrangement without careful negotiations.

At the same time, Mr. President, it would be an enormous tragedy to see reasonable options destroyed because those in positions of responsibility do not have the will to preserve them. We do not need to know all the answers in order

to institute a temporary freeze. All we need to know is that our national safety will not be impaired by the freeze, and this we do know.

The best way to decide about the complexities of an agreement and what is necessary to maintain confident mutual deterrence is to talk to the Soviets as we are doing, but also to give the negotiators the chance to talk meaningfully by freezing the strategic situation.

The only risk in this proposal, as I see it, is the possibility that the Soviets might reject the proposal. Such rejection could lead to a chorus of "I told you so's." But those making up this chorus would be the same people who oppose a freeze. I believe the proposal is worth this risk.

II. THE PRESIDENT'S POLICY: THREE ROADBLOCKS TO SUCCESSFUL SALT

President Nixon has repeatedly said that we are leaving the era of confrontation and entering "an era of negotiation." With respect to SALT, his mixture of negotiation and confrontation can best be described as "massive ambiguity."

This "massive ambiguity" appears on three fronts: his linking SALT with other political issues, his strategic criteria, and his negotiating tactics.

Let me deal with each of these three points briefly.

First, shortly after President Nixon assumed office, we began to learn that he thought of strategic arms talks with the Soviets as a part of our over-all relationship with the Soviet Union. This was a sensible and admirable thought—except that it was carried to an extreme. Well, before Helsinki, he stressed that SALT depended on progress toward settlements in Vietnam, the Middle East, and Europe. In other words, unless the Soviet Union made concessions in those other areas, no real movement could be expected on SALT.

While the President was deciding whether such talks could even begin without progress on these other fronts, precious time was lost. Now that the talks are underway, it is not clear whether the President is prepared to reach any kind of agreement with the Soviets in the absence of these side concessions. To the extent that this approach remains an implicit or explicit part of the President's attitude, it can forestall substantive progress for Vienna and beyond.

By lumping negotiations on the strategic nuclear balance with tenuously related issues, the President makes SALT agreement much less likely. There are real differences of interests and different issues involved in these separate areas. Should we deny or reject the common interest we have with the Soviets in curtailing the costs and risks of the strategic arms race because our interests conflict in Vietnam or elsewhere? Does the President's phrase an "era of negotiation" mean a complete across-the-board agreement with the Soviets or no agreement at all?

If the "era of negotiations" is ever to arrive in fact, we must try to negotiate what is negotiable.

Second, the President seems to be basing his SALT policies on strategic criteria which, if I guess at them rightly, are incompatible with the goal of negotiating and stabilizing the balance. I stress the guesswork because the President said in his recent state of the world message, "We reached general agreement within the government on four specific criteria for sufficiency." His statement, however, did not explicitly identify those criteria.

Withholding of this information, I might add, is a serious departure from the view of the Kennedy and Johnson administrations that the objective of deterrence and the U.S. interest are best served if the Soviets know where we stand and why.

Until the President tells us what he has in mind, however, we can piece parts of the picture together from his own words. He says:

> The strategic doctrine that had gained the greatest acceptance by the time my Administration took office was this: According to the theory of "assured destruction," deterrence was guaranteed if we were sure we could destroy a significant percentage of Soviet population and industry after the worst conceivable Soviet attack on our strategic forces.

Then President Nixon went on to say that—

> The growing strategic forces on both sides pose new and disturbing problems. Should a President, in the event of a nuclear attack, be left with the single option of ordering the mass destruction of enemy civilians, in the face of the certainty that it would be followed by the mass slaughter of Americans? Should the concept of assured destruction be narrowly defined and should it be the only measure of our ability to deter the variety of threats we may face?

I submit that this statement abounds with errors of fact and logic. As a matter of fact, both Secretary McNamara and Secretary Clifford defined assured destruction "as the ability to inflict at all times and under all foreseeable conditions an unacceptable degree of damage upon any single aggressor, or a combination of aggressors—even after absorbing a surprise attack." This was considered the basis of deterrence. As such, it seemed and still seems a valid and sensible criterion—especially since the basis for calculating assured destruction was a very conservative one. Without even counting the lives lost due to radioactive fallout and the catastrophic disruptions on society and services, it was estimated that after absorbing a full blow on ourselves we still could kill at least 25 percent of the Soviet population and destroy upwards of 50 percent of its industrial capacity. These estimates were made in terms of the highest expected Soviet threat and a greater than expected Soviet threat—that is, under the worst possible circumstances to us.

If we already have this kind of capability, surely we have the capability both to respond to lesser attacks and to give the President more than "the single option" of holocaust. Former Defense Secretary Clifford stated that U.S. policy for years has been to "try" to provide "our forces with characterisics that will permit them to be used effectively in a limited and controlled retaliation as well as for assured destruction, thereby being prepared for any type of Soviet attack."

What kinds of capabilities and what kinds of options is the President really talking about? When the President talks about "the variety of threats we may face" does he mean the Chinese? Both the President and the Secretary of Defense talk about the Chinese threat as if it were something our present and future capabilities cannot fully manage. Again, Secretaries McNamara and Clifford made abundantly clear that our forces are designed to maintain assured destruction against both the Soviet Union and China at the same time. This judgment still seems eminently sensible in view of Secretary Laird's Posture Statement prediction that "If flight testing began in the near future, the Chinese might have as many as 10 to 25 ICBM's in 1975." How does this stack up against our present capability of about 3,000 deliverable nuclear warheads? In calling his area ABM "essential", the President seems to be saying that we need more than 100 to one superiority to deter and cope with the Chinese. If this is not enough, then nothing can suffice—since only the sane can be deterred.

While we can assume that assured destruction is one of the President's four criteria, we must also assume that his other three criteria go well beyond this. Presumably they deal with issues of defense and the fighting and winning of nuclear wars. What else could they be, until he tells us differently?

To the extent that the President would go beyond deterrence and assured destruction, we are brought again into pursuit of the will-of-the-wisp of superiority—whether it is called "relative advantage" or the new phrase "sufficiency."

These latter goals are illusions. They are based on the twin pillars of nuclear absurdity: that a nuclear war can somehow be fought in a controlled way, and that one side can emerge the victor.

Think about it, Mr. President. The one reality in the nightmare world of nuclear arms is mutual deterrence. To the extent either side tries to turn this situation to its advantage, it can lead only to the continuation of an arms race that neither side can win.

Third, the President's actions and his negotiating tactics do not seem consistent with his rhetoric about SALT. He calls MIRV and ABM deployments "essential." Even as the negotiators will meet in Vienna, deployment activities will be going forward. MIRV's will be in some missiles by June and ABM site construction is taking form.

I find it difficult to accept the administration's description of these actions as "restraint."

To justify "negotiating from strength" as a good negotiating tactic shows a lack of understanding of the negotiating process.

In the first place, it misjudges the Soviets. For years they have resisted negotiations from a position of inferiority. Would they negotiate from such a position now or would they attempt to get parity? In the second place, it overlooks the obvious fact that agreements are based on mutuality of interests, not advantage. Both the Soviet Union and the United States are strong enough not to have to make agreements that are not in their interests.

Another point of concern is the Presi-

dent's leisurely pace, despite his stated interest in SALT. The Soviets cannot be excused on this point either. Time is running out for agreements on MIRV and ABM. From what we here in the Senate hear about the President's "building block" approach, he intends to take matters slowly and one at a time. With such a view and at such a pace, what will be left to negotiate if deployments and testing continue?

Again, I want to underline my main point about negotiations. Mutually perceived parity is the best and perhaps the only basis for agreement. Agreement at this time may be our last hope against increased dangers of nuclear holocaust and a terrible drain on our resources and our people. Unless we act now to preserve parity and the possibilities it offers, it will vanish through Soviet and U.S. actions and responses.

III. CONCLUSION: ACTING NOW AND ACTING FOR THE FUTURE

President Nixon called this resolution "irrelevant." This choice of word invites two questions. Is it "irrelevant" because it is not feasible and desirable? If so, he should explain. Is it "irrelevant" because it is what he himself really wants? If so, why does he not propose it?

With only slight differences, a mutual interim strategic standstill has been proposed by a group of experts in the American Assembly and by the President's own Arms Control General Advisory Committee. Many men in both of these groups have had and still have access to all the relevant classified information on strategic nuclear forces. They know what they are talking about and they have the facts. Now, I hope that U.S. Senate will add its voice and act favorably on Senate Resolution 211, the resolution before us.

Acting now means making the temporary freeze relevant.

Acting for the future requires that the freeze be temporary. We need the time to negotiate and the time to decide. Five issues need to be thoroughly discussed with the Soviet Union and within our own Nation:

First. What to do about land-based ICBM's which are becoming vulnerable as missile accuracy on both sides improves and which invite attack on our own territory.

Second. Whether MIRV's are necessary to maintain mutual deterrence, giving us enough deliverable nuclear warheads to hedge against unexpected threats or whether a ban is feasible.

Third. Whether ABM's work, and even if they do work, do we want them, given the costs and the strategic dangers.

Fourth. What over-all political and strategic directions should we set in order to guide U.S. choices on these weapon options and on our foreign policy.

Fifth. What are our overall national priorities?

It is only by answering these and other questions that we can be ready for a final agreement. But we must act now with a temporary freeze to insure that these questions are not answered by default. This is why I propose my 6 month interim freeze.

Thoughtful Americans will recognize that this approach, if accepted by both sides, would greatly increase our national security. In no respect would it diminish our ability to protect American interests. The interim standstill would involve no element of unilateral disarmament. Instead, it would involve reciprocal restraint. Although the suspension would apply to all types of strategic weapons systems, it would not affect conventional forces and related capabilities. The breadth of the ban, and the consequent questions about compliance and verification, would be fully offset by the relatively short duration of its initial period.

In making his decision on these matters, the President would do well to remember the war in Heaven which Milton imagined in his Paradise Lost. After the first day of fighting in which the rebel angels suffered the worse, Satan sought to redress the balance of forces. He said:

> Weapons more violent, perhaps more valid Armes, when next we meet, May serve to better us, and worse our foes, Or equal what between us made the odds, in Nature none:

To the amazement of his followers, Satan then produced a field gun. And in the next day's fighting, these guns wreaked havoc among the loyal angels. Losing and in their fury, the good angels grasped the absolute weapon. They tore up the hills of heaven and hurled them at the rebels. Not to be outdone, the rebels did the same. Heaven threatened with imminent ruin, God intervened and cast the rebels into darkness.

Angels, unlike men, cannot die. Men, unlike angels, cannot chance and should not want absolute weapons. Without direct divine intervention, men have to fall back on their own good sense.

Mr. HARRIS. Mr. President, the Dutch humanist Erasmus once asked:

> What is more foolish than to enter upon a conflict . . . wherein each side reaps more of loss than of gain?

Today, we live in an era in which a nuclear war would incontestably bring more of loss than of gain to each combatant. Even preparations designed to protect ourselves and to deter the conflagration we devoutly hope never comes are made at great cost. We are becoming acutely aware that there is no absolute security as long as we remain the hostages of the escalating technology of the arms race.

If we are to fulfill Faulkner's optimistic belief that "man will not merely endure: he will prevail," then we must break the cycle of weapons system after leapfrogging weapons system, carrying us ever closer to the point of no return.

We now have an opportunity, its promise still untested, to begin to bring a halt to this melancholy pattern. Next week in Vienna, the strategic arms limitation talks with the Soviet Union will begin. It would be tragic if, at the moment when constructive talks seem possible at last, we allow the chance to slip away.

There is real danger that this will happen. Scientific experts have made it quite clear that once MIRV's are deployed, verification of weapons levels will be much more difficult, and will require on-site inspection. As long as the MIRV's are not deployed, so-called national verification procedures such as satellite photography can provide an accurate assessment of weapons levels. Given the climate of mutual fear, it will be difficult if not impossible to gain agreement for on-site inspection. Without verification, agreement on arms limitations will be correspondingly more difficult.

Time is very short. Air Force Secretary Seamans announced last month that the United States first multiple warheads would be operative on Minuteman missiles in June. While the administration later said that the announcement should not have been made, they did not deny its truth. The U.S.S.R. apparently will not be ready to deploy MIRV's until sometime after that date, but as things now stand the time is not far away when both great powers will have reached a new and more dangerous plateau.

One way to avoid losing this opportunity would be to adopt the policy urged by the distinguished junior Senator from Massachusetts (Mr. BROOKE) as modified by the suggestion of the distinguished senior Senator from Kentucky (Mr. COOPER). This proposal, now before the Senate in Senate Resolution 211 of which I am one of 51 cosponsors, calls upon the President to propose immediate suspension of strategic offensive and defensive weapons to the Soviet Union. This would apply, if accepted by the Soviets, to ABM systems, and to land and sea based offensive weapons, including MRV and MIRV warheads. Its intent is to provide time for permanent agreements to be worked out at the SALT talks, and to give impetus to the Vienna meeting.

The large number of Senate cosponsors for Senate Resolution 211 is only one indication of the wide support such an initiative would have in this country. Recently, a similar suggestion for an "interim halt" in strategic weapons deployment was made by a panel of arms-control specialists called together by the American Assembly of Columbia University. Perhaps even more important, the prestigious General Advisory Committee of the Arms Control and Disarmament Agency chaired by the Honorable John J. McCloy recently argued that such an immediate mutual halt of deployment of strategic weapons should be proposed to the Russians, and that such a halt should also apply to the testing of multiple warheads for offensive missiles. This committee, composed of, in addition to Mr. McCloy, Dean Rusk, William Scranton, Cyrus Vance, William C. Foster, and James R. Killian, represents much of our accumulated experience in arms control, gained in the service of several administrations.

Support is clearly bipartisan for this proposal. Its prime movers in the Senate have been two distinguished Republicans, while the Senate Democratic Policy Committee on Tuesday announced its agreement and informed the President that strong Democratic support would be forthcoming if he chose to make such an initiative to the Soviet Union.

Unfortunately, the administration has chosen to label Senate Resolution 211 as "irrelevant," and has given indications that it intends to pursue a flexible, noncommittal approach in the forthcoming

SALT talks. I agree that flexibility is a necessity in such complicated and technical discussions, but cannot agree that the initiative suggested by Senate Resolution 211 is irrelevant. Such an interim halt accepted by both sides would provide time for the Vienna talks to bear fruit by removing the threat that deployment of MIRV's would make a permanent agreement difficult if not impossible to achieve. It would be an indication of our sincere intent, thus providing a favorable atmosphere for the talks themselves. Finally, it would delay the need to deploy expensive ABM systems until we know whether they will be needed, at no cost to our security.

In spite of these advantages to ourselves, the administration seems to persist in a more timid exploratory approach to the SALT talks. Yesterday's National Security Council meeting to consider the U.S. position in the talks apparently reached no final decision, ignoring the opportunity to make this important initiative. The New York Times this morning cites "informed officials" for the report that the administration is not prepared to make a proposal for a freeze on strategic weapons deployment, and, apparently, is unwilling to consider the thoughtful and useful recommendation of McGeorge Bundy for an American initiative for deferring its planned deployment.

In the course of Senate debate on this resolution several points have been made which I believe should receive additional emphasis.

First, it is generally agreed that we are now in a situation of "rough parity" with the Russians with respect to deliverable nuclear capability. Sentiment has been expressed in some quarters that we should only negotiate from a position of strength. If this means that we ought to be strong enough to avoid any possibility of nuclear blackmail, I am in agreement. Some have argued that we should only negotiate when we are considerably stronger than the other side, and, therefore, that agreement should not be actively pursued until we reestablish a superiority by deploying MIRV's on Minuteman and Poseidon. But, Mr. President, if we would not be willing to negotiate from a position of nuclear inferiority, why should the Soviet Union be willing to do so? We must realize that the nuclear arms race is both a cause and a result of cold war tensions and fears, that misunderstanding exists on both sides, and that our good intentions are not always as clear to others as they seem to ourselves. For these reasons, the present time is particularly auspicious for reaching agreement on arms limitations, since currently each side is clearly able to deter the other. Further, each side has a clear interest in diverting the vast funds presently earmarked for strategic weapons to other purposes. Because of the existing weapons parity, I submit that a meaningful and effective agreement will be easier to achieve now than it might be at some time in the future when one side might have made technological advances to which the other would feel compelled to reply. As Washington said:

> There can be no greater error than to expect or calculate upon real favors from nation to nation.

Only when there is a mutual advantage in a proposal can we expect agreement. Such mutual advantages exist at the present, and we should not be timid in our efforts to convert the situation into a completed agreement.

A second point can be considered more briefly. Contrary to the fears of some, there is no way in which the policy suggested in this resolution could be converted to one of unilateral disarmament. The halt in deployment of both offensive and defensive strategic weapons would take place only if both sides agreed. If such agreement could not be obtained, then each would be free to do what it thought necessary for its own protection.

Finally, there has been considerable discussion of how such a halt in deployment, whether the interim one proposed in Senate Resolution 211 or a permanent one which might result from the Vienna talks, would be verified to insure that neither party was violating it. This is a complex technical problem, but our scientists are confident that at the present level of weapons sophistication, national verification techniques can insure that each side will know what the other is doing. As I have said earlier, the verification problem once MIRV's or MRV's are deployed would be much more difficult, since not only missiles would have to be counted, but the number of warheads on each missile would have to be verified; that could at present only be done by on-site inspection. Since both sides still need tests to make their multiple warhead weapons operational, national verification could keep each informed if additional tests in violation of any agreement were being conducted. The fact that verification is possible with present working arrangements, but would not be possible after multiple warhead weapons are deployed is to me the most compelling reason for both an interim halt in deployment now along the lines suggested in Senate Resolution 211 and for a permanent and comprehensive agreement for suspension of testing and deployment to be sought at Vienna.

The folly of the nuclear arms race has continued long enough. We must now truly implement the "era of negotiation" the President has promised both in this field and in others, such as Indochina as I suggested last week. In each instance we should read the phrase to mean an "era of significant negotiations," in which we do all we can to insure that negotiation leads to agreement. The diplomatic initiative proposed in Senate Resolution 211 in my opinion would be an important way to begin to convert the President's February statement from hope to reality.

Mr. McGOVERN. Mr. President, first of all, I commend the Senator from Oklahoma (Mr. HARRIS) and the Senator from Maine (Mr. MUSKIE) for the excellent, timely, and thoughtful statements they have made this morning on the subject to which I shall address myself briefly at this time.

NO NEW MIRV OR MINUTEMAN MONEY

Mr. President, the measure presently before the Senate, Senate Resolution 211, sponsored chiefly by the Senator from Massachusetts (Mr. BROOKE), deserves the speedy approval of the Senate in the same overwhelming fashion that it was approved by the Committee on Foreign Relations.

The original version of this proposal, along with the more far reaching resolution offered by Senator CASE, Senate Resolution 210, have been before the President since last June as the considered advice of more than 40 Senators on dealing with multiple independently targetable reentry vehicles, or so-called MIRV's, in the context of the strategic arms limitation talks. The Foreign Relations Committee report on this version reaffirms specifically that further development of MIRV's "could most effectively be suspended by stopping further flight tests which are subject to national verification or other measures of observation and inspection."

The President for some reason has not accepted the advice of the 40 Senators speaking out on the issue. MIRV testing has continued, and we offered no mutual moratorium during last year's first round of SALT discussions. Instead the "scope" of the talks was outlined.

The approach was described as a "compromise" between military and disarmament factions. I think that term is inaccurate. The practical effect of continuing the tests may well be to force acceptance of the proposition that any agreement must assume some MIRV's on both sides. Especially in the case of this new technology, it is clear that we cannot pursue serious efforts to limit arms while we are simultaneously feeding military ambitions to build them.

In any case, the pending resolution is another plea that the President comprehend the gravity of his course.

At the same time, we should recognize that this is a cautious and limited step. It has, of course, no binding effect upon the President. It is advice and no more. In light of our technological lead, the Soviet Union might well reject the overtures it asks.

There is another route which, I believe, we should examine, primarily because it is consistent with prudent management of our strategic forces regardless of SALT, but also because it can help to retain MIRV among the weapons which can be avoided through the negotiations that will soon begin in Vienna. It seems appropriate to discuss it briefly today in connection with the pending resolution because of its direct relationship to several of the most important issues facing our negotiators.

Particularly in light of the administration's refusal thus far to propose a mutual moratorium on MIRV tests—which, if accepted, would have halted the Soviet program as well as our own and would have thus avoided the threat to Minuteman—I think we are forced to consider this year whether it would not be wise to allow the phasing out of the entire concept of fixed-site ICBM's.

At the very least we should forgo expenditures on futile improvements in the

Minuteman force pending an investigation of whether land-based missiles can be a viable component of our retaliatory forces in the future. The $686 million which has been requested in the budget for the Minuteman procurement program in fiscal 1971 should, in my judgment, be deleted from the military procurement authorization bill, and we should also prohibit expenditure of any funds previously appropriated for that purpose. At an appropriate time, Mr. President, I intend to move to delete these funds for expansion of the Minuteman system.

The first and most compelling reason for taking this step is the growing vulnerability of fixed-site missiles. There is certainly no need for me to make this case, which has already been made so forcefully by Secretary Laird and his colleagues throughout the past year. It is their assessment that the Soviet SS–9 missile will be able to destroy most or all of our Minuteman force in the mid-1970's.

For a time that vulnerability was heralded as evidence of the need for the "hard-point" defense to be provided by phase I of the Safeguard antiballistic missile system. But the situation has now changed. In his defense program and budget report of February 20, Secretary Laird made the startling admission that if the Russians deploy MIRV warheads on the SS–9, improve its accuracy, and continue deploying at the present rate—precisely the steps he said last year showed the need for Safeguard—then the threat in the mid-1970s, in the Secretary's words, "will be much too large to be handled by the level of defense envisioned in the Safeguard system."

Most of us would certainly agree that its degree of security against enemy attack must be a primary measurement of the worth of a strategic weapons system. There is very little point in deploying a strategic system if, in the words of the Secretary of Defense, we have no reliable way to defend that system. It is also clear that we cannot significantly increase the reliability of a questionable Minuteman force by protecting it with an even more questionable ABM. We should instead concentrate our resources upon those which can perform the mission more effectively.

A second strong reason for phasing out Minuteman is the fact that the Safeguard ABM is among the direct consequences of keeping it. In other words, under the new rationalization for building the ABM, it is designed to protect the land-based Minuteman system. Any honest evaluation of the costs of Minuteman must now include not only its own costs of acquisition, operation and maintenance, but also the enormous expense of trying to protect it with the ABM. Retention of the fixed-site concept will involve a continuing drain of resources, further increasing the disparity which I believe already exists between the prices of land-based missiles and those stationed aboard submarines.

Third, the MIRV test program is rapidly approaching the point where Minuteman III with multiple warheads will be ready for deployment, probably within the next several months. If we do not prevent deployment we will have a weapons system with the worst immaginable characteristics.

Minuteman III's stationed in fixed sites will be no less vulnerable to attack on the ground than Minuteman I's and II's. So, to whatever extent Secretary Laird's fears about the capacity of Safeguard to defend our existing Minuteman system is true, the same doubts and fears would extend to the Minuteman III after it has been armed with the MIRV system.

There has been an attempt to make the case that adding multiple warheads will improve the deterrence potential of Minuteman by increasing the amount of damage that can be done by those surviving a Soviet first strike. This is not a valid argument, however, since there is a loss in megatonnage per missile involved in MIRV'ing. Against cities, and within the assured destruction levels we have considered necessary for deterrence, a single 1-megaton Minuteman warhead is probably just as potent as three 150 to 200 kiloton independently targetable warheads. This rationale for MIRV is reminiscent of the curious search for missions we have seen in the case of the Safeguard ABM system—its advocates have been forced to find a new reason for MIRV because they can hardly argue, as they did last year, that it is needed to penetrate a virtually nonexistent Russian ABM.

So we can conclude that MIRV'ing will not make Minuteman more valuable as a deterrent force. It is axiomatic that a Soviet weapon that can destroy a single-warhead missile in silo can as easily destroy one with several warheads.

If this is our realistic understanding of MIRV, however, it may very well conflict with the view taken by the Soviet Union. They must assume the maximum accuracy for our MIRV's, and there is little reason for them not to conclude that we are adding this system in the hopes of achieving a first strike potential against them. The multiplication of 500 warheads to 1,500 will very likely unsettle the current relative balance of forces, and it will severely complicate the problems of inspection and verification upon which previous arms control efforts have floundered.

The pending resolution—unless its advice is accepted by the administration and unless the Soviets then agree to an immediate freeze notwithstanding our lead in both MIRV and ABM technology—will not avoid these damaging consequences. We can at least put them off, however, by freezing our land-based missiles in their current status, and by prohibiting any deployment of Minuteman III.

A fourth and final reason for refusing to spend more money on Minuteman relates to future force planning in the event that the SALT talks do not produce early agreement. In addition to the fact that Minuteman will then probably become vulnerable regardless of what we do, it seems to me that there is a positive benefit to be gained from pursuing nuclear weapons systems which do not require basing on U.S. territory.

The Nixon administration's fears about Soviet intentions to achieve a first strike capability still seem incredible to me. No one is even willing to assert that they are likely to degrade our Polaris force, and no one can argue that they can perform the physically impossible task of attacking bombers and missiles at the same time.

If such a Soviet strike is part of the administration's vision of the future, however, we should recognize that we can no longer take any comfort from the fact that our land-based missiles are located away from population centers. An SS–9 attack from the Soviet Union large enough to eliminate our Minuteman force, which Secretary Laird says is a possibility, would involve a minimum of 5,000 megatons detonating over the Continental United States. That is the equivalent of 5,000 million, or 5 trillion, tons of TNT. The total energy released would be 250,000 times as great as the blasts which leveled Hiroshima and Nagasaki. The cumulative effects of blast, shock wave, radiation, and fallout would bring death and destruction throughout the country, no matter where those enormous explosions took place.

We cannot even imagine the full consequences of this enormous series of explosions. But does anyone believe that it would make any significant difference that the detonations were scattered across the continent instead of concentrated in major cities?

The concept that we gain some safety for our population by basing our nuclear forces in rural areas is, in truth, becoming obsolete at the same rate as is the fixed-site missile. Both are losing their vitality through the steady growth in the size of warheads which can be delivered against them. The safety of our population can be best served by diverting whatever threat exists away from U.S. soil.

In sum, the deployment of Minuteman III can serve only those who see more virtue in arms competition than in arms limitation.

If the aims of the pending resolution are realized or if the SALT sessions succeed by another route in the near term, then there will be no compulsion to make any improvements at all in Minuteman.

If the talks fail, then in the long term there is probably little we can do, regardless of how much we spend, to retain the fixed-site missile as a viable force. The Safeguard ABM will accomplish no more than a chastity belt for a fallen woman, in those situations.

It has been asserted, Mr. President, that actions we might take to freeze our forces while the talks are underway might give the Soviet Union the impression that we are somehow too anxious for an agreement.

Let us reject this preposterous notion. We are anxious for an agreement. Can we not realize that all people represented at SALT, all Americans and all Russians, will be best served by an end to the dangerous and futile arms competition which has devoured our resources and imperiled our survival for the past 25 years.

The pending resolution should be approved. Going beyond it, I hope Congress will assert its aspirations for arms control through actions as well as advice, by refusing authority for weapons which can undermine the talks as effectively as if

our negotiators turned their backs on the table.

Mr. President, I yield the floor.

Mr. YOUNG of Ohio. Mr. President, the adoption of this resolution today will be an important step in the long journey toward peace. I am very proud to be a cosponsor of this resolution. This places the U.S. Senate squarely on record for the suspension of the testing of MIRV warheads and for reversing the mad momentum of the arms race. Both the United States and the Soviet Union now have more than enough nuclear firepower, enough overkill, to utterly destroy each other—all the people of the Soviet Union and all the people of the United States—many times over.

The continuing stockpiling of super weapons by both nations must be stopped. If it is not, all mankind could be on the brink of a nuclear doomsday.

More important, Mr. President (Mr. BURDICK), the continued testing of nuclear weapons by the United States has imperiled the hope for success of the Strategic Arms Limitation Talks—the SALT talks. We cannot tolerate even the thought on the part of anyone that we would be doing that. This insane nuclear arms and missile race between the United States and the Soviet Union has brought all mankind nearer to the possibility of total destruction. Our hope lies in the SALT talks now proceeding. Our hope is based on the fact that we in the Senate today will do our part, by passing this resolution.

Many armament systems are obsolete before they even reach completion. The emphasis may change from bombs to missiles, or from missiles to antimissile missiles, but the armament race continues. Hundreds of billions of dollars and hundreds of billions of rubles are being wasted on the seemingly insatiable demands of the militarists of both nations for more and more weapons.

After years of this dangerous rivalry, neither our Nation nor the Soviet union is any more secure than it was at the beginning of this decade.

Every effort to develop a stockpile of new super weapons only results in similar action by the other side. After each nation has developed new weapons, the race begins all over again to produce new, and more expensive, and more sophisticated weapons.

Continuing development by the Soviet Union and by the United States, of course, in testing the deployment of MIRV systems, and further deployment of ABM systems, must be halted.

The way to halt it is by mutual agreement.

We must proceed with the SALT talks. We must give impetus to this development, to this movement toward permanent peace, by passing this resolution today.

It is just a small step, but here is an opportunity to show the will and the mood of the Senate.

MIRV is the major factor that could cause a tragic spiraling of the arms race and preclude for many years the opportunity for meaningful arms limitation negotiations.

In our MIRV flight testing, we may reach the point of no return toward being able to halt this mad momentum of the arms race between this country and the Soviet Union.

The negotiations now proceeding first began in Helsinki on November 17, 1969, which was the day set for the preliminary discussions. The SALT talks have been proceeding since that time and are now proceeding in Vienna.

These negotiations are man's best hope for future permanent peace; indeed, for his survival.

Mr. President, President Nixon has rendered a great service to humanity in promoting and encouraging the SALT talks, to limit altogether this horrible race between our two countries.

Our Navy at the present time has nearly 700 missiles with nuclear warheads on Polaris submarines, and with our Poseidon submarines and MIRV warheads, that is more than 4,000. The more mobile of the bases between our two countries are beneath the seas, close to Red China, or close to various areas of the Soviet Union. At the present time, these missiles with new warheads and Polaris submarines can hit on targets at a distance of 2,875 miles. In fact, they can hit with such accuracy that one of our most distinguished and knowledgeable Senators, the Senator from Arizona (Mr. GOLDWATER), said that if the men's room in the Kremlin were the target—whoosh—and there would be no more men's room.

Perhaps that is somewhat of an exaggeration but it manifests recognition by the Senator from Arizona of the tremendous accuracy of these missiles.

Now, with the Poseidon submarines and the MIRV warheads, the mileage capability has far extended the offensive power of the United States, which is our best defense. It is so tremendous and so accurate that we can, at this time, and certainly within the very near future, eliminate or annihilate the Armed Forces of the Soviet Union and millions of Russian citizens.

How much overkill do we need? Do we want to kill every Russian 10 times over?

President Nixon did a great service for the American people in promoting the SALT talks. It is one of the notable achievements of his administration that he has encouraged the SALT talks, which we all hope will proceed to a successful conclusion.

In supporting the SALT talks, and in supporting this motion in the Senate, we are evidencing the fact that we are marking a turning point in history. Since the first atomic bomb was exploded in August of 1945, mankind has lived precariously under what the late great President John F. Kennedy described as a "nuclear sword of Damocles."

In urging Senate ratification of the Limited Nuclear Test Ban Treaty, President Kennedy quoted an ancient Chinese proverb, "A journey of a thousand miles must begin with a single step."

Mr. President, we are taking a very short step today in showing the sense and the views and the deep feelings of the Senate, that we must strive with all our might to have the SALT talks in Vienna succeed, in order to bring an end to the strategic arms race between this country and the Soviet Union.

In that connection, following the failure of three Presidents to achieve it, President Kennedy, through the great work of that master diplomat and statesman and truly great American, Ambassador Averell Harriman, achieved a Limited Nuclear Test Ban Treaty that was a great step toward permanent peace.

Neither the Soviet Union nor the United States has in any way, at any time, violated any part of that treaty.

Mr. President, I am hopeful that the Senate this afternoon will unanimously agree to Senate Resolution 211 which is now pending before the Senate. This would be a vital contribution to our children and to our grandchildren and to all generations that we hope will inhabit this planet in peace. We must succeed in ending the menace of MIRV.

Let us all do everything within our power to bring about a firm agreement at Vienna. Let us hope that by the action of our delegates there, as well as those of the Soviet Union, we will take this tremendous step to avoid mutual annihilation.

If we are faced with either mutual annihilation or with permanent peace, let us be recorded today as being in favor of permanent peace.

Mr. BROOKE. Mr. President, I thank the very able and very distinguished senior Senator from Ohio for his support, of Senate Resolution 211.

The distinguished Senator from Ohio (Mr. YOUNG) has always been in the forefront of the struggle for peace. I think that his statement is certainly a most worthy contribution in support of this resolution which is, as he has pointed out, a very simple resolution. It merely calls upon the President of the United States to propose to the Soviet Union a joint freeze on offensive and defensive nuclear weapons.

The Senator very well knows that we are engaged in a very costly and devastating nuclear arms race with the Soviets.

The Senator also well knows that we are probably as close to parity as we have have ever been or may ever be and that if either the Soviet Union or the United States of America were to continue its operational flight testing of these devastating technologies known to them at the present time or, even worse, go forward to the deployment of this technology, it would only mean that the other side would follow up with further testing and further deployment and that each of our nations would spend perhaps additional billions of dollars which could be better used for other purposes not only by the United States of America but also by the Soviet Union.

I have never believed that the Soviet Union has inexhaustive funds. I have never been in the Soviet Union. I believe that my distinguished colleague, the senior Senator from Ohio, has. But I believe that the Soviet people certainly cannot want to continue the spending of billions of dollars on nuclear weapons when they could best put that money to better use, as we in the United States also could.

We have come to a point in history when it is no longer true that superior strength means superior security. It used to be true that the stronger one was, the more secure he was. But that is not true any longer.

If we had more nuclear weapons, it would, in fact, mean that we would be less secure because the Soviet Union might be tempted either to catch up or to fire some of their nuclear missiles in a preempted first strike pattern.

What we have always wanted was mutual deterrents which would bring about mutual security in the world.

I think that by this resolution we are by no means taking away any of the prerogatives of the President, but that we are sharing with the President this political burden and are simply saying to the President, "It is the sense of the Senate that you make this proposal to the Soviet Union."

Some have asked the question, "Suppose the Soviet Union does not accept." If they do not accept, what will we have lost?

No one is suggesting that we unilaterally call a freeze on our flight testing or deployment. We are saying that if the Soviet Union were to accept such an agreement and if they were to stop their flight testing and stop their deployment, the United States would do the same.

I think it is most significant that such a proposal be made by the President of the United States of America. I think it would certainly be reassuring to the world that our Nation wants peace and that we have made this proposal in an effort to obtain that peace.

I want to again say to the very distinguished Senator from Ohio that he has talked eloquently for so many years on the subject of peace on the floor of the U.S. Senate. Unfortunately, at least for this Senator and I think for all of his colleagues, he has announced that he will not be a candidate for reelection.

I am pleased that in the last years of his very able and distinguished service to his Nation and to the Senate, he still raises his voice in behalf of peace. I hope that his voice will be heard by the President and by both the U.S. delegates and the Soviet delegates to the SALT talks and that this agreement might be entered into and that hopefully the SALT talks will be successful in reaching an agreement on nuclear arms control.

Mr. YOUNG of Ohio. Mr. President, I express my gratitude to the distinguished Senator from Massachusetts (Mr. BROOKE) for the very flattering statement he has made about me today.

I feel very unworthy and very undeserving of the magnificent statements made by my fine friend, the Senator from Massachusetts. I hope that just a small fraction of the fine things that the Senator from Massachusetts has said about me is true.

I am very grateful and touched, indeed.

Mr. BROOKE. Mr. President, in the Senator's customary modesty he has made that statement, but I want to assure him that I believe 98 other Senators would have made the same statement I made and I again say how proud I am to have him support Senate Resolution 211. I thank the Senator.

Mr. PERCY. Mr. President, I, too, should like to add my comments to those of the distinguished junior Senator from Massachusetts and pay tribute to the distinguished Senator from Ohio for his contribution in this field.

I would be very remiss, indeed, if I did not express on behalf of many of us our indebtedness to the distinguished Senator from Massachusetts for his initiative and leadership in seeking a mutual suspension of testing of MIRV's by both the Soviet Union and the United States. By the introduction of Senate Resolution 211 he gave focus to the concern of many of us in both parties who hope to reduce the arms race.

Just 1 year ago this week, on April 17, 1969, I gave a speech at Shippensburg State College in Shippensburg, Pa., in which I said that the future peace of the world requires a mutual freeze on the further development of strategic missiles both offensive and defensive. I called for a moratorium on the arms race to be the first topic for discussion at the forthcoming talks with the Soviet Union on nuclear weapons.

That was a year ago, before the narrowly won congressional decision to deploy antiballistic missiles—the ABM—and before the recent announcement that deployment of multiple independently targetable reentry vehicles—MIRV—would begin in June.

The U.S. readiness to deploy MIRV and ABM, and the administration estimates of accelerated Soviet ICBM construction, make it even more imperative now that the arms race be stopped and be stopped immediately.

The modification of Senate Resolution 211 by the Committee on Foreign Relations has strengthened and broadened the resolution. The measure now calls on the President to propose to the Soviet Union an immediate and mutual suspension of the further deployment of all offensive and defensive nuclear strategic weapons systems, subject to appropriate verification.

I believe deeply that this is the right course, and I hope that the Senate will adopt the resolution.

I have just returned from the spring session of the Interparliamentary Union held in Monaco. During the course of that conference I had occasion to speak to the chairman of the Soviet delegation and other members of the Soviet delegation. We discussed the SALT talks. I told them I felt confident we were going to be exceedingly realistic and also reasonable in trying to find a basis whereby we could come to an agreement that would be verifiable and an agreement, the integrity of which would be maintained, but to try to find a way to halt the nuclear arms race.

I asked them whether with all the armaments they have built, all at the expense of mankind, they feel any safer for having all those weapons stored and for all the weapons they still have in production. The chairman of the Soviet delegation and other members of that delegation made perfectly clear that so long as one country continued to arm, the other would be required to do so.

He said the hawks in the Kremlin can point to the defense we are building. He pointed to the number of weapons we possess, the number of missiles we possess, and the number of submarines we have, and how the pressure is on the Kremlin to take money and funds from the consumer goods area and to press forward in the area of armament production.

Mr. President, in effect we have an escalation. We build because they build, and they build because we build. Do any of us feel any safer than we did 10 years ago or 15 years ago? The level of terror has simply increased.

We have developed the capacity of some 20,000 tons of TNT for practically every human being on earth, the capacity to exterminate ourselves, not one or two times, but three or four times. What do we have to do? Will we feel safer when we have the capacity to exterminate each other six, seven, eight, or ten times?

It is admitted we cannot unilaterally disarm. No one proposes that. What is proposed here is that we mutually move ahead; that it is sensible that we have to reach agreements in the deployment of new systems, both offensive and defensive, the existence of which can be verified by technology and reconnaissance. They cannot build defensive or offensive systems without our detection, nor can we build defensive or offensive missile systems without their detection. Therefore, if we can agree at a leveling off point, that would seem to be the sensible thing to do. Our defense is adequate.

Mr. BROOKE. Mr. President, would the Senator yield at that point?

Mr. PERCY. I yield.

Mr. BROOKE. Mr. President, the Senator has raised a very important point, and I just want to point out that if we do not stop now and if we go forward with the deployment of MIRV, the multiple independently targetable reentry vehicles, then, of course, the Senator's point, although accurate at the present time, that we have adequate verification means and they have adequate verification means, may not be valid then primarily because once MIRV is out of the bottle, or when the genie is out of the bottle, it may require and, in fact, would require, in my opinion, and I think in the opinion of most of the respected weight of authority in the scientific community, that we have on-site inspection and actually dismantle the missile and look into it to make a determination if there are actual MIRV's in that missile.

The Senator's point is so important because if we do not stop now even the verification means may be lost to us, which is so essential in any arms limitation agreement.

Mr. PERCY. Mr. President, the Senator is absolutely right. We will be over the point of no return very soon. Already we have had an announcement that we will be deploying MIRV very soon. The Senator is absolutely right that we can verify the number of missile

sites we have, but there could be no verification except on-site inspection, which has not been acceptable to the Soviet Union, if we reach that point. There is no way to verify how many heads are on each missile. If we reach that point, we will have crossed the point at which we could come to a satisfactory agreement, because we should not accept an agreement that cannot be verified.

We must be tough, hardheaded, and realistic—but a part of realism is the recognition that many of the national goals we established for ourselves, such as cleaning up our environment and cleaning up our cities, and other necessary areas of defense, will be impossible to achieve if we continue the arms race and deploy new nuclear weapons systems.

We are at a crucial point. This is why the resolution of the Senator is so urgent and important, and it is why an overwhelmingly favorable reaction from the Senate now is important.

I am very pleased, indeed, with the progress I have learned of in the Helsinki phase of the SALT talks. From everything I have learned the administration went into these talks with a brilliant team, and they went into the talks adequately and fully prepared and realistic about finding a basis for negotiation, compromise, and understanding. We cannot have it all our way if we expect those talks to be successful; but also there seems to be a basis for realism on the other side. It is a crucial time for us to move forward and the progress we make will be important to the future of mankind if we can find a rational and sensible basis to limit the arms race. Hopefully both sides want to find that basis.

I am quite realistic—we must all be—about the fact that if we do not have a common objective, it will be difficult to find a basis for understanding and agreement.

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

Mr. PERCY. I am happy to yield. In fact, I am glad to yield the floor.

Mr. BROOKE. Before the Senator yields the floor, I just want to say, first, that I am most pleased and proud that the distinguished senior Senator from Illinois has supported this resolution. He is one of the early cosponsors of the resolution. He has certainly been in the forefront in this whole area. He is very knowledgeable in the area. He is very knowledgeable about the arms limitation talks, the SALT talks. But I think what he has said this afternoon in support of the resolution has been most worthy and most helpful.

The Senator has made another very valid point, and that is the chances that we have that the Soviet Union might accept such a proposal. Many persons have asked the question, What evidence do we have that the Soviet Union will accept such a proposal? Of course, we do not know whether the Soviet Union will accept this proposal. I do not think anyone really knows. I am not sure the Soviet Union knows at this time whether it would accept the proposal. But we do know, as the Senator has very ably pointed out, that there perhaps is no better time than now, when the Soviet Union recognizes the problems, as does the United States, of the tremendous cost of the arms race in which we are presently engaged; recognizes, as do we, that this arms race is really availing us little or nothing at all.

I want to point out to the Senator that there have been very encouraging statements, though, of course, we will not depend upon those statements solely, to come out of the Soviet Union by rather high-ranking Soviet officials that they very well might be receptive to such a proposal at this time.

During this debate one of the very able Senators raised the question as to whether we can trust the Soviet Union; that they have not always lived up to their agreements. Of course, we entered into an agreement on a partial nuclear test-ban treaty, as the Senator from Illinois well knows. Most recently we entered into a treaty with the Soviet Union and other nations on the nonproliferation treaty, which, so far as we know to date, has been honored by all sides.

The point is, if we do not try, how will we ever know? And what are the options? The only option would be to say, "Well, we distrust the Soviets." The Soviets will say, "We distrust the United States, so we are going to build more nuclear weapons." Then we will say, "Well, the Soviets have constructed more nuclear weapons, so we had better construct new nuclear weapons for our defense."

It will spiral ever upward, and who knows what will come out of the great minds of our scientists and the great minds of the Soviet scientists as well. Then when we add to that the fact that the Chinese Communist nation is a nuclear nation and that there are nations, it is rumored, who are very much concerned with developing a nuclear capability, who knows that we will not get into a situation where there will be multiple nuclear nations in the world with devastating capabilities, and who knows whether, not only through design but through inadvertency, somebody might push the button and send some nuclear weapons over some country? Then we will have such devastation that I, for one, would not want to be living in such a world. I know the Senator from Illinois would not want to be living in such a world.

So we have a very great responsibility to those who are living today and to those who are unborn to do all that we can to prevent a nuclear holocaust.

I do not know how many of the American people or how many people of the world are really aware of the nuclear capability of the United States or of the Soviet Union, but we are not talking here of the capability of killing thousands of people. We are talking about the capability of an immediate kill of millions of people, to say nothing about contamination and the fallout and the disease and all of the problems that could result from a nuclear explosion.

We know something about what happened in World War II, when literally thousands of people were killed from a bomb which has nowhere near the capability of the bomb that we know of today.

So it would seem to me that this is a resolution which could be very helpful to our President and to our delegation as it goes to Vienna. I agree with the able Senator from Illinois that there was some reason for optimism out of the Helsinki talks. There is some reason for optimism as we enter the Vienna talks. Those talks are to begin on April 16, next week, and certainly time is of the essence. We want our President and our delegation to go to that conference knowing where the Senate of the United States stands, how it feels, how it thinks.

We have a responsibility to, and we have respect for, the President of the United States, but as well as respect him, we have the responsibility to give him our counsel, and our best counsel.

So I hope that by passage of this very simple resolution we will indicate both our respect and our advice, consent, and counsel to the President and to the delegation that goes to Vienna. Not perhaps, but without question, the fate of the world rests on their decisions and on their important deliberations.

So once again I thank the distinguished Senator from Illinois.

Mr. PERCY. The Senator from Massachusetts has raised some very important points. One of the important points is that of timing. It is crucial to any bilateral negotiations. You must have the proper climate. The time is right sometimes, and it is not right some other times. Sometimes a period of years goes by before it returns again.

The distinguished Senator has pointed out the importance of timing now because we are on the threshold of a vast movement, the development of MIRV's and the deployment of a whole new series of weapons which cannot be certified or inspected or assured.

There is another question involved here. We have at this stage a balance, a sufficiency on both sides. No one in the military in this country would presume to say that the Soviet Union does not have a sufficiency of powers of destruction to rain devastation upon this country. No one in the Soviet Union or in Red China itself would presume that we do not have a sufficiency of power to strike them if we should ever be struck. In fact, I would want to reiterate again what I have said on the floor several times: Our defense depends upon an adequacy of retaliatory weapons if ever struck, and the will to use them if we are ever struck, or if any of our vital allies are ever struck.

I for one have seen no sense of inadequacy of capability, and never for a moment a lack of will to use those weapons if we are ever struck by an opposing force.

But now the question is, When we both have an adequacy in balance, is not that, then, a good time? Because when one gets too far ahead, is not the other less likely to negotiate?

I say there is a real self-interest, also, both for our side and for their side, at this particular stage. We are both on the threshold of major deployments of ABM systems. I wonder whether they have learned, in the deployment of their system around Moscow, that their costs have escalated considerably. And as they build

that system, are they not worried that they are constructing a system that is already obsolete? I have seen no hesitation on the part of our attack forces to say, "We can penetrate it, simply by exhausting it, and it presents no real problem to us."

We see our costs escalating for these systems, estimated to be about $5 or $6 billion originally, to a figure now estimated to be at least $12 billion, and many of us think it could be $50 or $75 billion, since the Deputy Secretary of Defense, the distinguished David Packard—with his candor and knowledge of costs on these two systems—has now implied that the $12 billion figure may not be a figure we can really hold to.

So we have more than doubled our cost estimates in just a year. And we see what has happened to costs on the C–5A, we see what has happened to costs on the F–111, and we see what has happened to costs on so many other sophisticated weapons systems. In undertaking these whole new systems, research on which has not even been finished, the software for which has not been made, and the system never tested or evaluated, I do not know whether the end of cost escalation would ever be in sight.

There are other needs in this country. We have to look realistically at the health of our people, for example. If we had $12 billion, we could build 100 medical schools. We could run them and operate them, at $25 million apiece, with a $20 million initial investment, for 20 years with that $12 billion. A real human need exists here. The Soviet Union has the same need.

And what will we have when we finish the ABM system? We are protecting other missiles, maybe; but they can penetrate our system just as we can penetrate theirs. Neither of us is any better off.

This is the crucial time. This is the time when we must move ahead. If we could take this next step, to at least freeze the present systems, we might find we had other areas of mutual interests as well.

I do not imagine they like to see 310,000 American soldiers stationed in Europe today, 25 years after the end of the war. And we do not like to see it cost $15 billion a year to American taxpayers each and every year to maintain those forces, the NATO forces and our contribution to them.

The Chancellor of the Federal Republic of Germany has recently made a proposal that possibly there ought to be a mutual deescalation of forces in both Western and Eastern Europe. We should seize that opportunity as a possibility for reducing the mutual level of terror and the mutual level of costs.

There are possibilities of space exploration together, if we can take these other steps. It is senseless for one country, in behalf of mankind, to spend billions of dollars to send a rocket to Venus and billions of dollars to send a rocket to Mars, and have another country send one to Venus and one to Mars. I do not see any particular military advantage, and I really doubt that competition now between the two countries for the conquest of space, is going to be advantageous in any way for either country. We are at the point of diminishing returns now in the race for space. Would it not be much better for us now to work out a practical means, as we did in the International Geophysical Year, to have each country take a separate part in some of these programs, and share the knowledge gained with the rest of mankind?

These are the kinds of sensible programs that will give us the kind of country we need and want for future generations. We must be strong, and we must be secure, but we should be realistic about the way we look ahead. We can go the route of hope and promise, or we can go the other route that we have been going—a route of terror, mutual distress, and certainly anguish on both sides, and without a sufficient degree of security on either side to give us any comfort or protection.

I thank the Senator for the opportunity he has provided for all of us in the Senate to deal specifically with one more step we can take as a step of progress for our Nation and for all mankind.

Mr. BROOKE. Mr. President, everything that the distinguished Senator from Illinois has said makes much sense. I think that he has spoken with his customary eloquence, but, even more than eloquence, he has spoken with profound and deep feeling, and with sure knowledge of the facts. He has pointed out the urgency of such a move on the part of the United States and the Soviet Union.

Our Nation has just recently announced through the Defense Department, as the Senator very well knows, that we will be ready to deploy MIRV in June of 1970. That is just 2 months away. If we deploy MIRV, we will then be deploying a technology which will enable us to field a missile with multiple warheads that will not fall in one cluster around a target, but that will go toward many targets at different ranges.

It would be very difficult, if not impossible, for the Soviet Union, with its present defenses, to intercept such warheads by using its existing arsenal.

What does that mean? It means that the Soviet Union, in order to be secure, will have to improve its technology, and probably move toward MIRV'ing its SS–9's, which have superior megatonnage to our Minuteman III and our land-based missiles, our ICBM's.

We would then be called upon, in turn, to improve our MIRV system, probably putting more warheads in the missile, and probably increasing our payload and our megatonnage. As the Senator has so well pointed out, the cost of any of these moves is in the billions of dollars—money, as he has so well pointed out, that is so desperately needed for the hospitals of our cities and urban centers, for education, and as the Senator stated in his very simple but most illustrative example, for building and supporting medical schools around the country, to say nothing of the hospitals, which are crying out for salvation—and literally for salvation—today; for rapid transit systems that will free us from these clogged cities in which we live; for clean air and clean water; and for attacks upon cancer and other diseases.

Just think of what we could do, both in the United States and in the Soviet Union, if we could use just a fraction of the money that would be spent for the deployment of these sophisticated weapons systems for such purposes.

Time is of the essence. I fear that, once we deploy MIRV, the Soviets probably will have no recourse other than to move ahead as rapidly as possible in order to MIRV their SS–9's.

As the Senator has pointed out, we are as near parity, perhaps, as we can be. It is no secret that we have more ICBM's in our arsenal than does the Soviet Union. The Soviet Union is building more ICBM's. They are building more SS–9's, and more SS–11's. We know that. And it does not come as any shock or surprise to me. They know how many ICBM's we have. They are trying to catch up. Perhaps they are trying to pass us. If I knew and if the Senator knew that the Soviet Union had more ICBM's than we, we would perhaps be arguing on this floor right now that we should catch up to them so that we could have parity.

It is no secret that we have a superior submarine force, our Polaris force, which we are in the process of converting into a Poseidon force. We also know that the Soviets are beginning to move in this direction, and they are trying to catch up with us and, again, perhaps pass us. It comes as no shock to me that they are doing this. If the situation were reversed, I am sure we would do it.

We also know that the United States is ahead in the B–52 bomber force and the Soviets are doing something in this direction. Perhaps they are trying to catch up with us again, and perhaps trying to pass us. We also know that we have nuclear weapons in Europe at the present time. They do not have long ranges, to be sure, but they certainly can be used if there should be an exchange between the Soviet Union and the United States—and God forbid that there is ever any nuclear exchange.

So we cannot continue this insanity. That is all it is—it is insanity.

Before the very able Senator from Illinois entered the Chamber, I said that we have been criticized for perhaps giving too much credence to the Soviet Union; that the Soviet Union is just trying to buy time. The Senator has heard that argument, I am sure—that the Soviet Union is trying to buy time; that if we did bring about a freeze on our offensive and defensive weapons, that would give the Soviet Union time, and they would use that time to step up their efforts in this general direction.

Let us examine that in the light of this resolution. We are not suggesting that we give them any more time than we have. We are suggesting, as the Senator has very well pointed out, that this is a mutual freeze; that nothing will happen unless the Soviets join with us in this freeze; that we do not want in any way to diminish our national security. We want always to have national security. But all we are saying is that if the Soviets can in very sane moments and we

can in very sane moments realize that nothing really is being gained by the nuclear arms race in which we find ourselves, we just stop, that is all, and do no more—just stop.

Let me just point out to the Senator that he knows as well as I that these agreements generally take time. Men cannot sit down and come to an agreement on an important issue overnight, and certainly nations cannot be expected to do so. They have their delegations. I think the Senator pointed out that they have their hawks, so to speak, and they have their doves; and we have our hawks, and we have our doves. They have their interests at heart, and we have our interests at heart, which is acceptable and understandable.

So it is conceivable that these talks could go on for months and years. There is nothing unusual about it. I do not know how long the partial test ban treaty took, but it took a long time to come to an agreement. The same is true with respect to the nonproliferation treaty and other treaties.

If this negotiation between the Soviet Union and the United States should go on for, say, a year or 2 years, or perhaps even more what we are really talking about now as being the most devastating technology known to man conceivably could be obsolete, conceivably could be of very little importance, compared to what the technology may be in 1971 or 1972. If this is true, then we are in a worse position, far worse position, to try to negotiate than we are now, in June of 1970.

So if we could have this freeze during the time that the negotiations are going on, if both parties just stop and stand still and there is no further testing and no further deployment during this time, both will have performed a great service; and they will be more apt, in that climate, to be able to enter into a mutual arms limitation agreement than if they sat down in June and began to talk—but at the same time both parties were increasing their arsenal, both parties were continuing to test, and both parties were moving ahead with far more devastating technology.

Mr. PERCY. The points raised by the distinguished Senator are valid. He has mentioned particularly the timing and the length of these negotiations.

I think we should point out very realistically that there is a great sense of impatience in the country with negotiations of the type that are being carried on in Paris—literally no progress, no realism on the part of the opposition. Talks must be fruitful if they are to have any credibility with the American public.

The encouraging thing about Helsinki and the planning for Vienna is that neither side is using it for propaganda purposes. Neither side is trying to use that forum as just a means to spew forth venom and hatred and accusations and charges. They are businesslike; they are straightforward. In the sense of realism in which we are dealing between the two great powers, it is essential that we make continued and steady progress as we go along day by day in these negotiations.

I think we should take this further point into account: If we continue to move forward, making progress, then we can realistically say that what production of existing weapons is being carried on now should take into account the sufficiency on both sides. However, I, who have never been called a hawk, would look with deep suspicion if the talks were prolonged and if during the course of those talks the level of production of weapons continues to escalate on the Soviet side, as is now the case. I, for one—not known as a hawk—would favor keeping the balance; and it might mean that we would have to go back into production of ICBM's and more Polaris submarines. We might have to move forward.

So there is a sense of balance and a sense of timing here which are exceedingly important. They should never underestimate us nor feel that they can prolong the negotiations and have us stand still while they move ahead in construction of their offensive and defensive weapons systems.

It is for this reason that the proposition is important that we have a mutual freeze at this stage, so that in good faith we can realistically have balance. I can well understand that anyone could feel, in a situation of nuclear monopoly, that it was in their self-interest to move ahead and develop nuclear capability. As a major power, they had to do that. We did not look on that as warlike when they were trying to match the technology and capabilities we had achieved. It is a different picture than if they continue to move massively ahead, giving evidence and credence to the fact that they may be building a first-strike capability.

Should that be the case, I, for one, would be among the first to say that we must move ahead with our own production of both offensive and defensive weapons. I would say that if they want an arms race, our Government would receive the approval of the Senate to move ahead with all the productive power it required to keep a sufficiency of defensive and offensive weapons.

Mr. President, let no one underestimate the productive capacity and the economic ability of the American system to move ahead, if that is what they want, to a level of sufficiency on both sides. There must be assured negotiation. Talks should not be prolonged past the point when we can realistically negotiate the cessation of the arms race.

Mr. BROOKE. I am sure that the Senator from Illinois knows that the original purpose of MIRV was the penetration of an expected and sophisticated Soviet ABM system.

I am sure the Senator also knows that a sophisticated ABM system has not yet materialized.

Now the purpose of MIRV originally has been thwarted, so to speak; we now have a different purpose for MIRV.

My point is, simply, is it not likely to be the same case on our side, and the Soviet side, in each instance, that, if we wish to deploy a new technology, we can find a justification for it—maybe sometimes based upon fact but also possibly sometimes just based upon suspicion?

If that is true, then we are dangerously flirting with a nuclear holocaust on earth and, therefore, it is most important that we do everything we can to avoid such an eventuality.

Again I want to thank the very able Senator from Illinois. He has made a rich contribution to this debate. I am very much pleased that he has entered into a colloquy which I think has highlighted some of the most important elements of Resolution 211.

He has pinpointed some of the most important issues concerning the resolution. I am very much pleased and proud that he saw fit in the early stages to lend his valuable support as a cosponsor of the measure which I hope the Senate, in its wisdom, will adopt today and that the President and the American delegation and the Soviet Government and its delegation will accede to, when they meet in Vienna.

Mr. President, I thank my distinguished colleague.

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

The PRESIDING OFFICER (Mr. DOLE). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROOKE. 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. BROOKE. Mr. President, I yield the floor to the distinguished Senator from California.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. GRAVEL. I thank the Senator from Massachusetts.

The PRESIDING OFFICER. The Chair would inquire from the Senator from Massachusetts, did he not yield to the Senator from Alaska, or the Senator from California? I recognized the Senator from Alaska.

Mr. GRAVEL. Mr. President, I am happy to yield to the Senator from California (Mr. CRANSTON).

The PRESIDING OFFICER. The Senator from California is recognized.

Mr. CRANSTON. Mr. President, I want to pay tribute to the great leadership that the Senator from Massachusetts (Mr. BROOKE) has provided for so many months in pushing this vitally important resolution that can have such tremendous impact on the cause of peace.

Both in his leadership in the Senate and in the country, he has been joined by another great leader on that side of the aisle, the distinguished Senator from Kentucky (Mr. COOPER), in broadening the impact of the resolution. I am delighted that I have been able to work with both Senators on this very important issue over a period of many months.

Mr. President, I want to express my total support for the resolution in its new form. This is, indeed, a vital and necessary measure which I was pleased to cosponsor. Seven days before the United States and the Soviet Union begin their discussions in Vienna on strategic arms limitations, it is vital for the Senate to speak clearly on this issue.

I was pleased to learn on April 5 of a report issued by a distinguished panel of experts from the American Assembly

in connection with Columbia University. After a series of meetings, these men urged that President Nixon propose to the Soviet Union a 2-year interim halt in deployment of strategic weapons while an agreement is negotiated to stop the nuclear arms race. The panel was composed of such men as Herbert Scoville, Jr., a former Assistant Director of the Arms Control Agency, John G. Palfrey, a former member of the AEC and many academic specialists who have been intimately involved with national security matters.

Upon entering office, the Nixon administration was pledged to the doctrine of "nuclear sufficiency" instead of superiority.

The testing and deployment of MIRV vitiates the sufficiency doctrine and only prepares the ground for a response from the Soviet Union and a spiraling arms race.

Any MIRV deployment on Minuteman III missiles creates a situation which needlessly complicates arms limitations negotiations. A central issue in Vienna will be the verification and inspection procedures to be utilized once some form of agreement might be reached. Both the United States and the Soviet Union now possess sophisticated satellite surveillance systems which can detect missiles in underground sites. However, no system can detect an ICBM that has been MIRV'ed in its underground silo. MIRVing of American missiles and of Soviet missiles creates an uncontrollable and unverifiable escalation in the strategic arms race once they are deployed.

The only way to prevent this intolerable situation is for both the Soviet Union and the United States to agree not to deploy these weapons in the first place, and to back up that agreement with reliable inspection and verification procedures.

This resolution does just that in its language:

*Resolved further,* That the President of the United States of America should propose to the Government of the Union of Soviet Socialist Republics an immediate suspension by the United States and by the Union of Soviet Socialist Republics of the further deployment of all offensive and defensive nuclear strategic weapons systems, subject to national verification or such other measures of observation and inspection as may be appropriate.

On the eve of the Vienna talks, it is incumbent upon the Senate to clarify its position on MIRV. We must do all we can to insure the success of these negotiations. For success would mean a significant step has been taken away from the abyss of mutual annihilation.

The passage of Senate Resolution 211 would go far toward preparing an effective climate for the arms limitations talks. It is in our interest as well as the Soviet Union's interest to suspend the testing of this destructive, costly, and unnecessary weapon.

President Nixon made comments in a press conference recently to the effect that our Nation is already trying to do what Senate Resolution 211 calls for, and then he called the resolution "irrelevant."

Those of us sponsoring and supporting the resolution should be very pleased that the President thus, in effect, supports the policy objectives set forth in the resolution.

I do not quite see how the President can consider the resolution "irrelevant."

Richard Nixon has often made evident his great admiration for one of his predecessors in the White House—Woodrow Wilson.

It so happens that in 1945 I wrote a book about the struggle between Woodrow Wilson and the Senate over the League of Nations. We all know what happened. The League of Nations was rejected. Woodrow Wilson was broken. The League of Nation was broken. And that led to the killing of the peace.

I am sure that Woodrow Wilson would not have considered Senate support of the League of Nations "irrelevant."

Had the Senate supported the President's efforts toward peace, I believe it is quite possible that World War II would have been avoided and that we would not now find ourselves in the desperate arms race which this resolution seeks to end.

It seems to me that our hopes for an end to the arms race now and our opportunities for peace would be greatly enhanced by Senate agreement to this resolution embodying a policy that our President has said, in effect, is his policy.

Certainly it would strengthen our President in his negotiations with the Soviet Union if the Soviet Union were to know that our Senate, responsible for ratifying treaties, had indicated in advance its support for these negotiations and for the American position in those negotiations along the lines of this resolution and the President's statement that it embodies the policies we are presently pursuing.

Uncertainty exists concerning the Senate's responsibility for treaties negotiated by the President, by the State Department, and by our negotiators, and it often leads to weakness and uncertainty in those negotiations—a weakness and uncertainty that we do not face when dealing with the Soviet Union.

We know that if the representatives of the Soviet Union approve in these negotiations a resolution, it will not be rejected by any parliament within that land.

It seems to me this is a compelling reason for total support of the resolution and that in pushing for the adoption of this resolution we are supporting and strengthening the hands of the President of the United States.

Mr. BROOKE. Mr. President, I especially thank the distinguished junior Senator from California for all that he has done—and it has been much. In the very early stages of this resolution, the distinguished and able Senator from California discussed this resolution with most of his colleagues on the Democratic side of the aisle. And he was very helpful in getting a great number of his Democratic colleagues to join as cosponsors of the resolution. Those efforts have now culminated in the unanimous endorsement by the Democratic policy committee of this resolution.

I thank the Senator for making that contribution and more especially for the substantive contribution he has made both in the drafting of the resolution and also for what he has said on the floor this afternoon.

The Senator raised a question about a statement that was made by our President in respect of this resolution. As a result of that statement, I wrote a letter to the President. I think it is important that I read that letter at this time so that the Senator and all our colleagues may know of the exchange.

The letter reads:

DEAR MR. PRESIDENT: I am prompted to write by your press conference remarks concerning the Foreign Relations Committee's report of S. Res. 211, an amended version of the proposal I made last summer. The Resolution expresses the sense of the Senate that the President should propose to the Soviet Union a mutual suspension of further deployments of strategic weapons both offensive and defensive.

Our purpose in urging adoption of this Resolution is to facilitate progress in the vital SALT negotiations which you are about to undertake. The Resolution is in the tradition of past Senate actions, including most notably the resolutions which anticipated the partial nuclear test ban treaty and the non-proliferation treaty. It is a device for sharing the political burdens between the Executive and Legislative branches by making clear that the Senate, which will ultimately, be called on to endorse any SALT treaty, will support you in presenting a far-reaching arms control proposal. I hope that, on further reflection, you will agree that the Resolution is quite relevant and that affirmative action by the Senate would assist your efforts to obtain mutual arms limitations. Since you indicated last Saturday that your goal in SALT is the same as that endorsed by the Resolution, I presume that the Resolution will have your support.

Of greater importance to those of us working for the Resolution is the apparent implication of your remarks that the United States is willing to consider either a comprehensive or a system-by-system limitation when we and the Soviets meet in Vienna. It would be immensely reassuring to the Resolution's supporters to know that the United States will actually propose "an immediate suspension by the United States and by the Union of Soviet Socialist Republics of the further deployment of all offensive and defensive nuclear strategic weapons systems, subject to national verification or such other measures of observation and inspection as may be appropriate."

If the Soviets refused to accept such a proposal, the opportunity for more limited agreements would still remain. However, if they accepted this more general freeze, the problems of verification would be greatly simplified, since there would be many different means by which to confirm Soviet compliance.

A freeze on Soviet weapons would relieve us from immediate pressure to expand our own arsenals. Credible deterrence could be maintained at the present force levels. Under such a general freeze, a suspension of MIRV tests would be a principal means of verifying that such potentially destabilizing technology was not entering the inventory of either side. Since we do not now require MIRV to guarantee effective retaliation, a halt to the Soviet ABM effort would permit us to maintain a confident deterrent with existing systems And surely the best safeguard of our land-based missile force would be for the Soviets to stop additional SS-9 deployments and to cease work on multiple-warhead technology for that booster.

A freeze of this type might well be proposed for an interim period, perhaps two years, during which details of verification

arrangements could be negotiated. If arrangements satisfactory to both parties could not be devised, one or another element of the freeze might be altered later. However, if the freeze is not proposed quickly, it will be exceedingly difficult to reverse certain immiment deployments, especially MIRV. As I have said before, the *prospect* of MIRV deployment may well encourage diplomacy. The *fact* of MIRV deployment might well defeat it.

In conclusion, Mr. President, I trust that you will welcome Senate approval of S. Res. 211 as a constructive affirmation of the goal you have set forth for the SALT negotiations. Your explicit support will certainly speed final action on this important attempt to bolster your diplomatic initiatives by providing an advance indication of the Senate's sympathies. Furthermore, as an assurance to the Senate and as a clear signal to the Soviet Union, I hope that you will confirm that the United States will propose a comprehensive, mutual freeze on strategic weapons. No initiative would be so promising in your historic effort to assure the national security through strategic arms controls.

With warm personal regards, I am,

Sincerely yours,

EDWARD W. BROOKE.

Mr. President, the letter is dated March 23, 1970. I will say to the Senator I have received an acknowledgment of the receipt of this letter to the President. The Senator knows, as do our colleagues, that in the interim period the President's Advisory Council made a recommendation which certainly is in keeping with the intent of this resolution; and I am very hopeful that the President will accept the sense of the Senate and that he will go with this successfully to the SALT talks in Vienna on April 16.

I thank the distinguished Senator from California.

Mr. CRANSTON. I thank the Senator very much for his generous comments about my efforts on behalf of the resolution. I commend the Senator for his brilliance in preparing the letter which summarizes so succinctly what we are seeking to do through the resolution. I am glad we concur across the aisle that we are seeking to strengthen the hand of the President in his pursuit of peace through the resolution.

I thank the Senator for the opportunity he has given me to work in connection with a cause that is so important. I believe there is nothing I have been able to do in the time I have been in the Senate which is more important than what I have attempted to do on behalf of the resolution.

(At this point, Mr. CRANSTON assumed the chair.)

Mr. GRAVEL. Mr. President, I want to associate myself with the remarks of praise of the Senator from Massachusetts. They are entirely warranted. I also express my strong personal support for Senate Resolution 211 proposed by my friend and respected colleague from my native State of Massachusetts, in which I have the honor to join as a cosponsor.

Scarcely more than a week from today, our U.S. negotiators will sit down in Vienna with their Soviet counterparts to open talks on the limitation of strategic weapons. We all hope and pray that these negotiations will mark the end of the senseless and dangerous arms race in which we have been trapped for over two decades.

I feel that now is the time for the Senate to speak. Now is the time for the elected representatives of the people to make crystal clear to the President and his advisers what we want. Now is the time to tell the world that we believe we can—indeed, in the name of humanity, we must—firmly say "Stop."

Our debates on nuclear policy and strategic weapons systems too often founder on the rocks and shoals of technology. The problems are intensely complex, and the jargon has been refined by the strategic experts until the layman can only shake his head in bewilderment.

But we cannot—we must not—abandon this field to the technocrats and the military analysts.

You do not have to be a doctor of physics, or an Air Force general, or a Defense Department bureaucrat, to understand the essential political and human problems involved. You do not have to be totally conversant with the flight characteristics of the Poseidon missile, or to be able to talk glibly of the footprint of the Soviet SS–9 rocket, or to argue knowledgeably about throw-weight or early acquisition radar, to know that we are spending ourselves into an economic crisis on stockpiles of ever more sophisticated weapons that are ever less subject to rational political control. And the Soviets are doing the same.

Some may even find the language of Senate Resolution 211 rather imposing, although we all have been forced in recent years to learn to roll out phrases like multiple independently targeted reentry vehicle trippingly on the tongue.

I for one find it useful to put the meaning of the resolution in the simplest possible terms. As I mentioned in my speech of January 20 on the Senate floor regarding the forthcoming strategic arms talks, what I feel the Senate should tell the President is that we want our men in Vienna to propose an as is, where is, in-place halt in the arms race.

What would an as is, where is, in-place halt be like? As I put it in my earlier speech, it would simply prevent any change in the numbers and kinds, and modes of deployment, of land-launched missiles, sub-launched missiles, intercontinental bombers, and anti-missile missiles. In particular, steps would be taken to ban further flight tests of MIRV's and their deployment on existing missiles.

I personally regret very much that President Nixon chose to characterize the Brooke resolution at a recent press conference as "irrelevant." At this time and place, what in the name of human sense could be more relevant than for the elected representatives of the people in this Chamber to stand up and tell the administration precisely what we want, what we expect—indeed, what we demand—of our negotiators in Vienna?

Surely, in any question that inevitably involves the expenditure of billions upon billions of our tax dollars, the sense of the Senate is relevant. Surely, any proposal that offers some hope—even a very slim hope—of reducing the danger of a nuclear holocaust with which we are condemned to live is deeply relevant. Has not the Senate the right and the duty to speak out on an issue that ultimately affects the lives of every citizen of our Nation?

By what curious measure, therefore, can Senate Resolution 211 be "irrelevant" in the President's eyes? I find that description not only somewhat frightening, but unworthy of the relationship of mutual respect that I have always presumed to exist between our branches of Government.

Besides, even by the President's own definition, the resolution under consideration is deeply germane. In the same press conference, the President remarked that there were only two basic possibilities for agreement between the United States and the Soviet Union in our talks in Vienna. He explained these as, first, a "comprehensive agreement," and, second, a "system by system agreement."

If the language of Senate Resolution 211 means anything at all, it means that the Senate is saying, loud and clear:

Mr. President, what we want is a comprehensive agreement.

And we want it sooner rather than later, because the hour is late and this may be our only chance.

And we want our U.S. negotiating team to take the initiative in proposing this course to the Russians, rather than merely sitting back and waiting to hear what the other side has to say.

The President went on to comment that we will be prepared to discuss either basic alternative in Vienna. But that passive approach suggests to me a possible scene at the negotiating table in Vienna that would be ludicrous if it were not so tragic. After all the vast expenditure of time and diplomatic skill required to bring the representatives of the two greatest sovereign powers of the nuclear era together—and all the efforts to prepare positions for what promises to be the most momentous negotiation since the end of the Second World War—is it possible that the American team will merely sit down and say "if you've got anything of interest to say, we're prepared to consider it?"

According to the newspapers, the National Security Council will establish the U.S. negotiating position for SALT with the President during this week. I might add that these meetings are coming none too soon. I find it difficult to understand how we can have meaningful consultations with our NATO allies prior to the opening of SALT—as the President has promised—if the administration has not yet established our own position just 1 week before the April 16 opening in Vienna. Faulty communications with our allies have gotten us into deep trouble before, and could well do so again.

I sincerely hope that in its deliberations the National Security Council will not be overwhelmed by charts and graphs and complex technical briefings by the missile experts. These are all vitally important, and of course they should be heard to provide a foundation for informed discussion. But what I pray the members of the National Security Council, and the President, will keep in mind, is this:

We are now almost 25 years into a galloping arms race with the Soviet Union. Our resources are not unlimited, and neither are those of the Soviets. We have an abundance of problems within our own society that might be solved or at least alleviated by investment of some of the money and expertise that we now devote to weapons of war. I am sure the leaders in the Kremlin could say the same thing. Both sides have acknowledged that we have reached a critical plateau in nuclear weapons and missile developement at which there is rough strategic parity between us. After 25 years of pouring out our national treasure on arms and more arms, the question is now whether we have the guts to say simply "We'll stop, if you'll stop."

I do not expect miracles on the first day in Vienna, and I do not anticipate that the arms race will come to a screeching halt at our first proposal to the Soviets. But the time is ripe for the kind of "risk for peace" that President Nixon has promised the Nation he is ready to take.

We must make this effort. We owe it not only to ourselves but to our children to make this the time when the United States clearly and unequivocally called for an as is, where is, in-place halt in the absurd multiplication of weapons of mass destruction.

I am not proposing that we dismantle our defenses or lay down our arms. Nor do I expect that the Russians would accept any agreement that would endanger their national security. But a temporary freeze—an in-place halt—in the arms race give both the American and Soviet negotiators in Vienna the breathing space they so vitally need to work out a more durable agreement, that hopefully would include permanent measures to stabilize and reduce numbers of strategic weapons.

If the Soviets do not want an as is, where is, in-place halt, or if they fail to live up to its conditions, I would be deeply discouraged. But there would be no permanent harm done to our national security posture.

It is no secret that we have tested MIRV warheads extensively. Indeed, an administration spokesman has informed the world—in an announcement I consider very damaging to prospects for success in SALT—that we are prepared to deploy MIRV warheads on operational missiles by June 1. If we have reached that stage of advanced readiness, there would be no significant delay in proceeding with deployment, should an interim in-place halt of 6 months or more fail to improve the climate for agreement with the Soviets, or be broken by either side.

At times, I think the Pentagon is on the wrong side of this issue. Secretary Laird and his subordinates have waged a persistent public campaign raising the specter of possible Soviet aspirations for a strategic first-strike capability. The Pentagon has published reports indicating that the Russians have been proceeding with accelerated testing of multiple warheads even since the preliminary SALT meeting in Helsinki, and are rapidly deploying more and more of their powerful SS–9 rockets. If someone can devise a plan that would stop the Russians from deploying more SS–9's and from further MIRV testing for 6 months to a year, why should not the generals in the Pentagon leap at the idea?

If we already have a sufficiency of nuclear-armed ballistic missiles today to insure our national security, why should not the Defense Department support any proposal that would maintain that uneasy equilibrium even temporarily?

But I confess that I am not sanguine about the prospects of Secretary Laird's endorsement of Senate Resolution 211, although I would welcome it.

I feel that each Senator, in reaching a judgment on this resolution, also should consider some recent direct signs that the Soviets might be prepared to talk in Vienna about something very like an as is, where is, in-place halt. In this regard, it is well worth a few moments to look carefully at an article that appeared in the March 7 edition of the authoritative Communist party newspaper Pravda.

This was a long and detailed discussion of prospects for SALT, signed "observer," a nom de plume often attached to the most significant of statements in the opaque world of Soviet affairs. The article deserves far more expert analysis than I, as a non-Kremlinologist, can give it. But several aspects clearly are of great importance.

The "observer" statement made clear that the Soviets, rather than insisting on "general and complete disarmament," are prepared to accept more limited agreements if they are in the mutual national interests of the contracting parties. The article stated that the Soviet Union is by no means—and I quote—"guided by the principle of all or nothing" in its approach to SALT. And the Pravda piece is replete with evidence of Soviet apprehension that this is a critical opportunity in the history of the arms race that, if lost, may never be regained.

Pravda of March 7 also left no doubt that Soviet military planners agree that our two nations are locked in a position of rough strategic parity at present. The article acknowledged that the Soviet Union now possesses the modern armaments necessary to guarantee the security of the U.S.S.R. and its allies "to the necessary degree." Let me underline that phrase: "To the necessary degree." If that is not a capsule definition of what we have termed "sufficiency," I do not know what is.

In addition, the Pravda article emphasized the fact that the Soviets are keenly aware that a new escalation of the arms race would make difficult if not impossible the attainment of the domestic goals the Politburo has set for the Soviet Union. The article stated:

> The solution of the disarmament problem would help to release from the sphere of military production colossal means which are expended on armaments throughout the world, and whose utilization on economic development needs could assist the scientific, technical, and economic progress of all mankind . . .

I want to underline that that quotation is from Pravda, and not from the New York Times.

Finally, the anonymous "observer" extended an unmistakable warning that neither side can be permitted to use the strategic arms talks as a cover or screen behind which to seek military advantage. I think that our military experts in the Pentagon would be quick to endorse that statement. What better way to insure that there is no improper use of SALT by either side than through an interim agreement on an as is, where is, in-place halt? At least this would give the negotiators in SALT time to test each other's sincerity and willingness to reach a more permanent accord.

Mr. President, I am convinced that we must seize the opportunity presented by the opening of the strategic arms talks in Vienna to take the arms control initiative in our own national interest. I believe that there is at least a reasonable expectation that the Soviet response will be positive.

I feel that a U.S. proposal for a temporary freeze on MIRV testing and the further deployment of both offensive and defensive nuclear strategic weapons will not adversely affect our national security. I submit that we already have the technical capacity to monitor such a temporary agreement or in-place halt—a capacity that we will lose, probably irrevocably, once each side begins large-scale deployment of MIRV warheads.

I, therefore, intend to vote in favor of Senate Resolution 211, and I urge each of my colleagues to lend his support to this deeply significant—and relevant—proposal.

Mr. BROOKE. Mr. President, I thank the very able and distinguished Senator from Alaska for his contribution, and especially for his tone of optimism with regard to the possibility that the Soviet Union may accept this agreement.

I assure the distinguished Senator that I have put into the RECORD the Pravda statement—which, incidentally, is the Central Committee statement of the Soviet Union. I also wish to say to the Senator that when we had hearings before the Committee on Foreign Relations, we had before us Prof. Marshall Shulman of Columbia University, who is an authority on the Soviet Union and the Soviet people, and he pointed out to the committee that there were many statements which could give us some cause for hope and optimism, though, of course, no one really knows whether the Soviet Union will or will not accept the proposal if made by our President and by our delegation at Vienna.

But at any rate, I am very grateful that the Senator has so directed his remarks as to give us all a hope and some optimism as to the chances of the Soviet Union accepting the proposal that the Senator is suggesting to our President.

I thank the distinguished Senator.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Tennessee.

Mr. BAKER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BAKER. Who has the floor at this moment?

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

Mr. BAKER. Will the Senator from Massachusetts yield?

Mr. BROOKE. I yield.

Mr. BAKER. First, of all, I commend the distinguished Senator from Massachusetts for his contribution in this field and in this respect. I have a longtime, high admiration, not only for his parliamentary skill and ability, but for the astuteness of his judgment on matters of peace and security for this Republic.

I think he has great potential for an additional contribution in that respect in the resolution before the Senate at this time. But to make sure that there is no misunderstanding—and we must face the fact that this forum, more often than not, records colloquy that is at least as significant as the wording of a resolution itself—I think it is important to clarify one or two points before I make up my mind on how to vote on the resolution.

First, I agree that the resolution, if adopted by a significant part of this body, would in effect be a signal not only to our own negotiators at SALT, but to the Soviet Union as well, that we want this particular item negotiated successfully.

But may I ask my colleague, is it a signal that we want it so badly that we single it out, to suggest that we will retreat or give in on almost any other item in order to accomplish it? Is that a fair statement of the intent?

Mr. BROOKE. My answer to the very able and distinguished Senator from Tennessee is that it is not the intent of the resolution.

This resolution carries with it no instructions to our delegation that will go to Vienna. It obviously carries with it no instructions to the President at all. It is only a sense-of-the-Senate resolution, and what it purports to say to the President is that it is the sense of the Senate that he make this proposal to the Soviet Union, and nothing more. If the President sees fit not to make the proposal to the Soviet Union, then we have, certainly, no recourse in that regard at all, and the same thing applies to the delegation, which is not an arm of the U.S. Senate.

I assure the distinguished Senator from Tennessee that we certainly are not suggesting in any fashion that we propose to give away anything at all. I further assure him that all we are suggesting in this very simple resolution is that the proposal be made. If the Soviet Union does not accept the proposal, or if the Soviet Union does not stop operational testing and does not stop deployment, then, of course, the United States would not stop operational testing and would not stop deployment of its weapons systems.

In that event, I think that nothing would happen at all. They would probably go on with their testing and their deployment, and the United States would continue with its testing and deployment.

I certainly want to reassure the Senator that we are giving up nothing in the resolution, and that it is not the intent that the United States give up anything, or that it weaken its position at the bargaining table.

Mr. BAKER. I am pleased to know that, and I thank my colleague. I would have assumed as much.

I think it is important that we make it abundantly clear that we are not saying to the world and to the Soviet Union that we want this single item so badly that we will relinquish our claim to other controls in other categories in order to obtain it?

I cite this as an example: I hope that, even without a resolution such as the Brooke resolution, the President would instruct and our negotiators would attempt to obtain an agreement with the Soviet Union to attempt to prevent further deployment of any antiballistic missile system anywhere, but I would hope that the resolution does not diminish our fervor for an effort to stabilize our ABM deployment with that of Russia. By the same token, I would hope there might be some sort of mutuality of limitation on naval vessels, especially deep-running nuclear submarines. I would hope that the adoption of the Brooke resolution, without reference to that item, would not seem to diminish the intensity of our desire for that item as well.

Would the Senator from Massachusetts agree with me that it would be appropriate, through our colloquy, to signal specifically that that is not our intent?

Mr. BROOKE. I most certainly would, and I give the Senator from Tennessee every assurance that that is the fact, and that what we are doing here is merely sharing the political burden with the President of the United States. This is our responsibility. We did it in connection with the partial Nuclear Test Ban Treaty by a Senate resolution; we also did it in connection with the Nonproliferation Treaty into which we entered with the Soviet Union; and we are merely giving this advice to the President in similar fashion here.

As I said earlier in the debate, we respect the President, but in addition to our respect, we owe him our counsel, and we are merely here giving him our counsel. He may or may not take it, though I am very pleased that his Advisory Council has practically made the identical recommendations that this resolution makes, and that the Senate would be making by its adoption, and I am very hopeful that the President is going to accept it.

I know that the distinguished Senator from Tennessee was somewhat concerned about a statement which was made, I think, by the distinguished Senator from Alaska and the distinguished Senator from California, when they referred to words that the President had used as "superfluous" or "irrelevant." If I may correct the RECORD, the President did not use the word "superfluous" at any time. The President did use the word "irrelevant," but I think he meant that only in the sense that, as the distinguished Senator from Tennessee has said, that he hoped to do this anyway at Vienna.

Mr. BAKER. And may I say that I cannot, for my part, even visualize a situation where the President of the United States would not ask that our negotiators attempt to accomplish the objectives of this resolution.

So I think, if I may be facetious for a moment, the irrelevancy is in the irrelevance, because it is clear that the position of the United States is to try to stabilize the arms situation between the superpowers of the world.

Mr. BROOKE. And it is equally clear that the Senate of the United States has not only the authority but the responsibility to give to the President of the United States its counsel in matters which would affect a treaty which we ultimately would be called upon to ratify. And I might also add, for the satisfaction of the distinguished Senator from Tennessee, that the President, at a press conference when this resolution was originally introduced, said that he thought this resolution was most constructive, and I think I quote him correctly at that time. That resolution has been broadened. It was broadened by an amendment offered by the distinguished senior Senator from Kentucky (Mr. COOPER), and the Committee on Foreign Relations, under its distinguished chairman, the Senator from Arkansas (Mr. FULBRIGHT), held hearings on this matter. I think the resolution has been strengthened as well as broadened, and certainly it carries with it more than we had asked in the first instance, though it was implicit in that resolution. Nevertheless, it is spelled out, and I think it is of more value to the President in its form now than it was in its original form at the time he referred to it and characterized it as constructive.

Mr. BAKER. Mr. President, I thank the Senator from Massachusetts for yielding for this purpose, so that there might be, in my view, a significant clarification of the intendment and the import of this resolution.

I had not yet made up my mind as to how I will vote on this resolution. With this clarification, I intend to support it.

Mr. BROOKE. I thank the distinguished Senator from Tennessee and say to him that I am very grateful for the question, and even more grateful for his support of this resolution.

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

Mr. BROOKE. I yield.

Mr. DOLE. Let me commend the Senator from Massachusetts. As a cosponsor of the amended resolution, it is my understanding that President Nixon has indicated this would be a constructive step.

I also understand that it is the intention and purpose of the Senator from Massachusetts to strengthen the hand of the President and strengthen the hand of the negotiators. This is the primary purpose, as I read the resolution and the report and as I listen to the debate on the resolution. I believe it will strengthen their hand. There is no effort, as I read the resolution—and I will ask the Senator from Massachusetts to comment—to take away any power or right the President has or might have or a negotiator might have. Do I interpret that correctly?

Mr. BROOKE. The distinguished Senator from Kansas is absolutely correct. He is a very able and skillful lawyer, as I certainly well know, and I think he has read the resolution correctly.

Mr. DOLE. With reference to the amended version, which refers to an immediate proposal by the President that the Russians suspend deployment, does that have any effect, or what effect does it have, on testing now underway by Russia and by our country—if any?

Mr. BROOKE. If the Russians do not cease their testing and their deployment, the United States does not cease its testing and its deployment. Until such agreement is entered into by the Soviet Union and the United States, I presume it would be full steam ahead for both nations.

Mr. DOLE. I share the view expressed by the Senator from Tennessee that the President and the negotiators are pursuing this effort now. But in the interim period, as I understand, there will be no effort to reduce testing on our part. In other words, we are not going to relax and wait for Russia to respond. I understand we will continue to test, hoping every day and every hour that there will be some agreement. Is that correct?

Mr. BROOKE. That is correct. A resolution was proposed to the Senate which called for unilateral cessation, which meant that we would cease our testing and our deployment, and make the proposal, and then wait for the Soviet Union to accept or reject that proposal. But this resolution is not a unilateral proposal. It is a mutual proposal. It is a bilateral proposal. By this resolution, we are saying that nothing will be done in the interim period, as the Senator has pointed out, until such time as the Soviets accept the proposal.

Mr. DOLE. Again let me commend the Senator from Massachusetts. I certainly share his aspirations and hopes, and the hopes of the cosponsors, this will have some impact. It will be a signal. It will offer some hope not only for our country and Russia but also for all people of the world, and I support the resolution on that basis.

Mr. BROOKE. I am pleased to have the Senator as a cosponsor, and I thank him for his very important and pertinent questions.

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

Mr. BROOKE. I yield.

Mr. FULBRIGHT. Mr. President, I want to make a few observations about the resolution.

With regard to the recent exchange, it is my understanding that the proposal of the Senator from Massachusetts is that the President following the advice of the Senate, should propose to the Government of the Soviet Union an immediate suspension of the further deployment of strategic nuclear weapons. This is not proposed as the necessary ultimate goal. The point is to suspend all deployment now in order to enhance the probability of getting some agreement, some permanent agreement, at the talks in Vienna. This is not proposed as the ultimate goal of the talks at Vienna, but as a first measure that would insure, insofar as we can, the success of those talks. That is the way I interpret the resolution, and I believe the Senator from Massachusetts interprets it that way.

We have had great difficulty in making progress in negotiations, whether in Paris with regard to Southeast Asia, or with regard to the Middle East, or with the Russians. The preliminary talks at Helsinki were reasonably satisfactory. Everybody seemed to be pleased with their seriousness and with the way they were conducted. Both sides seemed to be pleased.

If I understand correctly, we are not saying that the ultimate goal of the talks at Vienna is necessarily to achieve a freeze. We are saying that now, at the beginning of the talks, the President should take the initiative by proposing that we freeze everything so that we will not have a destabilized situation or a shifting base on which to try to negotiate a final agreement.

I believe this is the meaning the Senator from Kentucky intended when he offered his amendment; and I thought the Senator from Massachusetts, if I understood the situation correctly, agreed with this interpretation of the objective of the resolution.

In a sense, the purpose of the resolution is to try to break the stalemate. We will not break it if we negotiate one little point and then another. In the meantime some other circumstances will have changed, and that would mean that you would have to renegotiate everything. I believe that is the purpose of the resolution, and I think it would be a useful purpose.

Action on the resolution was precipitated by the announcement by the Secretary of the Air Force—it was not the only reason, but it was one development that I think was important to the sponsors—that we are going to deploy MIRV warheads in June. It was believed—and I think correctly—that if MIRV deployment takes place in the midst of talks, everything else might be affected. At least, MIRV deployment gives some reason for doubt as to the sincerity of the negotiators. There is plenty of that already.

I quote from page 5 of the committee report on the resolutions:

> It would seem, therefore, both feasible and desirable to provide the strategic arms limitation talks with an opportunity to reach agreements without the additional problem of having to take into account a constantly shifting and asymmetrical situation with respect to strategic weapons. The committee believes that an immediate mutual suspension of further deployment of all strategic weapons systems would provide such an opportunity.

We stress that the suspension is "mutual." We are not expected to do anything they do not do, other than to take the initiative of making the proposal. We believe that the justification for our taking the initiative in making the proposal is that we have more weapons. We are the more powerful, in a general way, although there is rough parity between us in strategic nuclear weapons. We have a greater diversity of weapons and a greater number of the such secure weapons as the Polaris missiles which are launched from submarines. We get bogged down in all kinds of classifications in the numbers game. At any rate, we certainly are not inferior. I would say that we each have a sufficiency. The weight of the testimony, I think, would suggest that because of the larger number of Polaris-type submarines we have—and they are considered, generally speaking, to be the most secure of all weapons, the least subject to being destroyed—we have some responsibility, perhaps a little greater than their responsibility, to take the initiative in making the proposal. That is all that is contemplated that is not completely mutual.

Mr. STENNIS. Mr. President, is this a convenient place for the Senator to yield?

Mr. FULBRIGHT. I am always delighted to yield to the Senator from Mississippi, and honored that he would see fit to ask me a question.

Mr. STENNIS. The Senator will yield to me?

Mr. FULBRIGHT. Certainly.

Mr. STENNIS. Here is the proposition. Basically, I believe it is the prerogative and the responsibility of the President to conduct these talks as he sees fit and and in the best way he can, without any interference—I am sure that this resolution is not designed to interfere—without any distracting entanglements that might come from some other branch of the Government.

I know the high purpose here and the desire, as it has been said, to help the President, even though, I say, I think we could help him more by giving him counsel.

But I want to know this: The Senator has already said, as I understand it, that he proposes in the resolution only a mutual undertaking——

Mr. FULBRIGHT. Correct.

Mr. STENNIS. And nothing unilateral——

Mr. FULBRIGHT. Correct.

Mr. STENNIS. Nothing unilateral that we should do. We are not saying we will do anything on a unilateral basis.

Mr. FULBRIGHT. An immediate suspension by the United States and by the Soviet Union. That is mutuality, it seems to me.

Mr. STENNIS. It seems to me it is clear there.

Mr. FULBRIGHT. Very clear.

Mr. STENNIS. Here is my question further: I personally think that the negotiations will have to go on a long time, that the basic, fundamental, major point to be decided is the matter of inspections, or some kind of surveillance satisfactory to both sides. In the meantime, we will have appropriation bills coming up here on the military program. Suppose the Senate passes this resolution as the sense of the Senate, which it is, and they are not able to work out any mutuality on the points within the next several months that we will be passing on these appropriation bills. I am sure that the Senator does not mean for the Senate to be precluded, by passage of this resolution, from supporting—each Senator being free to support——

Mr. FULBRIGHT. The Senator is quite right.

Mr. STENNIS. Appropriations for the necessary carrying out of military programs, does he?

Mr. FULBRIGHT. The Senator is absolutely correct. This resolution does not

have any direct relation to those appropriations. Each proposal must stand on its own merits——

Mr. STENNIS. Correct.

Mr. FULBRIGHT. Regardless of this resolution. If we bring forward a weapons system that would do violence to a mutual moratorium, but if the moratorium has not been approved, the weapons system stands on its own. But if a mutual moratorium is approved and accepted by the Russian Government, and our own, of course the appropriations would not do violence to the ban on deployment. We could still appropriate the money.

Mr. STENNIS. I am sure the Senator understands what I am getting at, that is, if there is a lack of mutuality in the SALT talks on deployment, a Senator or the Senate would not be precluded from passing on appropriation bills on the merits. I think that would be a grave situation we could get into.

Mr. FULBRIGHT. I think that it would be, but I do not believe the Senator should be worried that anyone who votes for this resolution would feel morally or legally bound not to support an ABM, for example. The ABM will have to stand on its own feet. We will have to defend it on its own merits without prejudice to the vote. I would not feel bound at all.

Mr. STENNIS. I was thinking of MIRV.

Mr. FULBRIGHT. I do not think this resolution—unless the mutual suspension has been agreed to. If that happens, then I would assume that deployment would be suspended; but again, as far as appropriations are concerned, if for any reason we want to hold the money there and consider changing the system. But hard up as we are, I do not think we would want to do that.

Mr. STENNIS. If there has been an actual finality on a mutual agreement, I think it would be held as a suspension and we should not proceed in a positive way.

Mr. FULBRIGHT. The Senator from Mississippi made one remark earlier in his statement that, to me, was not clear. There was a slight intimation that he thought the resolution might be presumptuous on the part of the Senate, that it was not called for, and we were seeking to interfere with the President's legitimate constitutional authority. I do not accept that at all. I think the Senate clearly has a constitutional responsibility, whenever it sees fit to give its advice on matters of this consequence, because we are faced with a continuation of the arms race which threatens to break the country. It is a very important matter. So, in this resolution we are doing it, we are giving our advice. The Constitution does not say the President will be left alone without any advice. It says the opposite.

I am a strict constructionist, if I may use that word to the Senator from Mississippi. I believe in following the Constitution. This resolution follows the Constitution. It is in performance of the responsibility of the Senate to give advice to the President on matters of the greatest importance. I do not know of anything much more important than the arms race which is what is involved in this resolution. It is costing the country enormous sums of money, and is diverting money from the development of the country and the solution of so many of our domestic problems.

Thus, I do not think anyone should be deterred from voting for this resolution on the ground that it is presumptuous to offer advice to the President. The President is getting advice almost every day, and he should get it.

I hope he has an open mind, not only as to our resolution, but as to what other people think.

Mr. STENNIS. I just have one sentence on that subject I should like to state, if the Senator will yield.

Mr. FULBRIGHT. Yes, I yield.

Mr. STENNIS. Then I will be through. I was not meaning to be critical of the committee for having the resolution, or critical of anyone for introducing it. But I do think that, right here, on the very eve of the opening of these talks, when it is an Executive responsibility to plan and carry out the best he can the most difficult task, perhaps, that a President has, I think that, right on the eve of those settings, we should defer to the President. That is my idea of the constitutional prerogatives and the responsibility that he has. But, of course, that is a matter of interpretation and an idea that I have.

Mr. FULBRIGHT. Do I understand the question clearly, then, that the Senator thinks we should refrain from giving advice such as this?

Mr. STENNIS. Well, not under all circumstances.

Mr. FULBRIGHT. Under present circumstances?

Mr. STENNIS. Yes. Yes, I really do.

Mr. FULBRIGHT. Mr. President (Mr. SAXBE), under present circumstances, we should refrain? That is what I was not clear about. I regret that. I very much disagree with the Senator from Mississippi.

As a matter of fact, on yesterday—and I say this without respect to the merits of the question—I thought in acting as we did in rejecting the idea that this body, the Senate, does not have a constitutional responsibility to give advice, whether it be regarding foreign relations as in this matter, or on nominations to the Supreme Court of the United States, I think that what the Senate did yesterday made the Senate a significant body again.

I am bound to say that in the last administration, because of very unusual circumstances, I think the Senate was largely subverted, that we became subservient to the Executive to a degree far beyond what I think the Constitution contemplated. Yesterday was a very fine demonstration, I think, of senatorial independence of mind, regardless of the rightness of the decision. At least, the Senate exercised the power given to it by the Constitution, the power which had almost been subverted; at least we had not exercised it at all. I complained myself, in the previous administration, on the way Members of this body and the other body were taken to the White House, briefed on a subject of the highest importance, and then polled as to whether we agreed or did not agree, before we had any hearings. We were more or less made to commit ourselves on the spot. I call that a serious blow to the senatorial process. I think it was a bad thing for the country. I think that was one of the reason, we fell on hard times. The Senate, in passing the commitments resolution, in attempting to reassert its part in making commitments that involved commitments of manpower and great amounts of money, is now asserting its right to pass upon the fitness of nominees, and is again a respectable body. Every Member of the Senate should be proud to be a Senator. I was very proud to be a Member of this body, much more than before because I now think that the Senate is in a position to assert its rightful constitutional position in our Government.

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

Mr. FULBRIGHT. Mr. President, I do not accept the idea that we have no business giving advice. If the President comes back from Vienna with an agreement, we will have to approve it. I think we have a right to do this.

Mr. STENNIS. Mr. President, if the Senator will yield at that point, the illustration he stated, with all due deference, is on such a different subject matter and with such a different purpose in mind that it does not seem to be analogous.

Mr. President, I think that if negotiators go over there now, the President would be bound by this resolution. They would have in their minds the fact that the Senate passed this resolution and it is the only thing available or that we have more interest in this than in anything else.

I think we ought to stay out of it, particularly at this time.

Mr. FULBRIGHT. Mr. President, the Senator thinks it is a wise thing to promote these talks, does he not?

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

Mr. FULBRIGHT. I yield.

Mr. AIKEN. Mr. President, I may say that the administration has not asked us to refrain from acting on this resolution at this time. The administration considers that this is a matter for the Senate itself to decide. It neither undertakes to raise objections or to promote it.

There may be individuals who feel that we should not act upon it at this time. But it is simply an expression of the sense of the Senate, as I understand it, and an offer to support the administration on these proposals.

Mr. FULBRIGHT. The Senator is correct.

Mr. AIKEN. And I am sure that the administration does not object to our acting upon it.

Mr. FULBRIGHT. Mr. President, I think the Senator is quite right. Of course, the Senator told me that before, and that is the reason I believe it.

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

Mr. FULBRIGHT. I yield.

Mr. BROOKE. Mr. President, I certainly would have liked to see the distinguished chairman of the Armed Services Committee support the resolution. I

think it is a resolution that he mght very well be able to support.

I jotted down three points which I think might be helpful to the distinguished chairman of the Armed Services Committee in addition to the point so very clearly made by the very distinguished chairman of the Foreign Relations Committee.

Point No. 1 is that MRV is defined in the legislative history as including any system able to strike more than one target. The SS–9 technology is specifically covered by the resolution.

Second, the President does have clear authority to define the duration of any such mutual suspension and to determine verification requirements for maintaining it.

Third, the resolution does not require reliance only on national intelligence for verification since it makes clear that the President can specify "such other measures of observation and inspection as may be appropriate."

I further point out that the President has referred to the resolution in its original form as a very constructive resolution.

I should hope that the distinguished Senator from Mississippi might find it possible to support the resolution.

Mr. FULBRIGHT. Mr. President, I join in saying that I regret that the Senator from Mississippi does not support the resolution.

The report of the committee states:

> The committee recognizes that Senate Resolution 211 is in the nature of advice to the President which he is free to accept or reject. The committee believes, however, that the resolution expresses a growing recognition by the American people that no effort must be spared to bring to an end the escalating cycle of the deployment of nuclear weapons systems.

That is all it is. I think that is a lot. And I think that the President would be very ill-advised, assuming the resolution is agreed to by the Senate, not to follow it. Of course, he would be within his rights if he were not to follow it. But it would be very unwise because, if passed, the resolution would express the collective judgment of the Senate which is entitled to respect when one views the events of the last several years.

I would hope the Senator from Mississippi would reconsider.

I realize that there are perfectly honest and honorable men who do not believe that any kind of agreement with the Russians or with any Communist is worthwhile. Such people make speeches. And there are quite a number of them. They have concluded that as a result of disappointments in the past, the Russians are unreliable and that we should not make any agreement with them.

There are people who express this view.

This resolution is a means for the Senate, in which there are representatives of all 50 States, to express its views—and on this not unimportant matter—in a way that reflects the views of a great majority of the people of the country who are paying the bill for the arms race.

The cost is so enormous that it is hard to calculate not only the immediate cost, but also the costs resulting from escalation of the arms race.

In connection with our consideration of Senate Resolution 211, I would like to call attention to a pamphlet published earlier this year. The pamphlet will not be mentioned in book reviews, sold on newsstands, handed out in supermarkets, or mailed to lists of subscribers. In fact, it will probably not be read by more than a few thousand people at most. That is a pity, for it deals with a subject of the utmost importance, and its message is grave and alarming. The pamphlet is entitled "World Military Expenditures 1969." It is published by the U.S. Arms Control and Disarmament Agency.

In his introduction to the pamphlet, the Director of the Agency states that the rise in military spending is continuing, although it is less sharp. He then comments: "The world remains the poorer for it."

The world is indeed the poorer because of the continued rise in military spending. The pamphlet tells us that in 1969 world military spending reached a record $200 billion, an increase of 34 percent since 1964, and that in the last 6 years more than $1 trillion has been spent for arms and armed forces. This sum exceeds the value of all the goods and services produced in the United States in the past year. It represents more than 2 years' income for the world's 93 developing countries in which over 2½ billion people live. The world's military budget for the past 6 years has taken as much public money as was spent by all governments on all forms of public education and health care. And more of this money for military purposes was spent by the United States than by any other country. Specifically, of the $200 billion estimated to have been spent for arms and armed forces in 1969, expenditures by the United States were estimated at $82 billion, and expenditures by the Soviet Union, with the second largest military budget, at $56 billion.

These are the figures of our own Arms Control and Disarmament Agency.

The enormous amounts of money which the United States and the Soviet Union have spent reflect the high cost of defense in an age of nuclear weapons. The Poseidon missile, for example, will cost a total of $5.5 billion according to the Department of Defense, but Senator PROXMIRE believes that the eventual cost may be double that estimate. Minuteman II will cost about $4.25 billion and Minuteman III another $4.25 billion. The Advanced Manned Strategic Aircraft will cost $8.8 billion according to the Defense Department, but other estimates have ranged from $11 to $23 billion. Estimates of the cost of the Safeguard system go as high as $50 billion.

While on the subject of costs, may I point out that in fiscal year 1971, the total Federal budget will be $154.9 billion. Of this amount, 47.5 percent, or an estimated $73.6 billion, will go for national defense. And of that $73.6 billion, an estimated $7.9 billion will go for strategic forces.

Mr. President, we are dealing here with an area of the greatest importance. Yesterday we heard an extremely important statement by McGeorge Bundy, who formerly was Assistant to the President for National Security Affairs, the predecessor of Dr. Kissinger in the White House. I ask unanimous consent to have his statement printed in the RECORD.

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

STATEMENT OF MCGEORGE BUNDY

Mr. Chairman and Members of the Subcommittee, I am happy to accept your invitation to testify on the arms race, and I am particularly happy to appear in company with Dr. York. I would like to associate myself strongly with his basic argument.

My broad view of the arms race was stated last October in an article in Foreign Affairs. and to save the time of the Committee I would like, with your permission, to offer that article for the record instead of repeating it. Its principal conclusion was simply that the strategic arms race between the United States and the Soviet Union has gone too far, threatens to go further, and should be stopped by an early agreement between these two great powers. Since then SALT has begun in a businesslike way, and our Government is now considering what its position will be as the talks resume in Vienna next week.

My own strong belief is that the best next step for the United States in this field is to follow the course proposed in Senate Resolution 211. That Resolution first states the sense of the Senate that prompt negotiations be urgently pursued between the two great powers, and on this point I think there is little or no disagreement among Americans. The second part of the Resolution expresses the sense of the Senate that we should now propose an immediate suspension by both sides "of further deployment of all offensive and defensive nuclear strategic weapons systems." An excellent basic argument in favor of this Resolution is developed in the report submitted by Senator Fulbright, and I will not waste your time by repeating it. Let me rather offer ten brief comments on the significance of your Committee's position.

1. I assume that in passing Senate Resolution 211, the Senate will be urging the President to propose to the Soviet Union the mutual suspension of these deployments for some reasonable term during which further progress could be made toward a definite agreement. There are some who suppose that the word "moratorium" implies a form of permanent self-entanglement, but as I understand it no such self-entanglement is either necessary or intended.

2. I strongly support the statement in the Committee Report that an agreed suspension of deployment of strategic systems will necessarily imply a suspension also of tests—as well as deployment—of such emerging systems as MIRV. The Committee Report makes the correct connection between the Soviet SS–9 and the American MIRV. This connection goes both ways. Just as the Soviets must limit SS–9 if they wish to stop MIRV, so I believe that if we are to get any early limit on SS–9 deployment, we ourselves must place MIRV on the bargaining table.

3. I believe that there will not be much progress in SALT until the United States Government is prepared to make a specific proposal. I think the odds are heavy that it will prove wise and right for us to move first. The Committee has heard the sensitive and perceptive testimony of Professor Marshall Shulman on Soviet attitudes towards arms negotiation. I share his view that Soviet wariness is at least equal to our own. Our experience, understanding and present strength make it right for us to take the initiative.

4. Specifically, I believe that as a part of any proposal for an agreed moratorium the United States should take a first step by announcing a suspension of its own deployment of ABM and MIRV for a limited time. Such

a time could and should be relatively brief, and its extension could and should depend upon the promptness and seriousness of Soviet response. There might be some marginal inconvenience for our defense organization in such a suspension, and our already overwhelming strategic war plans might need marginal revision if specific planned deployments are delayed—but there is no real or present danger in such a limited suspension, and if we want results in SALT, we should try it. How long such a trial should be, and precisely what it should include, are matters I do not attempt to cover, since it would be unwise for a private citizen to try to define the exact length and direction of any first step. My point is simply that we should begin by an action as well as a proposal.

5. This belief rests not on any sentimental notion that we must be more virtuous than the Russians, but rather upon the deep conviction that effective limitation and reduction of the strategic arms race is an objective deeply in our own national interest as well as the interest of all mankind. It is wholly false to suppose that the national security is always served by adding strategic weapons and never by their limitation. In the world of the 1970s the truth is more nearly the opposite. We have more than enough strategic weapons today. The addition of new systems which will inevitably produce further Soviet systems is not the road to safety for anyone in any country.

6. In particular we should be on guard against the notion that it is useful to press the development or deployment of any given weapons system because of its value as a bargaining-counter for SALT. It is quite true that if we get nowhere in SALT and if Soviet strategic expansion continues, we shall have to take careful stock of our own needs. But there is no evidence at all that pressing the deployment of systems we do not yet need is likely to have a constructive effect on Soviet behavior in SALT. There are times and topics for toughness with Moscow, but SALT in April is not one of them, and many of those who urge this tactic are men who do not want SALT to succeed. It will be very hard to get a good agreement even if we do only what we have to do. It will probably be impossible if we provide unnecessary ammunition to Soviet weapon-lovers by pressing our own deployments relentlessly throughout the talks.

7. In moving toward effective limitation of the arms race, we shall need to be alert and skeptical against distractions and diversions from those whose special interests may be threatened. The history of arms negotiation includes many examples of efforts by the partisans of particular weapons systems to prevent any agreement at all. During the negotiations before the Limited Test Ban Treaty, for example, it was suggested that the Soviets might obtain some decisive advantage by secret nuclear tests conducted behind the sun or by the construction of underground holes so big that the very existence of a test could not be detected. These arguments now rest properly in the dustbin of dead fantasy. But now new dangers are depicted in the effort to justify a refusal to limit or delay our own new weapons systems. Such arguments should be subjected to most meticulous and skeptical analysis, and in such study the role of the Congress is of high importance.

8. There is a particular danger in the uncritical acceptance of doctrines of strategic superiority—or even sufficiency—which may be used by zealous men in support of their own preferred weapons. This is as true of the Eisenhower Administration's belief in "prevailing" in a general war as it is of later doctrines of "assured destruction" and "damage limitation." All of these forms of words can be used to justify excessive expenditure on unnecessary strategic systems. At present there are four new criteria of strategic sufficiency, but the Administration has not told us what they are. According to press reports, these criteria include "assured destruction," "hostage equality," "crisis stability" and "third country protection." If the Administration and the Congress are not alert and watchful, criteria like these can be protective umbrellas for unchecked strategic expansionism. They can also be roadblocks in the way of arms limitation. They deserve public discussion. My own conviction is that the realities of strategic nuclear weapons are not subject to control by such verbal formulae. In the language of Justice Holmes, I believe that criteria like these tend to be spiders' webs inadequate to control the dominant facts.

9. The main proposition which we need to understand in order to limit the dangers of the nuclear age is that enough is enough. The Soviet Union and the United States have long since reached and passed that point. Each is now able to do totally unacceptable damage to the other, no matter how a nuclear catastrophe begins. Sane political leaders on both sides know this reality for what it is. It is of course possible that some still unknown technological development might genuinely disrupt this fundamental parity, but there is no evidence whatever that any such development is likely in the present decade. So we have enough, and more than enough, and we are on the edge of a most unstabilizing and dangerous escalation. Now is the time to stop.

10. The Committee Report recognizes what I would like to emphasize in closing: that while citizens can comment and the Senate can advise, only the President can decide. It will take negotiation to reach agreement, and the official position of the Government of the United States can be stated to the Soviet Union only by our President and his authorized agents. The President must choose the timing and the shape of any initiative he takes; in the end his leadership is what will decide. As he considers the possible choices and deliberates on decisions which have not yet been made, the President is entitled to the thoughtful advice of the Senate, and in this field, where the weight of bueaucratic influence has historically been heavily on the side of *arms* as against arms *control*, such advice can be of particular value to him. The easy course is always to avoid decisions; politically the argument of weapons is easy, and the argument for acts of restraint is hard. A President who wants to take the lead needs all the help he can get. The Senate can give such help, and in this situation it is obviously the duty of citizens to respond to the Senate's request for their honest views. I have stated mine, and I will be glad to try to answer your questions.

Mr. FULBRIGHT. Mr. President, I wish to read a sentence which appears on the first page of the statement by Mr. Bundy:

My strong belief is that the best next step for the United States in this field is to follow the course proposed in Senate resolution 211.

On page 2 of the statement, he states:

There are some who suppose that the word "moratorium" implies a form of permanent self-entanglement, but as I understand it no such self-entanglement is either necessary or intended. . . .

Just as the Soviets must limit SS–9 if they wish to stop MIRV, so I believe that if we are to get any early limit on SS–9 deployment, we ourselves must place MIRV on the bargaining table.

3. I believe that there will not be much progress in SALT until the United States Government is prepared to make a specific proposal. I think the odds are heavy that it will prove wise and right for us to move first. The Committee has heard the sensitive and perceptive testimony of Professor Marshall Shulman on Soviet attitudes towards arms negotiation. I share his view that Soviet wariness is at least equal to our own. Our experience, understanding and present strength make it right for us to take the initiative.

I wish to stress that last sentence. I think that is the heart of the justification for this resolution. It is our responsibility to take this initiative. The statement continues:

Effective limitation and reduction of the strategic arms race is an objective deeply in our own national interest as well as the interest of all mankind. It is wholly false to suppose that the national security is always served by adding strategic weapons and never by their limitation. In the world of the 1970s the truth is more nearly the opposite. We have more than enough strategic weapons today. The addition of new systems which will inevitably produce further Soviet systems is not the road to safety for anyone in any country.

6. In particular we should be on guard against the notion that it is useful to press the development or deployment of any given weapons system because of its value as a bargaining-counter for SALT. It is quite true that if we went nowhere in SALT and if Soviet strategic expansion continues, we shall have to take careful stock of our own needs. But there is no evidence at all that pressing the deployment of systems we do not yet need is likely to have a constructive effect on Soviet behavior in SALT. There are times and topics for toughness with Moscow, but SALT in April is not one of them, and many of those who urge this tactic are men who do not want SALT to succeed. It will be very hard to get a good agreement even if we do only what we have to do. It will probably be impossible if we provide unnecessary ammunition to Soviet weapon-lovers by pressing our own deployments relentlessly throughout the talks.

7. In moving toward effective limitation of the arms race, we shall need to be alert and skeptical against distractions and diversions from those whose special interests may be threatened.

I submit that is a very perceptive statement.

Mr. President, I ask unanimous consent that a statement by Marshall D. Shulman, director, Russian Institute, Columbia University, be printed in the RECORD at this point.

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

STATEMENT BY MARSHALL D. SHULMAN

The Soviet Union and the United States have a common enemy—the strategic arms race. Can anyone doubt the proposition that both countries would be better off, and more secure, if the strategic balance could be maintained at lower levels? And yet, the upward spiral continues, independent of will or reason. The problem is: where and how to initiate the process of checking and then reversing this upward spiral?

The answer is full of technical complexities, but it is fundamentally a political problem. If the will exists to reverse the present senseless trend, ways can be found to solve the technical obstacles. If the will does not exist, or is not strong enough, any technical rationalization will suffice as an epitaph.

It is not a question of trust: the level of mistrust is too high in both directions for that. The real question is whether enough reasonable men on each side can be brought to recognize and act upon their own rational self-interest.

The present moment offers a singular op-

portunity. Usually in the past, when one country has been ready to be serious about arms limitations, the other has been building up its arsenal; the moment passes, and the roles are reversed. Now, however, there is an unusual combination of circumstances: previous disparities have been greatly reduced; each side has more than enough weapons to deter the other; each side is under pressure to use its resources in more constructive ways; and we stand poised fleetingly before the entranceway to a new era in military technology—an era whose costs, tensions and instabilities would reduce the security of both sides. In the course of the next thirty days, decisions will be made in Washington and Moscow that will determine whether the present opportunity will be explored to its utmost by men of common sense.

It is necessary to bring as much insight as we can into the circumstances in which these issues are being decided in the Soviet Union. Although there is much that we do not know about the process of decision-making in the Soviet system, we have been learning to appreciate the complex interplay of interests and pressures at work in the Soviet Union today. Like many industrialized countries, including our own, the Soviet Union is experiencing an increase in social tension resulting from the paradoxical rise in pressures for change and, at the same time, in strong conservative resistance to change.

As a result, there are contradictory tendencies to be observed in Soviet political life today. There are those who are concerned about the declining growth rate and the lag in advanced industrial technology, who are seeking to clear away archaic and cumbersome impedances to progress and to adapt the system to modern requirements. Among these men are to be found those who most keenly appreciate the incubus of the arms race upon Soviet economic progress. But there is also to be observed a backlash tendency of ultraconservatism, from those who fear that reform and adaptation will threaten the role of the Communist Party bureaucracy. They are responsible for an upsurge of dogmatic ideology reminiscent of the past; they are engaged in a campaign for orthodox conformity, for an extirpation of alien influence. Their answer to economic and social problems is the old tried and true method of exhortation and coercion, and this leads them to form political alliances with the military and with the police.

The top political leadership seeks to preserve its collegial unity at all costs, and to conciliate the contradictory pressures that bear upon it. The cost of this effort to maintain a consensus government has been an incapacity to act decisively to resolve major problems. Decisions are waiting to be made for the XXIV Congress of the Communist Party of the Soviet Union and the new five-year plan for the economy, both involving fundamental economic and political issues. Serious concern about turbulence in Eastern Europe and even more so about relations with Communist China are major complications intertwined with the domestic problems facing Soviet leadership.

It would be vain to try to prophesy the outcome of these decisions, or to guess whether the system will find the vitality and the flexibility necessary to cope with its complex problems. But it is important to appreciate how deeply this interplay of conflicting forces and pressures affects Soviet-American relations, and also how much it is affected by what we do and say. Clearly the conflicting pressures of modernization and regression toward dogmatic orthodoxy create uncertainties and set limits on what the leadership can do. It is also evident that many of our old stereotypes about "*the* Russians" have little applicability, whether the wishful stereotype of Western-style liberalization or the simple stereotype of Stalinist total control.

Obviously, the complex currents of Soviet politics affect decisions about SALT above all, since these concern vital questions of security, relations with the Soviet Union's foremost adversary, and the allocation of resources as between military and industrial interests. The decision to enter into SALT was hard-fought over a long period of time, and those who argue for entering into talks with the United States have always at their backs powerful ideologies who voice their suspicious of American intentions, and who fear the operational problems of preserving the muscularity of the Communist movement during periods of reduced tension with the United States. With the Chinese charging "collusion with the imperialists," the military reacting neuralgicly to every word and act of *our* military, and the Party dogmatists hammering away at the inequities of "American imperialism," it would be surprising if the Soviet leadership did not show reserve and hesitation in their negotiations with the United States.

There are in addition a number of other circumstances which also peculiarly affect Soviet decision-making in regard to SALT. Unlike the United States, the Soviet Union does not have people circulating in and out of government who can serve, while they are out of government, as an independent and knowledgeable lobby on arms control questions, nor does it have scientists who circulate in and out of defense responsibilities who can contribute critical technical experience to the public discussion of these issues. Unlike the United States, the Soviet Union has not had a great contribution to strategic military theory in the nuclear age from civilians; its discussions of these matters are conducted in professional military journals, many of which have limited circulation?

In the compartmentalization of Soviet life, there is not much lateral transfer of information about military technology, particularly because of the extreme secrecy in which all military affairs are held. The consequence is that there has not been in the Soviet Union the kind of broad educational experience, involving the interplay of scientific, military and political factors involved in arms control questions, which this country has had, for example as the result of the ABM debates.

If we consider how long it takes for the ramifications of new weapons systems to sink into our consciousness, we must also allow for the learning time required for these ramifications to be absorbed by the Soviet political leadership and its staff. This process has something to do with the lags in reaction time which have characterized action-reaction cycle between the two governments.

It takes time for such concepts as the stability and instability of various new weapons systems to be diffused back and forth across the ocean, and to enter into personal and bureaucratic habits of thinking. We therefore have to allow for the incubation period of new ideas, if the negotiations are to have some chance of success.

One other factor affecting Soviet attitudes toward SALT and which sometimes gives rise to misinterpretation is the distinctive Soviet approach to negotiations and bargaining. It has often been the case that the Soviet Union will take elaborate pains to conceal its anxieties, for fear that it may confer a bargaining advantage upon its adversary. When, after a long delay, the Soviet Union reached a decision to enter into the SALT negotiations, its representatives pressed the United States on every occasion for an immediate response. This led to an interpretation abroad that the Soviet Union needed an easement of the burden of armaments more than the United States did, and that the United States could exact a political price for entering into the negotiations. The Soviet representatives thereupon received instructions to "play it cool," which they did with such elaborate casualness that many observers concluded the Soviet Union had lost all interest in the negotiations.

It will be recalled that when Stalin was first publicly informed by President Truman of the successful atomic explosion at Alamagordo, he reacted with such elaborate indifference as to lead many Western observers to conclude that he failed to appreciate the significance of the event.

In retrospect, it became clear that he was anxious not to give an impression of Soviet concern lest the United States be encouraged to take diplomatic advantage of its lead. Many years later, it appeared to many observers that the Soviet Union had become reconciled to its status of strategic inferiority, because so little value was given to it in public. But it is now clear that the Soviet leaders felt a deep concern, and particularly after the rapid American build-up of the 1961–65 period, did everything possible to overcome the American lead, with consequences that we are now witnessing. Because of the time lag, however, the Soviet build-up was not seen as part of a process of interaction.

These general principles can be illustrated specifically in considering some prevailing assumptions about Soviet attitudes toward the MIRV issue. It has been widely argued here that the Soviet Union is indifferent to MIRV because its representatives did not show concern when the matter was raised at Helsinki. But there has been no indication that the question was clearly put by the United States, and it should not be surprising that the Soviet Union was not prepared to raise the issue, perhaps out of fear that its show of concern would confer a bargaining advantage upon the United States.

In unofficial discussions in the Soviet Union last October with Soviet defense scientists and officials, it was clear to the American participants that the complex ramifications of MIRV were beginning to be studied with lively interest in the Soviet Union, and that a learning process was at work. It may be that the incubation period has now passed, for there have been many indications that at least some in the Soviet Union fully appreciate what the consequences of MIRV deployments will be for both sides, and are as concerned about MIRV as they are about the deployment of anti-ballistic missiles. It would be a mistake for us to conclude that a proposal for a ban on the testing and deploy of MIRV would be automatically rejected by the Soviet Union. It might be, if those in the Soviet Union who want to push ahead until they have reached our level of experience with MIRV testing prevail. But if the learning process has reached the point at which the Soviet leadership recognizes how costly this delay would be for them as well as for us, it is possible that the mutual advantages of heading off MIRV deployments will be seriously considered.

One conclusion affecting our own policy which follows from these observations of the Soviet situation is that a clear signal of United States' intentions regarding SALT is needed. A question often asked of Americans in Moscow is whether the U.S. Administration is serious about the negotiations. There have been a number of articles in the Soviet press in recent days—in *Pravda* on March 7th, *Izvestia* on the 13th and *Red Star* on the 14th—which are at least in part intended to influence the American discussion of these matters, but which also reflect the extent to which the uncertainty regarding American intentions toward SALT are involved in the intramural debates in Moscow. More specifically, the articles pose two questions: Whether the U.S. is now prepared to accept as a basis for negotiations a condition of approximate parity in strategic capabilities? Or whether those spokesmen who urge an intensified effort to gain a relative strategic

advantage over the Soviet Union before and during the talks represent the Administration position?

Meanwhile, of course, the Soviet Union has continued to enlarge its strategic arsenal at an impressive pace. Perhaps it should not be surprising that as the two nations approach negotiations, they should each try to improve their bargaining position by improving their strategic capabilities. But wise men should recognize that unless this is stopped, there will be nothing significant left to negotiate.

This brings us directly to Senate Resolution 211. The essential question we must ask ourselves is this: Would our security be better served if both countries had MIRV capabilities, or if neither country did? It is not likely that we could preserve a unilateral advantage with this weapon for very long. The answer seems clear that if we both move into the MIRV era, we shall both be obliged, certainly by the time the second generation of MIRVs makes its appearance, to enter upon a huge restructuring of our strategic forces to protect ourselves from the vulnerabilities to which MIRV will subject us. In time, several years and many billions of dollars later, we would doubtless reach a new equilibrium, but neither country will be more secure than it is now, and the costs, tensions and instability may be very great.

It would therefore seem urgently desirable, in our own security interests, to try as strongly and as sincerely as we can to stop the present movement toward MIRV deployments. This points toward the wisdom of a proposal from the President of the United States to the Soviet Union at the earliest possible moment for a 24-month agreed moratorium including the following elements:

1. a ban on flight testing and deployment of MIRV's;

2. a hold at presently projected levels of ABM deployments, including and most importantly supporting radar installations;

3. a hold at present levels of land-based fixed-site ICBMs—which includes no new digging of silo emplacements for SS–9s;

4. an agreed limitation on flight tests of all delivery vehicles to some moderate number, with the understanding that all tests would be conducted only in preannounced areas where they can be observed by national means of monitoring.

If this proposal were to have any chance of acceptance, it would be essential that the United States exercise restraint in the immediate future in regard to the early deployment of Minuteman 3 or a MIRV Poseidon. The recently announced plan to deploy the first Minuteman 3 by June, with a rather slow rate of deployment for the balance of the year, would not improve our capabilities significantly, and would only serve to forestall any possible negotiations about MIRV. The plan also suffers from the logical defect that if we fail to hold the line on MIRV, Minuteman seems destined for obsolescence in the foreseeable future.

A number of objections have been raised to a moratorium proposal along these lines: It is too late to stop MIRV. It is too difficult to agree what should be included in the prohibition. We need MIRV capabilities for our strategic arsenal. We would be losing a bargaining advantage if we did not proceed with MIRV and Safeguard Phase II. It would be difficult to resume our programs at the end of the moratorium period even if the conditions were not fulfilled. These are serious objections, and they deserve to be examined carefully.

Perhaps the most difficult objection is the feeling that it is too late. It is more difficult to reverse our course of thinking than it is to give in to the inertial force of ongoing events. But unless it is more important to fulfill our presently programmed weapons plans than it is to get an agreement to forestall MIRV deployments, this fatalistic argument is no more persuasive now than it was when it was first advanced in Washington a year and a half ago.

The difficulty of defining what is to be included and excluded in the agreement is a real one; should the prohibition include MIRV components tested singly, and if so would we be able to verify compliance with the prohibition? Should the prohibition extend to MRVs as well as MIRVs? The best judgments seem to be that these are real but disproportionment objections. Whichever way these problems of definition are worked out in the negotiations, it is not reasonable to fear that our security would be seriously compromised within the 24-month period of the moratorium, even under the worst assumptions that can be made.

The argument that we need MIRV has at various times rested upon three rationales. The first is that we need more warheads to cover our present target obligations. This would be a persuasive argument only if we decided to depart from a deterrent posture; it is clear that retaliatory damage to the adversary does not greatly increase if numbers of delivered warheads are increased much beyond 1,000—or, indeed, above 500. There is no limit to what we could include in our target requirements if this is allowed to run free. A second rationale is that we need MIRV as a penetration aid, particularly if Soviet ABMs should be increased, and if the Soviet Union should upgrade its present surface-to-air missile air defense to ABM-level capabilities. This argument neglects the disparity in time required between ABMs and MIRVs. We know from our own Safeguard plans that at least seven to eight years are required to install an ABM system, whereas a MIRV capability can be created in three or four years. The critical point about the upgrading of SAMs would be the supporting radars rather than the interceptors, which might indeed be done under concealment. But if phased-array radars made their appearance, these could not be as easily concealed, and the disparity in lead times would still leave us a reasonable margin of safety. The third rationale has been the need for MIRVs as hard target killers, and here it is most evident that the development of MIRVs capable of destroying adversary missiles would be destabilizing and therefore undesirable, since it would create understandable apprehensions on the Soviet side about our intentions, particularly if it were accompanied by an expansion of our ABM capabilities.

The argument that we should proceed with MIRV, and also with Safeguard Phase II, in order to have a bargaining counter in our hand is short-sighted. To enter upon these programs in order to have something to bargain with, or in order to apply pressure upon the Russians, is likely to have an effect opposite to what is intended. The logical Soviet reaction to such actions would be to question our real intentions, and to redouble their own military efforts. If SALT proceeds over a long period, as it may do, and if both sides argue the need for continuing their build-up to improve their bargaining advantage, the effect of the SALT negotiations will be to leave us both worse off than if they had never been begun. Negotiating about strategic weapons is not entirely like a poker game—both sides can lose.

Finally, it is true that it may be politically difficult to resume our strategic programs at the end of a 24-month moratorium period, even if we have not been able to negotiate in the meantime a larger and more lasting arms control agreement, but the risk is by no means equal to the risk we run in letting present events take their course, and it must be left to our best judgment at the end of the moratorium period whether our security interests do or do not require a resumption of efforts to build MIRV and additional ABM systems under the conditions that then prevail.

Hopefully, it might be possible during the 24-months to work out the complex requirements for a freeze on strategic capabilities, and perhaps even to move toward some reductions. Without the moratorium, however, time would work against the possibility of any such agreements.

The moratorium proposal, and the SALT neogtiations generally, have an important place in the framework of a larger conception of our long-term relations with the Soviet Union. Given the present internal political conditions in the Soviet Union described earlier, it does not seem likely that an easement of political rivalry between the two countries can be expected in the near future. But progress in SALT, or toward a moratorium on MIRV testing does not require a detente, since the mutual interest in damping down the strategic arms race exists whether tensions in other fields are high or low. There is a tendency current now in the Soviet Union to link progress in SALT with our policy toward China; and a tendency in this country to tie SALT to Soviet restraint in the Middle East or some other problem.

This would represent a serious error of judgment in either direction, for our security interest in the success of SALT is not and should not be made dependent upon other problems, and this is equally true for the Soviet Union. However, if the SALT negotiations prove to be successful over a period of time, it is possible that the level of tension may be reduced sufficiently to open the way to an improvement in our relations with the Soviet Union. This is best viewed as a series of stages over a fairly long timespan. SALT is the major business of the present stage. If it is successful, it may open the way to an intermediate stage whose main business would be to introduce some restraints into our deepseated political rivalry. This would in turn open up possibilities for more substantial cooperation, involving trade and technology, and hopefully common action through the United Nations in peace-keeping arrangements, economic development, and environmental problems.

This longer-term perspective would, however, be extremely remote if we have not succeeded in the months immediately before us in leveling off the strategic arms race, beginning with MIRV. And this will not be possible without vigorous action on the part of those who perceive that at this moment and on this subject the rational self-interest of the United States and the Soviet Union meet.

Mr. FULBRIGHT. Mr. President, last I want to comment on the apparent diversity about the treatment of a subject in an article in the New York Times yesterday. The article was about the report of the General Advisory Committee on Disarmament appointed by the President. In the first paragraph, the article states:

> A prestigious administration advisory committee has recommended that the United States propose to the Soviet Union an immediate moratorium on further development of strategic weapons when the talks on control of arms resume in Vienna next week.

That, I think, is an overstatement—at least according to Mr. Chalmers Roberts who writes in today's Washington Post that an immediate moratorium was not recommended. But I think even under the interpretation by Mr. Chalmers Roberts, the idea of a moratorium is implicit in the report of the committee which has not yet been made available, at least to me or to my committee. The idea is to have an ultimate agreement of

this kind, rather than putting it into effect now as a condition for fruitful talks. This is the significance of the report, and I think the Senator from Massachusetts and the Senator from Kentucky were conscious of it. I only call it to the attention of the Senator.

I do not think the report of the General Advisory Committee is inconsistent, as it is described in the Washington Post. It simply does not go the same route of proposing a moratorium as a preliminary agreement, at the commencement of the talks or the initiation of the talks, to be in effect during the talks.

That is the significant difference. The proposal that the Senator from Kentucky and the Senator from Massachusetts have made is extremely innovative and very important. If the Senate adopts it, as I hope it will, I think it will be a great incentive to the President and others who are involved in the negotiations to move in this direction and thereby make it possible to reach an agreement. If something like this is not done, I think the chances of reaching a really important agreement are much less propitious. We are much less likely to get an agreement if, continuously throughout the negotiations, changes are made, such as the deployment of MIRV's or increasing the number of ABM's.

So I could not let this occasion pass without pointing out the significance of agreeing to the resolution.

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

Mr. FULBRIGHT. I yield to the Senator from Washington.

Mr. JACKSON. Mr. President, I am confident that all Senators share a deep concern that the SALT talks come to a successful conclusion and want to encourage a promising environment in which to negotiate an arms control agreement. As I understand it, Senate Resolution 211 is intended to express that sentiment.

While we can hope that the effect of the resolution will be to impress upon the Soviets our sincere desire to facilitate agreement, we should be aware that its generality is reminiscent of earlier rhetoric on arms control and could strike them as disingenuous.

I share with my colleagues the hope that we and the Soviets might find the basis for an agreement that will stabilize the strategic balance.

I believe I am expressing the view of an overwhelming number of Senators in identifying the maintenance of an invulnerable retaliatory capability as the principal instrument of such stability.

It is my understanding that the sentiment expressed in the resolution is intended by its sponsors as a declaration of serious purpose—a declaration to support the President in his search for an agreement. No one has argued that the resolution should be seen as an instruction to the U.S. delegation to the talks. This is right and proper. The resolution is generalized; instructions are specific. The resolution is painted with a broad brush while negotiations themselves and the instructions on which they are based are, like an Indian miniature or a Flemish painting, painstakingly crafted line by line with a single-bristle brush.

Mr. President, the general language in which the resolution is phrased admits of widely varying interpretations, and the extraordinarily thin record of testimony on the resolution as presently before us does little to clarify some important considerations.

As I understand the intent of the resolution, particularly as it emerged in discussion on the floor last Friday—April 3, 1970—it is unequivocal on a central point: the proposal for an interim freeze is mutual; it will be proposed by the United States if, and only if, the Soviet Union will agree; and if, and only if, appropriate verification is available to assure compliance.

Moreover, the sponsors, by respecting the principle of stable deterrence and by failing to specify details, have properly left to the President the determination of a detailed negotiating position consistent with the strategic posture of mutual deterrence.

For example, I understand that the sponsors of the resolution do not mean to imply an open ended suspension—that, on the contrary, it is their intent to facilitate an arms control agreement and that the nature of an interim proposal and its duration should be considered instruments toward this end. This suggests that any resulting mutual suspension would be directly related to the nature, pace, and extent of progress toward the conclusion of a negotiated agreement.

I believe that support for the sentiment expressed in the resolution can be made without prejudice to the difficult task of negotiating with the Soviets the shape and content of a formal arms control agreement. We must be careful to distinguish here between an instrument that some hope will facilitate an agreement and the formal, safeguarded agreement itself.

Mr. President, I would point out that among the many problems—deriving from the generality of the resolution—is the failure to distinguish between stabilizing and destabilizing strategic deployments. A resolution such as this, had it been brought to the floor after careful and deliberate hearings reflecting testimony from divergent points of view, would certainly have included consideration of this fundamental issue.

It is because the only construction that I am able to put on the resolution is the expression of support for the policy of the United States to negotiate with the Soviets on all offensive and defensive strategic weapons systems, that I am able to add my vote for affirmation.

Mr. STENNIS. Mr. President, will the Senator yield to me for one brief question?

Mr. JACKSON. I yield.

Mr. STENNIS. I have listened carefully to the Senator's speech. I think it is clear, but on the question of funds that we may have in an authorization bill to develop MIRV further, for instance, leading to its deployment, the Senator would not think, would he, that in adopting this resolution the Senate would in any way go on record as opposing or being committed against the authorization of such funds?

Mr. JACKSON. No. We are not passing on any strategic items, as I interpret the resolution.

Mr. President, I yield the floor.

Mr. ALLOTT. Mr. President, earlier in the debate the distinguished Senator from Washington (Mr. JACKSON) presented us with some very cogent remarks with regard to the nature and scope of the pending resolution. He highlighted the fact that the intent of Senate Resolution 211 is absoluely unequivocal on one central point. As Senator JACKSON observed:

> The proposal for an interim freeze is mutual; it will be proposed by the United States if and only if the Soviet Union will agree; and if and only if appropriate verification is available to assure compliance.

I want to associate myself with this observation and to make it very clear that it is only upon this basis that I intend to vote for Senate Resolution 211.

Mr. President, I recognize the fact that the legislative situation has been rather disruptive during the last few weeks because of other important matters before the Senate which have been the subject of unanimous consent agreements. But I am compelled to observe that the substance of this resolution, in my judgment, is more in the area of the national defense of this country that it is in the area of foreign relations. I am sorry that the resolution was not considered by the Armed Services Committee for their considered judgment on the merits and scope of the language contained in the operative features of the resolution itself. I must observe that some of the statements that I have heard here on the floor during the debate are in my opinion and to my best knowledge of the situation not in accordance with the facts as they relate to the relative defense posture of the United States and the Soviet Union.

Once again, I must indicate my full accord with Senator JACKSON'S earlier statement that "the general language in which the resolution is phrased admits of widely varying interpretations, and the extraordinarily thin record of testimony on the resolution as presently before us does little to clarify some important considerations." I am certain that if the Armed Services Committee had the opportunity to conduct hearings on Senate Resolution 211 that the record on which Senators might have based their judgment with regard to the wisdom of the resolution might indeed have been more complete and more satisfactory.

Because of the fact that the resolution only pertains to mutual action between the United States and the U.S.S.R. with regard to offensive and defensive strategic weapon system deployment, I do not believe that it will jeopardize the position of American negotiators at the SALT talks. Each of us here recognizes the incredible responsibility these people bear in these negotiations, and the fact that the very future of mankind may rest with them in achieving meaningful success in the SALT negotiations with the Soviet. Likewise, none of us would do

anything to make their task more difficult. I believe that favorable action on the pending resolution may provide a clear indication that a mutual, rather than unilateral, freeze of offensive and defensive strategic weapon system deployment is the path leading all of us to a more stable and a more hopeful future.

Mr. COTTON. Mr. President, the Senate Resolution No. 211 is, of course, offered with the best of motives and for an objective in which we all concur and the attainment of which we ardently hope and pray for. However it seems to me to be rather innocuous.

But I believe the Senate should have in mind certain questions about this procedure and what a precedent of this kind could cause or help to cause in the future conduct of our foreign relations.

Because of an episode that occurred on the floor of the Senate back in 1925, when I was sitting on one of those divans as an aide to a Senator, and because of speeches that lingered long in my memory by Senator William E. Borah, the chairman of the Committee on Foreign Relations, and Senator James A. Reed of Missouri, one of the great legal minds and one of the great parliamentarians of our time in service in this body, this resolution gave me some concern.

In order to verify my own recollection, I spent some time consulting the second volume of Haynes on "The Senate of the United States" with respect to the situation of the Senate advising the President in advance on treaties or the negotiating of treaties. There are two or three precedents I would like to mention at this time.

In the first place, of course, Haynes states flatly in interpreting article II of the Constitution, section 2, paragraph 2, as follows:

> There is no question that the Senate has a right so far to initiate a treaty or propose one for consideration of the President.

But he goes on to say:

> It is within the President's discretion to determine how much consideration they shall receive. On rare cases the Senate has offered to advise (1) that the negotiation be entered upon, or (2) that they not be undertaken.

Then, there are a couple of incidents I think should go into the RECORD at this time. On March 3, 1888, the Senate passed a resolution that the President "be requested to negotiate a treaty with the Emperor of China containing a provision that no Chinese laborer shall enter the United States."

This was a more urgent and specific request than the one which had been addressed to President Jackson. Five days later, President Cleveland replied that—

> The importance of the subject referred to in this resolution by no means has been overlooked by the executive branch of the Government, charged under the Constitution with the formulation of treaties with foreign countries.

He added that—

> Negotiation with the Emperor of China for a treaty such as is mentioned in said resolution was commenced many months ago, and has been since continued.

He intimated that information as to the progress of such negotiations would have been available to any Senator who sought it, and expressed the hope that such a treaty would soon be concluded as would "meet the wants of our people and the approbation of the body to which it will be submitted for confirmation." While neither Jackson nor Cleveland questioned that the Senate's action was within its rights, the tone of the latter's message seems to indicate that he considered the Senate's resolution an impertinence.

More important than this, in 1816, the question was again thrust upon the Senate's attention by the action of Rufus King who had himself been an influential member of the Federal Convention and who later served in various diplomatic capacities.

Dissatisfied with the treaty of commerce and navigation, to which the Senate had just given its consent, he introduced a resolution that the Senate "recommend to and advise the President of the United States to pursue further and friendly negotiations with His Britannic Majesty" for six purposes which he enumerated. This resolution was referred to the Committee on Foreign Relations, from which a significant report was made, February 15, 1816, by its chairman, Senator Bibb, to the effect that the proposed advice was uncalled for, since in the opinion of the committee the Executive had already made every effort to accomplish the objects mentioned in the resolution. It continued:

> The President is the constitutional representative of the United States with regard to foreign nations. He manages our concerns with foreign nations and must necessarily be most competent to determine when, how, and upon what subjects negotiations may be urged with greatest prospect of success. For his conduct he is responsible to the Constitution. The committee consider this responsibility the surest pledge for the faithful discharge of his duty. They think the interference of the Senate in the direction of foreign negotiations calculated to diminish that responsibility and thereby to impair the best security for the national safety. The nature of transactions with foreign nations, moreover, requires caution and unity of design, and their success frequently depends on secrecy and dispatch. A division of opinion between the members of the Senate in debate on propositions to advise the Executive, or between the Senate and Executive, could not fail to give the nation with whom we might be disposed to treat the most decided advantages. . . . The committee are therefore of the opinion that the resolution ought not to be adopted.

This report seems to have made a strong impression on the Senate. Action upon King's resolution was postponed once and again, and finally, on his own motion, was put over to a date sure to fall after Congress had adjourned.

Thirty years later, in 1846, when the Oregon controversy was at its height, President Polk headed off a project for the Senate's intervention. When Calhoun and another Senator laid before him a proposal to bring forward a resolution in executive session of the Senate, advising the President to reopen negotiations on the Oregon question and settle it by compromise, he told them that he thought it inadvisable. He asked them if they were sure such a resolution could command a two-thirds majority, and pointed out the fatal consequences if it should receive a smaller vote, since the result would be known in the streets and to the British Minister in 24 hours. He also warned them that some Senators might vote against the resolution on the ground that it was inexpedient, since the negotiation was in the hands of the Executive.

Mr. President, I am sorry to tax the patience of the Senate but those precedents indicate that while the Senate has every right under the Constitution to advise the President regarding treaties and negotiations leading to treaties, there is an element of danger in exercising that right publicly and with open debate on the floor of the Senate.

The incident I refer to that lingered in my memory for so many years and came to my mind so quickly when my attention was first directed to this pending resolution, was at the time Calvin Coolidge was President and negotiations were underway for the Kellogg pact, on arms limitation. A resolution was offered in the Senate advising the President as to certain aspects of negotiations on this disarmament agreement, and in a sense warning against certain dangers to the national defense and national security of this country.

Immediately, Senator Borah of Idaho, chairman of the Foreign Relations Committee, took the floor. He was followed by Senator Reed. They did not question the right of such a resolution to be introduced, but they insisted that if it were to be considered, it must be considered behind closed doors, in executive session of the Senate, with no one allowed in the galleries and no one allowed on the floor of the Senate other than Senators and officers of the Senate. Their suggestion or position prevailed. I did not hear the rest, because I was one of the attachés who left the floor. But the consideration was behind closed doors in executive session, and was never given to the newspapers.

It was more possible in those days to have an executive session without it being leaked to the press.

Mind you, Mr. President, I am not saying that there is anything inherently dangerous in the present resolution as revised by the committee, but I do want to call attention to the general statements assuming that it is fine, any time, to exercise this right and do it in open session. To start advising the President of the United States, whoever he may be, about what the Senate's idea is on what he should seek in negotiating with a foreign power is an approach that should be used most sparingly.

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

Mr. COTTON. I yield.

Mr. FULBRIGHT. Since I made such a statement, which I think was proper, perhaps I should say first that I would have had no objection to an executive session of the Senate. I would have welcomed it, because there is always better attention and more attendance when we have an executive session than when we have an open session. I did not think of that. Second, I think there is much

difference between the circumstances in 1926, under Mr. Coolidge, and those at present.

One reason the Senate and the Foreign Relations Committtee feel it is their duty to make suggestions is the deplorable condition in which the country finds itself. We have been at war or in a crisis situation for 25 years. We have spent so much money that we are almost bankrupt. Yesterday afternoon we debated a bill, as a result of inflation taking its toll, which we had to pass under very stringent conditions and with very little consideration. I refer to the pay bill.

I think under the conditions in which the country is now operating many Senators feel that they owe a duty to give their advice, because, goodness knows, during the last few years, under Executive leadership, particularly since 1965, we have been in a very difficult situation.

I must say I do not think the Senate is impertinent in offering it. If there were no problems in the country, and we were just out making trouble, I think the Senator would have a good point. I have a good deal of respect for the good sense of the Senate.

I agree that an executive session is advisable. I would have welcomed it on this on any other resolution of this character, because I think we get more attention and because the Senate will act more sensibly in an executive session than in an open session. In nearly every executive session I have attended, there has been much more attention paid and the attendance has been much better than any open session. So I agree with that statement of the Senator.

Mr. COTTON. Mr. President, may I say to the distinguished chairman of the Foreign Relations Committee, first, that I was not referring to any particular statement by him. I would not presume to try to admonish the chairman of the Foreign Relations Committee, and my senior in the Senate, for whom I have the greatest respect. That is not my purpose. I clearly and distinctly stated that in the case of this particular resolution in its present form it is innocuous enough so I would not suggest that it was necessary to debate it in great secrecy. In fact, if we had done so, some damage could have occurred because it might have been thought that since we went into executive session there must have been something grave and sinister involved in the resolution.

Mr. COOPER. Mr. President, will the Senator yield on that point?

Mr. COTTON. Please, let me finish this thought. The Senator from New Hampshire did not refer to this or any other resolution as being impertinent. That was Haynes quoting President Cleveland and President Jackson, who were known to be men of rather blunt methods in stating their views. That was their suggestion, and certainly not the suggestion of the Senator from New Hampshire.

So I can assure the distinguished chairman that, as far as the resolution in its present form, I was not concerned; but there were several statements—not just from the Senator from Arkansas—that just seemed to assume that, at will, we could advise the President on these matters in public session.

As for the collective wisdom of the Senate, I entirely concur with the distinguished Senator from Arkansas. I, too, have great confidence in the collective wisdom of the Senate. I have great confidence in the wisdom of my wife, but from time to time we have had some little conversations or discussions that might be called disagreements that I would not care to have the neighbors hear.

When the Senate is arriving at its collective wisdom, I am not sure that the things we say, as they are reflected in the foreign press, behind the Iron Curtain and in the other powers of the world, although they demonstrate our democracy, are always helpful in accomplishing the purpose that we all desire.

Mr. FULBRIGHT. Why did not the Senator suggest an executive session, then? I would have been pleased to have it.

Mr. COTTON. I have said that on this occasion there was no reason for it. What I am trying to do is to get into the RECORD that I hope this action will not be taken as a precedent, so that any Senator who feels we ought to advise the President about the conduct of some negotiations or some treaty will not feel that it is all right to plunge in and introduce a resolution, proceeding to debate it in public.

That is all I am seeking.

Mr. FULBRIGHT. I do not think the Senator from Kentucky, who, of course, was one of the fathers of this resolution, did an innocuous thing. To say it is innocuous and irrelevant, I think, is quite inappropriate. This resolution is neither irrelevant nor innocuous.

Mr. COTTON. The Senator knows very well I have not said it was irrelevant.

Mr. FULBRIGHT. The Senator said it was innocuous, I think.

Mr. COTTON. What I have said was not intended and could not possibly have constituted any reflection on the great Committee on Foreign Relations, and certainly not on my friend from Kentucky, to whom I now gladly yield.

Mr. COOPER. The Senator from New Hampshire has made a very interesting and, I might say, scholarly discussion of this problem.

I can see that there are certain resolutions which could be adopted by the Senate, which could be very objectionable to an Executive, and could cause difficulties in his negotiations with other countries. But, on the other hand, if there is some course of action which the Senate believes in very seriously, and with concern, which leads them to pass such a resolution, I would think that concern of the Senate would overweigh the problem about which the Senator from New Hampshire has spoken.

I do object, with all deference, to my friend's designation of the resolution as being "innocuous." I may say we intended it to be very broad and very strong—so strong that it would cover and, if agreed to by the Soviet Union, result in suspending the deployment of, all offensive and defensive nuclear systems.

I do not think that would be very innocuous. I think if agreed to, it would be a very far reaching, forward step, one that would help the security of our country and perhaps limit the danger of a nuclear war. So I think it is a very important resolution.

Mr. COTTON. I apologize to my friend from Kentucky. I withdraw the word "innocuous." In fact, if I understand correctly, he greatly improved this resolution. I could not possibly have voted for it in its original form, but I am certainly willing to vote for it in its present form.

When I used the word "innocuous," let us say I meant that under no circumstances could it be harmful, rather than to say that it was unimportant. I shall come to that in a moment, after discussing very briefly the resolution itself.

Mr. COOPER. To be very fair about it, I think it is broader in its coverage, and stronger, and better for the security of our country, because it covers the Soviet systems as well as the systems of the United States, if agreement can be reached.

Mr. COTTON. Mr. President, I yield to the Senator from Michigan.

Mr. HART. Mr. President, it had been my intention to suggest—and I hope the President will regard this as support for his undertaking the first step needed to stop the arms race—or to point out, that it would cost nothing for us to find out if the Soviet Union would respond affirmatively to our suggestion that we would stop if the other fellows would stop; and that if, on the other hand, we go ahead with deployments on both sides, the dollar cost is frightening and the hazards to survival even more frightening.

Then I was going to suggest that if, notwithstanding what I expect will be the overwhelming vote of the Senate recommending this course, the President nonetheless concluded he was not going to follow it, I thought we could respectfully suggest that an explanation would be in order.

I make this explanation to the Senator from New Hampshire thinking that it bears, in part at least, on the troubled area to which he had addressed himself, and he might want to find, either in Haynes or in his own memory, some reasons that might indicate that it would be inappropriate to suggest that the President might explain to us why, if he thinks the overwhelming number of us supporting this resolution are wrong, why we are wrong.

Does this give the Senator any hangup, in the light of the sensitivity that he is reminding us attachés, always, when the Senate seeks to participate, in executive session or open session, in the formulation of treaties?

Mr. COTTON. What does the Senator mean by "hangup"?

Mr. HART. Is the Senator bothered? Is he nervous? Does he need his tensions eased? Does it cause him to feel upset?

Mr. COTTON. I am calm and placid as a millpond. Mr. President, let me explain to my friend from Michigan that when I used the word "innocuous" which was somewhat offensive to my friend from

Kentucky, I meant that to me, this resolution was only asking the President to do exactly what he is intending to do, and is devoted to. That is my understanding.

The reason I began to give the subject some attention was this: I started to receive letters from constituents who were exceedingly alarmed and disturbed—as we all are about the arms race—asking me to add my name as a sponsor to various resolutions.

I read the Brooke-Cooper resolution as it came from committee, and the title still seemed to indicate—the title has now been corrected by amendment—that it might be a resolution in favor of unilateral cessation as far as MIRV and various other weapons are concerned.

The resolution itself, as drafted in the committee—I understand at the suggestion of the Senator from Kentucky—said no such thing. It simply asked the President to seek immediately an agreement with the Soviet Union that there be a mutual cessation of the testing and the deployment of these weapons.

I do not object to that. I am sure it is the hope and prayer of every one of us, and it is my information that this is exactly what the President wants to accomplish. Those close to him have indicated that it is his ardent hope and he welcomes this resolution.

However, I did decline the suggestion that I become a sponsor. I said in my reply that I would undoubtedly vote for this resolution but that I did not care to be a sponsor because the resolution in its present form seemed to me—while I do not say this is the purpose of it—to enable every Senator who sponsored it and every Senator who voted for it to assure his constituents that he struck a great blow for peace and has done something to promote disarmament; and that it actually is nothing but a pious wish expressed to the President that he succeed in doing something which he is very anxious to do. To me, that is the situation.

I simply intended to vote for the resolution and say nothing. But whatever happens here today with this resolution, I want the RECORD to show that it is the hope of this Senator that it will not be taken as an established precedent for resolutions advising the President in advance on negotiations and treaties and foreign affairs in the open Senate.

Mr. HART. As I understand the Senator from New Hampshire, he senses, he believes, that the two points made in the resolution represent the President's intention—or "desire" perhaps is the better word.

Let us assume, however, that we go to Vienna and we do not make the first offer; we do not say, in effect, "Look, let's stop now. What do you fellows say?" Let us assume this does not occur. If that does not occur, then, as I interpret it, the President does not agree with this resolution.

Under those circumstances, does the Senator think it disrespectful or out of order or damaging to the interests of this country for the Senate as we approve the resolution to suggest that an explanation would be in order?

Mr. COTTON. After the negotiations?

Mr. HART. Yes. If the majority of us are wrong, let us be told by the President why we are wrong.

Mr. COTTON. There has been no suggestion on the part of the Senator from New Hampshire that anybody is wrong in supporting this resolution. There has been a suggestion that the resolution is asking the President to do what he is most anxious to do, anyway.

The President of the United States in his obvious anxiety—and I underline "obvious"—to have the negotiations in Vienna be successful, and to stop the arms race between the Soviet Union and the United States, has been willing to go a long way to achieve a limitation of nuclear arms.

With respect to the ABM, I stood by the President; I voted for the initial ABM's last year. We were told that it was necessary to assemble a couple of them and this was the only way to test their effectiveness. I supported them. But the President very plainly stated last year that one reason why he was pushing the ABM's was that he wanted to put the emphasis on purely defensive weapons. He did not want to antagonize or alarm the Soviets by speeding up offensive systems.

This Senator happens to think that we should not allow the Soviets to go ahead of us in nuclear submarines. This Senator does not happen to agree with the rosy picture presented by the distinguished Senator from Massachusetts—I am sorry he is not in the Chamber at this moment—about how we are ahead of the Soviets in all these fields and that we might be wise to let them catch up so that there would be an even balance and then there would be a better chance at arriving at an agreement—a properly policed agreement, I think he said—in the matter of limitation of nuclear weapons.

This Senator does not serve on the Committee on Armed Services; he is not on the subcommittee that deals initially with our national defense on the appropriations. He does serve on the Joint Committee on Atomic Energy. He has heard classified information from the CIA and from others as to the situation in comparing the Soviet power and our own, and this Senator does not agree that we are in a position of complete safety at this moment.

But the fact that the President is so anxious that he is willing to postpone, for example, adding more submarines to our fleet, that he is shying away from offensive weapons and again trying to place most of his reliance on one more ABM, indicates to this Senator that he is so anxious that he leans over backward in the matter of placing his eggs in the basket of the conference at Vienna. This Senator respects his intentions, although he does not go all the way with him.

I do not see how any Senator could say that this resolution is really necessary to spur the President on when the President is, in the opinion of some of us—neglecting national defense while seeking an arms agreement.

Mr. HART. Mr. President (Mr. SPONG), I would hope the President would recognize that the Senate's voting and supporting this resolution is a first step towards stopping the arms race.

We do not know if Moscow will respond to that first step, but it will cost nothing to find out. If Moscow says "Yes," it could bring benefits beyond dollar computation.

On the other hand, the costs of going ahead with deployment of MIRV's and ABM's on a stepped-up arms race, diminished chances for successful disarmament talks, and billions of dollars wasted on weapons which, if they happen to work, will soon be outdated and ineffective.

Neither our Nation nor the world can afford that cost—nor the frightful hazard to the survival of life that such a race represents.

We do not know if Moscow will respond to that first step, but it will cost nothing to find out. If Moscow says, "Yes," it could bring benefits beyond dollar computation.

On the other hand, the costs of going ahead with deployment of MIRV's and ABM's are a stepped-up arms race, diminished chances for successful disarmament talks, and billions of dollars wasted on weapons which, if they happen to work, will soon be outdated and ineffective.

Now I come to the point that I indicated to the Senator from New Hampshire I had contemplated reaching. If, nonetheless, the President concludes that he shall not follow the course, I believe, the Senate is about to recommend, I would hope that an explanation would be made, not that I am suggesting our judgment today necessarily would stand the test of the President's informed explanation of why our position is wrong, but I think that all the people of this country, certainly those of us in the Senate, should have the benefit of an explanation, if, in fact, the President concludes that this initiative should not be taken in Vienna.

Mr. COTTON. Mr. President, I agree with the Senator from Michigan. I am sure that the President does. I am not quite sure in my mind whether it strengthens or weakens the President's position, when the Senate says to him, "Please, Mr. President, please, please, beg the Soviet Union to join us in an immediate limitation of armaments."

I do not think he needs that. However, that is a matter of opinion.

Mr. COOPER obtained the floor.

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

Mr. COOPER. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I would like to suggest to the Senate that the Brooke resolution should be adopted, and adopted by an overwhelming vote of the Senate. In my judgment, it will elevate the sights of the whole world, including the SALT negotiators who might not now think so. It goes to the real issue which is before us, which is to stop before we are over the edge of the abyss. That is the whole purpose of the resolution as drafted by the Senator from Massachusetts (Mr. BROOKE) originally, with the most gifted addition made to it

by the Senator from Kentucky (Mr. COOPER), which represents his thinking and, in my judgment, the thinking of the whole committee.

I do not know of any single thing that has more potential to bring about a success in the SALT talks than the adoption by the Senate of the resolution by a resounding vote.

Mr. COOPER. Mr. President, on next Thursday, April 16, the SALT talks will begin at Vienna. The preparations made by the U.S. Government for these negotiations have been long and extensive. They have been underway for well over 3 years. Events such as the transfer of office from one administration to another in our country, the tensions that arose from the invasion of Czechoslovakia, and other issues of disagreement, have held back the opening of these negotiations. But for the first time in the 25 years of the nuclear age, the United States and the U.S.S.R. have agreed to meet and consider ways of halting the costly and dangerous mad momentum of the nuclear arms race.

The confidence both the United States and the U.S.S.R. have in their respective strategic nuclear strength must be reflected in the willingness of both nations to consider seriously a halt to the arms race. The national confidence and strength of both leaderships is bound up in these talks. The way we approach these negotiations will tell a great deal about the possibilities of their successful outcome.

The military strength of both the Soviet Union and the United States to destroy each other and civilization as we now know it is undoubted. Both the United States and the Soviet Union have the certain means of destroying each other many times over.

There are those who claim we have fallen behind the Soviet Union in nuclear destructive ability. It is true that in some categories the Soviets are ahead in numbers. But in no category do we have less than the assured ability to destroy the Soviet Union many times over and kill hundreds of millions of their people.

The United States possesses 1,054 ICBM's, many of which are armed with MIRV warheads. It has about 550 long-range bombers which can reach any part of the Soviet Union. We have 41 nuclear submarines armed with 656 Polaris launchers, many of which are armed with MIRV nuclear warheads. We have thousands of tactical nuclear weapons in Europe and elsewhere that can be delivered upon the enemy by a variety of means and kill scores of millions of the Russian people.

The Soviet Union possesses a nuclear arsenal of greater total megatonnage but less overall delivery capability. But the delivery capability they possess is enough—more than enough to kill scores of millions of people in the United States many times over. They have about 1,200 ICBM's, 150 long-range bombers, and about 10 nuclear missile submarines. They have IRBM's and MRBM's and many tactical nuclear weapons that can be used upon the countries that border the Soviet Union.

Our Government's ability to verify with reasonable certainty what the Soviet nuclear system can do to destroy the United States is of a nature and quality we can have confidence in. The Secretary of Defense regularly reports on those capabilities of the Soviet Union. The destructive arsenal of the United States is known to the world.

While our ability to destroy is assured, our ability to prevent catastrophic war is in grave doubt. This is the great weakness in the security of both nations. For as our development and deployment of strategic weapons increases our security diminishes. This is what the talks at Vienna ought to achieve—a lessening of that danger. Both the United States and the Soviet Union can race one another, matching technological advance with technological advance. Science has given us the ability to kill more people with greater reliability, accuracy and ingenuity than ever before. The prospects for continuing this grim ingenuity for overkill are contained in the next round of the arms race—a round which will begin unless SALT succeeds. Unless we agree at SALT, ABM, MIRV's, FOB's, ULM's will be deployed in the sea, on land and in the air with increased lethal capability.

If we are confident of our ability to destroy, we should be firm in our determination to achieve, if at all possible, success at the talks. The United States should at the outset of talks at Vienna next week propose a mutual halt to the further deployment of strategic nuclear weapons so that a comprehensive arms limitation agreement can be worked out in certainty and with care. The United States should not with fearful caution enmesh itself in complexities and doubts by being tentative in its proposals. The issue is clear; our strength is certain; the action called for, is, I believe, apparent to all.

I urge the President to examine with grave weight the sense of the Senate contained in Senate Resolution 211, and propose the mutual suspension of all further deployment of nuclear weapons. To make such a proposal at the outset of talks will test Soviet intentions and, just as important, make clear to the Soviet Union our own purposes. It is the course of reason, it is the course of security.

I wish to address two or three points, particularly in view of the questions asked by the Senator from Mississippi. I would like to make it clear, as has been made clear by all the speakers, that the resolution calls for mutual action by the United States and the Soviet Union. It is not a resolution which provides for unilateral action by the United States.

We who support this resolution have felt that this is the best time to make such a proposal, of mutual action by the United States and the Soviet Union. We urge this mutual pact for the same reasons that the SALT talks are possible. At the present time, the Soviet Union and the United States have confidence in their strength and have the knowledge that further development of nuclear systems make it only more difficult for agreement. So they have decided to talk.

The President of the United States, in commenting in a press conference on this resolution, termed it "irrelevant," but I would like to say that I have talked with the President of the United States. He does not consider that it is irrelevant. He said the purpose of the United States at the SALT talks was the same purpose contained in the resolution. There is an important distinction to be made, however, between making the proposal at the beginning of the negotiations, and going through a difficult process of verification over a long period of time in which many changes in the situation are possible.

We feel that this is a time when our present means of verification can be most confidently relied upon. This is a time when the United States and the Soviet Union both have reliable means of verification, but if the deployment of strategic nuclear systems continues while the talks are going on, we may reach a point where reliable verification will not be possible and, therefore, agreement will be difficult if not impossible.

Mr. President, I simply stress the fact—and the true fact—which has been developed so many times in this Chamber, that both the United States and the Soviet Union have the power to destroy each other, even if one is the subject of a first strike. We have certain knowledge of our ability to kill, to destroy each other, and to destroy civilization as we know it. But our ability to prevent a catastrophic nuclear war is in grave doubt. Unless agreement can be reached in these talks we will continue on, with all our grim ingenuity for overkill, to the next round of the arms race, a round which will begin unless the SALT talks succeed.

Unless we agree at SALT to halt the arms race, ABM, MIRV, FOB's, and others will be deployed on sea, on land, and in the air, with increasing lethal capability.

Mr. President, I have urged, as all of us who favor the passage of this resolution have urged, that the President take note of and heed the sense of the Senate, and propose the mutual suspension of all further deployment of offensive and defensive nuclear strategic weapons.

To make such a proposal at the outset of the talks will test Soviet intentions and, what is just as important, make clear to the Soviet Union our own purposes. I think it is the course of reason and the course of security for this Nation. I hope that the reasons I have stated may have some bearing upon the judgment of the distinguished Senator from Mississippi and others, and that they will support the resolution, because it is one which imposes action mutually upon both countries, and which, if successful, would provide security for our country and, I believe, hope for the world.

Mr. HART. Mr. President, after these hours of debate, virtually all has been said that need be said. I hope that this body, very soon, will agree to the Brooke-Cooper resolution, and that it will serve as a guide for all Americans, and most particularly for the President, who occupies the most troubled post of all in attempting to evaluate what prudence and history will expect of us at Vienna.

Senate Resolution 211 expresses the

sense of the Senate that prompt negotiations be urgently pursued between the United States and the Soviet Union to seek agreed, negotiated limitations on strategic offensive and defensive arms. The President has stated frequently that he has no quarrel with that portion of the resolution. But he has been silent on the second resolving paragraph, which makes all the difference. It calls on the President to propose to the Soviet Government an immediate suspension by both parties of the further deployment of all offensive and defensive weapons systems, not as the result of long and deliberate negotiations, but as an interim measure, in order to insure that an atmosphere conducive to successful negotiations be created.

If such a freeze is not put into effect immediately, it is hard to see how the talks can get anywhere. In the absence of a suspension of further weapons deployment on both sides, neither will have much interest in negotiating itself into a position where it might find itself disadvantaged by some new development on the other side.

Mr. President, this is the phenomenon that Dr. Herbert York last year graphically described as "the fallacy of the last move." Absent a moratorium, such as we call for in this resolution, each side will continually feel compelled to take "one last step" to place itself in a "superior" position by some new weapon deployment. It is, therefore, imperative that we now take the initiative and say, "Let us stop now. What do you say?" Until that step is taken there appears to be no way of blocking the continued arms spiral. Today, both sides view themselves in a position of general parity, and for that reason, an immediate freeze is possible as are later negotiations.

We hear reports that the Soviet Union might respond in kind to any constructive U.S. initiative at SALT. Yet, the administration declares itself unwilling to go to Vienna with a constructive proposal, preferring instead to sit back and await a Soviet offer. Thus, both sides are apparently caught in an Alphonse-Gaston act. That act was amusing when I was a kid reading the funnies. But it can incinerate mankind, if in fact it is played at Vienna.

The two new weapons developments proposed by this Government are not needed now. That they are being pressed on the eve of the resumption of SALT is very disturbing.

Mr. President, we think we are confronted with urgent issues every week in the Senate. Yesterday we dealt with what is thought to have been an urgent issue. I believe it was. I think it had a significant bearing on the future of life here at home. I think the Senate acted responsibly. What confronts us today is an opportunity to give guidance to the President with respect to something that will affect us, as did the nomination of yesterday, intimately here at home, but which likewise involves intimately the lives of men and women who do not even know of the existence of the Senate of the United States; and there are plenty of them, whether we are conscious of it or not. There are men and women who will never know this resolution was debated here today, but their lives and the future of their children may hinge very importantly on the wisdom with which we approach this vote.

As far as the plan to deploy Minuteman III with its MIRV's is concerned, it makes no sense at all: If SALT succeeds, the Soviet Union will not deploy ABM's, and we will not need MIRV's to penetrate them; if SALT fails, the U.S.S.R. will soon attain the capability to destroy our Minuteman; they will be vulnerable and obsolete, and the money will have been wasted.

The same holds true for the Safeguard ABM. I need not recount the many arguments we made against it a year ago. I will only say that the case the administration is now making for continuing phase I—the defense of Minuteman sites in Montana and North Dakota—is weaker than ever. Equally important, the case has certainly not been made for the requested expansion to begin to provide protection against a future Chinese threat. Against either a Chinese or Soviet threat, the proposed system will be effective only if the threat is tailored to the capabilities of the defense, surely an absurd justification for any weapons system.

And, again, if SALT should succeed, we would not need the ABM; and if it should fail, the Safeguard ABM will not do the job.

So I, therefore, am forced to conclude that the continued pressure for these weapons programs on the eve of SALT is both unwise and counterproductive. As Mr. McGeorge Bundy stated yesterday in testifying before the Senate Disarmament Subcommittee:

> There is no evidence at all that pressing the deployment of systems we do not yet need is likely to have a constructive effect on Soviet behavior in SALT . . . many of those who urge this tactic are men who *do not want SALT to succeed.*

Mr. President, I want SALT to succeed. The Brooke-Cooper resolution points the way.

Mr. President, I congratulate the Senator from Massachusetts.

Mr. BROOKE. Mr. President, I ask unanimous consent that the names of the Senator from North Dakota (Mr. BURDICK) and the Senator from Washington (Mr. MAGNUSON) be added as cosponsors of Senate Resolution 211.

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

Mr. STENNIS. Mr. President, I have conferred with the Senator from Massachusetts, and I want to make clear to him and to others that I have no complaint at all about the committee jurisdiction on this resolution. Unquestionably, I think, the primary jurisdiction is with the Committee on Foreign Relations. I think the Committee on Armed Services also, on this question of deployment, has a jurisdiction. Frankly, if I had known earlier about what the contents of the resolution were, and when it would come before the Senate, I would have made a motion to transfer it, for a few days' consideration at least, to the Committee on Armed Services.

At any rate, I have this to say about it now, Mr. President: A very laudable thought is behind it, as I have said heretofore. I feel, however, that right at the very edge of these negotiations, the responsibility for which the President has to carry, we ought not to be passing any resolution except to say, "Mr. President, we are behind you. We are behind your motives, and we are behind you."

I shall not stop to argue that further. The language of the resolution is very broad, from my viewpoint, and I regret that I cannot support the resolution under present conditions.

One thing I have in mind is that we are going to have before us within a few weeks bills providing money, or authorizations, at least, for deployment of various kinds of missiles. I think the facts will demonstrate how important they are for our own defense, and I do not want to have any personal entanglements on me in connection with sponsoring the measures that the resolution suggests.

I do not want other Senators to feel, those who see fit to vote for this resolution, that they are in any way committing themselves to be opposed to authorization of funds that may be contained in bills which are considered necessary for our own defense. There are several of them, of the most far-reaching consequences.

So, under those conditions, I shall oppose the resolution. I thank the Senator for yielding me time.

Mr. FULBRIGHT. Mr. President, I do not wish to take further time, if other Senators have further comments. I would only reiterate further what has already been stated. If anyone else wishes to speak on the resolution, I do not wish to take up the time.

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

Mr. FULBRIGHT. I yield to the Senator from Alabama.

Mr. SPARKMAN. I want to understand one thing. As I understand this resolution, we are not proposing to do any of this on a unilateral basis.

Mr. FULBRIGHT. Absolutely. The language is very explicit that this is mutual. It might be said that it is unilateral in the sense that we take the initiative. The report states that. It is because we are presumed to be more powerful, richer, and so forth. We spend more money. Somebody has to take the initiative. We make the proposal, but nothing will be done under it unless there is reciprocity.

Nobody is proposing unilateral disarmament, a unilateral freeze, or anything of the sort.

Mr. SPARKMAN. I am glad to hear the Senator say that. From my reading of it—and I was in the committee when the discussions were held—I wanted to be sure that was absolutely clear. I have a great deal of sympathy with what the Senator from Mississippi has just said. I would dislike very much if something is not done over there before these other matters come up, to have this brought up as being a declaration that we were opposed to those things.

I am in favor of our continuing our strength until there is a willingness on the part of both sides to let down on it. But I think we have to guard ourselves very carefully in that regard.

Mr. FULBRIGHT. I say to the Senator that nobody is suggesting that we disarm. But there is a feeling in many circles, on the part of many people, that you just cannot make any kind of agreement with Communists. There is a feeling of defeatism in other circles, among people who want to make an agreement, that because of the overwhelming power of those who are oriented toward the Military Establishment, you cannot get it. For example on our delegation to the Vienna talks there is Mr. Nitze, who was Deputy Secretary of Defense for a long time, and for a number of years in the recent past his orientation has been primarily in this area. There is Mr. Harold Brown, who was Secretary of the Air Force, I believe. He was also a very important official in the Defense Department. There is General Allison.

So I regret that people who are interested in defense seem to give the impression that they do not want to make any agreement whatever, under any circumstances, with Communists. If this is true, if this is the way it is going to be, it is an utterly hopeless thing to curtail the arms race.

I put in the RECORD a moment ago the figures of the extraordinary expenditures all over the world—over $1,000 billion since 1964. These figures are from our own Arms Control and Disarmament Agency.

If we are going down this road, and the people who are in control of the major part of our Government are unwilling to make an agreement, and if we mouth a few pious hopes now and then but are unwilling to take an initiative, I do not see any hope for an eventual solution of our problems.

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

Mr. FULBRIGHT. I yield.

Mr. PASTORE. I think the Senator from Arkansas has emphasized this already, but it is my understanding that whatever agreement is reached is not predicated upon good faith.

Mr. FULBRIGHT. No.

Mr. PASTORE. It has to be by proper verification.

Mr. FULBRIGHT. By the words of the resolution.

Mr. PASTORE. In order to make sure that there will be no cheating.

Mr. FULBRIGHT. That is correct.

I say again to the Senator that the only reason it is so timely, and the talks are timely, is the development of MIRV. It makes that very point extremely difficult.

As a matter of fact, the original resolution of the Senator from Massachusetts was directed solely at MIRV, and I think one of the principal considerations was the difficulty of verification of MIRV deployment. Until they are at the point of being deployed, I believe they can be verified, due to our highly complex methods of verification.

This question is dealt with quite explicitly in the report. Just to tie that point down, I read from page 5:

> But it is also clear, and must be emphasized in this report, that a suspension of testing and deployment of multiple independently targetable reentry vehicles could not be sustained for long in the face of the deployment by the Soviet Union of large numbers of missiles, such as the SS–9, or the development and deployment of new strategic defensive systems by the United States or the Soviet Union.

That is why it is so important to make this proposal in the beginning. If the deployment of MIRV's is begun, then the question of verification becomes infinitely more difficult. That was the testimony of some of the best witnesses we had in the scientific field. I think that this is one of the most important considerations.

I yield the floor.

Mr. SCOTT. Mr. President, the Senate is once again reasserting its prerogatives with respect to U.S. foreign policy. Last summer we adopted the so-called National Commitments resolution, declaring that U.S. military or financial response to events in other nations shall be subject to action by both the executive and legislative branches of government. I supported that resolution because I felt strongly that the Congress took a back seat to the President for 8 years. Considering the dilemmas in which we soon found ourselves, that was too long a period of acquiescence.

Today we are considering another resolution, this one regarding the suspension of further deployment of offensive and defensive nuclear strategic weapons systems. Mr. President, I regard this problem as one of paramount importance to world survival. Nations have come much too close to the perilous point of self-extermination.

Senate Resolution 211 urges prompt negotiations between the United States and the Soviet Union in order to limit strategic weapons systems. President Nixon is already one step ahead in this regard. Constructive preliminary talks have been held in Helsinski and further talks are scheduled for Vienna. The President regards these negotiations as the most crucial ever undertaken by any nation. I remain cautiously optimistic that the United States and the Soviet Union can reach a mutually agreeable settlement if these negotiations continue to be held in the serious vein for which they were intended.

Senate Resolution 211 also urges the President to propose to the Soviet Union an immediate suspension, by both nations, of the further deployment of all offensive and defensive nuclear strategic weapons systems. All this, of course, will be subject to national verification or some other method of observation and inspection. I regard this particular directive as one which seems to be the key to the strategic arms limitations talks—SALT.

President Nixon, during his news conference of June 19, 1969, said:

> We are considering the possibility of a moratorium on tests as part of any arms control agreement. However, as for any unilateral stopping of tests on our part, I do not think that would be in our interest.

I am in full agreement with the President on this point. I believe that the United States can propose to the Soviet Union a bilateral cessation of the further deployment of strategic weapons systems. This proposal might be made at the next round of SALT meetings as part of an entire package of suggestions to halt the arms race. I believe that remains one of the major goals of the Nixon administration.

My earlier concern with respect to the original wording of Senate Resolution 211 has been alleviated. I do not want to tie the President's hands in his search for peace. I want to provide him with every tool he needs to assure the world's future generations of a peaceful coexistence among all nations. The resolution as presently drafted gives the President the flexibility he needs.

Mr. President, I have read the pending resolution very carefully. I note that with each redrafting, it has attracted additional support, now comprising about one-half of the Senate. I believe that its adoption by the Senate will serve as a useful and unrestrictive guideline for the President in his efforts to halt the spread of nuclear weapons. I have already notified the distinguished author of this resolution, Senator EDWARD BROOKE, of my desire to be added as a cosponsor. I urge the Senate, for the sake of generations yet unborn, to adopt this resolution by an overwhelming margin. Let us all continue to take the offensive in the search for peace.

### A NEW ERA OF NATIONAL SECURITY: THE SENATE AND A MUTUAL STRATEGIC FREEZE

Mr. BROOKE. Mr. President, the discussion of Senate Resolution 211 has already developed the essential issues which the proposal raises. Last Friday's important debate covered a broad range of considerations. It made clear the reasons why this resolution has been reported without a dissenting vote in the Foreign Relations Committee.

Senate Resolution 211 is an historic successor to past Senate actions on arms control. During the 1960's the Senate twice passed similar resolutions which paved the way to ultimate adoption of the limited Nuclear Test Ban Treaty and the Nonproliferation Treaty. Such expressions serve the interests of American diplomacy in several ways, but most especially by providing an indication that the Senate will support the efforts of the Executive to reach agreement with the Soviet Union on limiting the arms race that threatens both countries. Thus, this resolution can bolster the President's diplomatic posture in the vital strategic arms limitation talks which begin in Vienna on April 16.

Senate Resolution 211 is a simple statement. It recognizes that the United States and the Soviet Union both possess powerful nuclear deterrents today. It recognizes that this rough strategic balance in fact improves the prospect for mutual agreement to avoid further costly and wasteful spirals of weapons expenditures. It recognizes that the pace of technology is such that this diplomatic opportunity must be seized before new technologies and new deployments alter the strategic balance and undermine the prospects for joint limitation of nuclear forces.

This resolution is a sensible reinforcement of what President Nixon has al-

ready declared is the administration's purpose in the SALT negotiations. On March 21, the President stated that the United States is prepared for either a comprehensive or a system by system agreement in SALT. As the President put it so succinctly:

> Our goal certainly is to limit both offensive and defensive missiles, and if the Soviet Union has the same goal, we will make a bargain.

The resolution now before the Senate would lend the weight of opinion in this body, which must ultimately ratify any agreement reached in SALT, to this essential goal. It would advance this Nation's commitment, accepted in the Nonproliferation Treaty, to pursue with the Soviet Union mutual efforts to curb the nuclear arms race. It would add a sense of urgency by stressing that the negotiations should seek agreement on a mutual suspension of further deployment of all offensive and defensive nuclear strategic weapons systems. Such a general freeze would be subject to national verification or other measures of observation and inspection as may be appropriate.

In the opinion of informed officials and experts, such a freeze proposal could be verified by so-called national means, which is a term of art referring to both sides' existing intelligence capabilities. However, the negotiators are left ample latitude to define additional means of verifying compliance and for reducing the uncertainties which might arise in this connection. For example, I have long argued that a suspension of further tests of multiple independently targetable reentry vehicles is a critical requirement for impeding deployment of these potentially destabilizing systems. Informed technical testimony favors the conclusion that a MIRV test moratorium could be verified by each side's present intelligence networks.

Dr. Jack Ruina, former director of the Advanced Research Projects Agency and now a ranking consultant to the administration, has made this point emphatically in testimony before the Foreign Relations Committee. He has been supported in this view by such distinguished authorities as Dr. Gordon MacDonald, now a member of the Council on Environmental Quality, Dr. Herbert York, former Director of Defense Research under President Eisenhower, and Dr. Freeman Dyson, the noted scientist of Princeton University. All are agreed that a ban on MIRV testing and deployment is feasible, verifiable, and important to the national security of both ourselves and the Soviets.

The SALT discussions could usefully explore a variety of means for increasing confidence in the verification system. I have proposed, for instance, that the two sides agree to announce all missile tests, to test over agreed ranges where each could monitor the other's tests in detail, to consider exchanging observers or installing suitable instruments at the major test facilities in both countries. These and other ideas for improving verification of a MIRV test ban deserve thorough study in SALT, as do all aspects of verifying a general freeze arrangement. No one can deny that the issues involved in the SALT negotiations require solutions in which both parties have high confidence.

Let me underscore several points which are at the heart of Senate Resolution 211. The eloquent chairman of the Foreign Relations Committee stated its purpose well when he said that it seeks "to provide the negotiators in Vienna—both American and Soviet—with a chance to negotiate on firm ground instead of on shifting sand." The impending deployments of MIRV and ABM systems threaten to complicate the SALT negotiations immeasurably. In the face of this prospect, it would be prudent and safe for both sides to halt further deployments for at least an interim period while the diplomats seek to devise durable barriers against future expansions of the strategic forces. If such a freeze is not agreed to, and it is a truism that it can scarcely be agreed to if it is never proposed, the problem of stabilizing the arms balance will grow more intricate and the probability of eventual agreement will be reduced.

The logic of a mutual freeze as a means of buying time for diplomacy to seek lasting arms controls can be stated in many ways. Perhaps the simplest formulation is the best. As President Nixon indicated last March, both the United States and the Soviet Union now possess credible deterrence. That is, both countries have sufficient nuclear weapons to guarantee that, if attacked, they can deliver devastating retaliation against any adversary. Both countries will do whatever is necessary to see that they retain such an assured capability to retaliate.

Yet both countries now acknowledge that there is no profit in endless increases in their force levels. Former Secretary McNamara's description of the "mad momentum" of the arms race has been echoed by Foreign Minister Gromyko's statement that the arms race has long since become "lunacy". This same conclusion has been voiced by the authoritative comment in Pravda of March 7, 1970, which stressed that the present strategic balance makes quite unrealistic any calculations about "the possibility of victory in a thermonuclear war. Judging by everything, a new spiral in the arms race would not change the essence of this correlation."

This, then, is the context in which the SALT effort begins. That it is beginning at all is, in my judgment, a direct reflection of a common recognition that the arms race is futile and wasteful, that it adds nothing to the security of either side, and that a mutual limitation of strategic weaponry would be advantageous to both countries.

But this unprecedented political consensus between the Soviet and American leadership may be overwhelmed by the pressures of a technology which has brought us to the verge of a new era in military systems. If a general freeze is not established, the United States will continue with plans to deploy its MIRV systems. In response the Soviet Union will no doubt insist on perfecting and deploying its own MIRV weapons. With Soviet MIRV weapons entering the force, the U.S. land-based missile force will become increasingly vulnerable and we shall have to take countermeasures, either by changing the mix of our offensive forces, by expanding ABM defense of the Minuteman, or by other means. These actions in turn are likely to engender Soviet force changes, probably increasing the total number of delivery vehicles as a hedge against the new uncertainties connected with MIRV, ABM, and other systems. In short the chances for a general arms limitation will be in danger of coming unstuck.

To forestall this risky cycle, a mutual freeze proposal is timely and needed. Senate Resolution 211 is a vehicle by which the Senate can share with the President the burdens of advancing this urgent proposal.

If the Soviet Union accepts the proposal, as I believe its own national interests dictate, the security of both our countries will be enhanced. The Soviets would suspend deployment of the SS–9 system which, if deployed in numbers and equipped with accurate MIRV's is considered the prime threat to the U.S. Minuteman force. It would also stop adding to its nuclear submarine fleet, which is viewed as a growing threat to the U.S. strategic bomber bases and command and control facilities. Furthermore, its ABM system would be limited to the insignificant number of weapons which we are now confident we can penetrate with existing U.S. forces. In return the United States would have only to cease plans to deploy MIRV and ABM, which are in fact intended primarily as responses to the prospective Soviet ABM and MIRV systems. If the latter are forestalled by a mutual freeze, it is self-evident that the United States can safely and wisely refrain from deploying weapons which it will not need.

There is, of course, a legitimate question as to the effect of this proposal on the U.S. negotiating position in Vienna. After deliberate study over many months, the Committee on Foreign Relations concluded, as I have, that the suggestion made by the resolution would be highly constructive. It would convey the Senate's appreciation that the impending deployments of MIRV and ABM may well energize diplomacy at this decisive juncture of history, while actual deployment of such systems could frustrate SALT. We have arrived at a fragile moment which we must either grasp by a bold initiative or see it fall victim to our own hesitation.

Of special significance in tendering the Senate's advice to the President on this matter is the fact that a general freeze on offensive and defensive weapons deployments is actually more easily verified than a plan to limit only one aspect of such weapons. Under a mutual suspension of this kind, there are many indicators to tell whether the parties are complying with the agreement. Thus, we would be able to monitor not only the nature of Soviet missile tests, but whether they are attempting to increase clandestinely the total number of ABM radars or missiles, or the number of land-based offensive missiles, or the number of missile-launching submarines.

Evidence of violation on any one of these aspects of a freeze would be a signal alerting the other party. If there is strong mutual interest in maintaining the freeze, each side would find it in its interest to reassure the other about any questionable activities that might tempt a party to withdraw from the agreement. Thus there could well emerge powerful incentives for building mutual confidence in the agreement, rather than bearing the hazards of seeing the understanding collapse amid charges of attempted evasion. I would consider this a major advantage to the proposal.

Another way of examining the recommended mutual suspension of strategic deployments is to ask what the situation will be in the absence of such an arrangement. If one is prone to be apprehensive about relying on national means to verify Soviet force levels under an agreed freeze, one should be doubly apprehensive about having to do so in the absence of such an agreement. Yet that is precisely the situation today, and it will prevail indefinitely unless SALT is successful. Our own force planning is based heavily on such intelligence estimates, with all the attendant doubts and anxieties about whether we are doing too much or too little.

As I have said, Senate Resolution 211 leaves the President wide authority to seek the verification arrangements he considers necessary, but it is fair to point out that a great deal can be done on the basis of national means of intelligence and that those means can be vastly strengthened by a prudent limitation of the type suggested. For example, today's surveillance systems can provide reliable estimates of the total number of offensive missiles in the Soviet inventory. Yet the capability to provide an accurate count of such weapons will decline in the future if mobile land-based ICBM's or deceptive basing techniques are introduced. It is precisely those kinds of concepts which a freeze could help head off. The mutual suspension of further strategic deployments could do a great deal to reinforce the advantage both sides now possess in being able to determine independently the relative balance of forces. To the extent that uncertainty about the balance develops, the likelihood of destabilizing changes in the forces grows.

In addition to the extraordinary cosponsorship which Senate Resolution 211 has attracted, its wide support in the Senate is reflected in that fact that the Foreign Relations Committee reported the measure without a dissenting vote. Similarly, it is most significant that the Democratic Policy Committee has made clear by its unanimous endorsement the bipartisan backing Senate Resolution 211 enjoys.

The President now knows that he can seek a mutual suspension of deployments of strategic weapons with the overwhelming support of both Republicans and Democrats. That is a welcome reinforcement of the vital tradition of bipartisan foreign policy which has contributed so much to American security over the years.

I might add my own satisfaction, as a member of the Armed Services Committee, that my colleagues on that body have shown increasing support for this resolution. In addition to a number of members who have indicated their intention to vote for the resolution, several of those who serve on the Armed Services Committee—Senator SYMINGTON, Senator YOUNG of Ohio, Senator INOUYE, Senator MCINTYRE, and Senator SCHWEIKER—have joined as cosponsors. It is clear that many of the most informed and concerned Senate authorities on national security issues recognize the desirability and urgency of seeking the kind of stable strategic arrangements proposed in Senate Resolution 211.

I would like to inject one further thought concerning the kind of proposal suggested by the resolution. It is reported that some members of the administration feel the United State should wait and see what proposals the Soviet Union advances at Vienna. Apart from the possibility that the Soviets may adopt a parallel reticence and that the SALT talks may then be paralyzed by a useless and tiresome waiting game, there is an obvious absurdity to this suggestion. It is best revealed by the recent acknowledgment by a high administration official that, if the Soviet Union made the proposal outlined in Senate Resolution 211, the United States would certainly be responsive.

Thus, there is precious little logic to risking a complete failure of the effort in SALT by a kind of diplomatic brinksmanship in which each side hesitates even to make a firm proposal, preferring to let the other country bear the imaginary onus of making the first proposal. This is outrageous, especially when one realizes that both nations have a paramount and mutual interest in such a joint arrangement. In adopting this resolution, the Senate will be assisting the President in perceiving the fundamental interests which should govern the United States in making such a proposal.

Let me address explicitly a few concerns which have been raised about the duration of the recommended strategic deployment standstill. Some have been apprehensive that the United States would somehow get locked into an open-ended halt, with public opinion making it difficult for the United States to disengage even if the Soviets were engaging in certain ambiguous or threatening activities. Nothing of this sort need occur.

First of all, the President has ample authority to define the duration of the mutual suspension at the outset by specifying that it should last, for example, for 18 or 24 months, with an extension dependent on further progress in the SALT negotiations.

Second, even if the proposal is not tied to a specific time period, the resolution in no way limits the President's capacity to determine the exact verification requirements which would permit mutual restraint to continue. As many of us have made clear, we believe much can be done by means of national intelligence systems, but it may well be that, as SALT proceeds, more detailed arrangements for mutual verification will prove possible. Both countries could surely exercise mutual restraint for a limited time while detailed arrangements are perfected in the SALT talks.

Third, should the President at some point judge that the mutual suspension could not be continued without undue dangers to our national security, he would undoubtedly make the necessary decision to resume U.S. deployments. It is reasonable to hope that if confronted with such an immediate prospect of a resumed arms race, the Soviet Union would recognize its larger interest in ceasing any suspicious activities or in so clarifying them as to make it possible for the United States to continue abiding by the mutual restraints. But if the Soviets failed to do so, no one would expect the President to accept unwise risks to our security. If in his judgment, whether or not supported by public opinion, the risks of delaying additional deployments outweighed the risks of a resumed arms competition, every Member of the Senate knows that the President would take appropriate action.

Thus, the supposed hazard of an unreasonable, open-ended freeze being imposed on the President by an unknowing public opinion is nothing more than a bogey-man. The alleged risks of such a development are trivial when compared to the predictable risks of carrying the present strategic competition into the dangerous, shifting terrains populated by MIRV and ABM.

These then, are some of the considerations which have led so many Senators to support Senate Resolution 211. In no sense can it be considered a step toward unilateral disarmament. Indeed the only unilateral proposal being made is by those who urge unilateral changes in the present strategic balance before the SALT negotiations even have a chance to address the issues. Prime examples of this tendency are the plans for the premature and unwise deployment of the U.S. MIRV and the continued, counterproductive increases in the Soviet SS–9 force.

Senate Resolution 211 is a well-founded and reasoned exercise of the Senate's historic responsibilities in the field of foreign policy. The choice of the risks which the United States will bear in international affairs is a task which this body, as well as the President, must share. This resolution advances a modest proposal and indicates that the Senate will support the President in seeking a mutual freeze on further deployments of strategic weapons, including particularly MIRV and ABM. As one means of verifying compliance with an agreement not to deploy MIRV, the legislative history of Senate Resolution 211 makes clear that a MIRV test limitation should have high priority in the SALT negotiations. The vital objective is to stabilize matters where they stand so that the SALT negotiators will have a chance to shore up the present strategic balance by erecting durable means of verifying a freeze for the long haul.

Will the Soviets accept such a mutual freeze? No one knows for certain, but I am convinced that they may very well respond affirmatively. I have reviewed the exchanges at Helsinki with some care. I am satisfied that there is no sufficient evidence to conclude that the Soviets would not be interested in such a proposal. Within this larger framework, I

think it especially important to note that there is no sound reason to conclude that the Soviets are indifferent to MIRV or ABM, as some commentators once suggested. Indeed, high officials of the administration have privately indicated that the Soviets now appear interested specifically in a possible MIRV limitation, which would be accomplished by the general freeze proposal set forth in this resolution. Since the Soviets fully understand that U.S. restraint on MIRV will require Soviet restraint on ABM, they have no doubt that both offensive and defensive systems must be limited, if there is to be agreement.

The only way to determine whether the Soviet Union is interested in a mutual strategic freeze is to make the proposal. If Moscow rejects the plan, there will still be an opportunity to explore more limited undertakings on a system-by-system basis.

More than most Americans realize, the future security and well-being of our country hinge on the outcome of the Strategic Arms Limitation Talks. The Senate has the power and the privilege to serve those great interests by lending its advice to the President on the profound issues of strategic arms control. Senate Resolution 211 is a prudent instrument for that purpose, and I commend it to the Senate.

Mr. KENNEDY. Mr. President, I rise to support Senate Resolution 211 and to urge the President to offer the Soviet Union a prompt interim halt to offensive and defensive weapons deployment. I think it would be a grave error if we undermined the upcoming SALT talks—perhaps our last best hope of ending the arms race—by an unnecessary deployment of MIRV and Safeguard.

The administration apparently takes the position that we should go ahead with MIRV and Safeguard until the Russians propose a comprehensive arms control agreement. But this position makes no sense at all. Why should we wait until the Russians make an arms control proposal? Are not we the leaders in mankind's struggle for peace? Surely this is not the time for the administration to participate in an Alphonse-Gaston routine.

Furthermore, the Russians have given some indication that they are interested in a comprehensive freeze on weapons systems. An obviously high-level article in the March 7 edition of Pravda acknowledged the danger of a new spiral in the arms race and the need for arms control. It suggested that "honest talks" would lead to "agreed solutions."

Now, of course, the Pravda article may be completely insincere. The Russians may have no intention of entering into a serious arms control agreement. But why not put the Russians to the test? Why not offer an interim halt in the deployment of offensive and defense weapons systems and take the initiative for peace? If the Russians reject our initiative, they will stand condemned in the eyes of the world. But let us make sure that the United States cannot be condemned for inaction in the quest for peace. Let us call for an end to arms race, and let us call for it today.

The administration has never explained why it is necessary to deploy MIRV's as early as this June. Indeed, the administration has never satisfactorily explained why we need to deploy MIRV's at all. The original purpose of MIRV was to counter a massive Soviet ABM system. But this system was never built. We are, therefore, overreacting to a threat which never materialized, just as we did in the 1950's and 1960's. Instead of acting with a new realism, we are simply repeating old mistakes.

There is no danger that our security will be jeopardized if we fail to deploy MIRV now. As Rathjens and Kistiakowsky have pointed out:

> There is little doubt that currently designed U.S. MIRV's could be deployed on a time scale [which is] short compared with that required for deployment of any significant Russian ABM defenses. Accordingly, there is no need for any MIRV deployment pending firm evidence that the USSR is beginning the construction of such defenses.

We will always be able to deploy MIRV if that should prove necessary.

The risks we take if we insist on premature, unnecessary deployment of MIRV and Safeguard, and if we undermine the SALT talks, are staggering. First, there is the risk of spirally arms costs which will make it impossible for us to meet our pressing domestic needs. At the present time, the strategic forces budget of the United States amounts to about $9 billion per year, excluding some rather large items for warheads, research and development, and communications and intelligence activities; $9 billion is more than twice what the Nixon administration accepted to spend this year on education. It is over seven times more than the Nixon administration intends to spend next year on crime reduction. But, if we do not limit arms control expenditures in the near future, it is estimated that outlays for strategic systems could double by the mid-1970's. Eighteen billion dollars a year in Federal tax revenues would become unavailable to meet domestic needs.

The second risk we take by unnecessary deployment of MIRV is even more ominous. The new buildup in the arms race would increase tensions between the United States and the Soviet Union. It would reduce even further the possibility of Soviet-American cooperation in the Middle East, Europe, and Southeast Asia.

Furthermore, if both super powers continue to develop new and more sophisticated nuclear weapons systems, there is a danger that the present nuclear balance will be upset, or will appear to be upset, and that one of the powers will embark on a reckless military adventure. Harold Brown, former Secretary of the Air Force, has made an important observation in this regard. It is true that if we have an arms control agreement, the Russians might make clandestine improvements in their weapons systems, although the advent of satellite surveillance reduces this possibility. Dr. Brown points out:

> But, it seems at least as likely that, in the absence of an agreement, they might make a sudden massive effort to tilt the balance in their favor.

Mr. President, the Nixon administration must do everything in its power to make the SALT talks a success for peace. The proposed deployment of MIRV and Safeguard is a step toward disaster. It substantially increases the risk that the dreaded arms race, with all its costs and all its dangers, will continue to plague mankind for generations.

Mr. HOLLINGS. Mr. President, the resolution presently pending is certainly laudable in its purpose to limit the escalation of the arms race. I noted with interest that recently the President's Policy Advisory Committee to the Arms Control and Disarmament Agency has similarly recommended that the United States propose to the Soviet Union an immediate and mutual halt to missile deployment. I am sure that no one in this body would take issue with the objective sought by these recommendations.

However, I have grave reservations as to whether or not the approach will be successful in view of the historical precedents set by the Soviets in this regard. In 1958 when President Eisenhower announced that the United States would discontinue further testing of nuclear weapons in the atmosphere for so long as the Soviets did likewise, the moratorium was unilaterally broken by the Soviets in less than 3 years. Consistently for the past two decades the Soviets have rejected any suggestions regarding surveillance and onsite inspection.

On the other hand, every time efforts are initiated concerning arms talk, we hear that the United States should immediately suspend all technological development of its weaponry or the Soviets will not meet us at the negotiation table. This assumption has always proved in error. The pending resolution was introduced on June 17, 1969, with the urgency stated that unless it was adopted the pending Strategic Arms Limitation Talks would be in jeopardy. The talks went ahead on schedule and the second round is to convene on April 16 without the benefit of this resolution being passed. During the ABM debates we also heard that unless the requested authorization were defeated we would deter negotiations.

In short, I do not believe that history favors these arguments or encourages optimism as to a meaningful agreement with the Soviets.

Recognizing these points, however, I still share the hope of my colleagues that meaningful progress can be made in the arms talks. The thrust of Senate Resolution 211 contains, in my judgment, sufficient caveats to insure protection of our national interests. Obviously, the concept of simultaneous cessations of the operational testing of MIRV is meaningless without realistic protection. National verification or other methods of observation and inspection as may be appropriate called for in the resolution offers a vehicle to explore the true intention of the Soviets and their willingness to achieve the goals sought. With this point fully in mind I offer my support to the resolution and sincerely hope that my pessimism will be proved unfounded.

Mr. MANSFIELD. Mr. President, I understand that there will be no more speakers, so when I get through I will put in a quorum call, to start voting at 4 p.m.

I want to emphasize that the one thing unilateral about this resolution is that the Senate of the United States, and hopefully the U.S. delegation to the Vienna conference, will be taking the initiative to propose a mutual freeze. Every action contemplated will be taken by both countries—no country will take a risk the other country refuses to take.

We are not advocating disarming unilaterally. Nobody in this body would stand for that. What we are trying to do is to break the deadlock which exists, to try to give encouragement to the President and his delegates at Vienna, and to try to do something constructive in helping to bring about an end to the mad momentum which seems to have gripped the two major powers in the world—the Soviet Union and ourselves—to the end that perhaps there will be salvation at the end of the road, rather than destruction.

We have now begun to walk the correct pathway to that end. The adoption of this resolution will represent a major step along that road.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded and that, with no further speakers, the vote begin.

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

The first question is on agreeing to the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to, as follows:

*Resolved*, That it is the sense of the Senate that prompt negotiations between the Governments of the United States of America and of the Union of Soviet Socialist Republics to seek agreed limitations of both offensive and defensive strategic weapons should be urgently pursued; and

*Resolved further*, That the President should propose to the Government of the Union of Soviet Socialist Republics an immediate suspension by the United States and by the Union of Soviet Socialist Republics of the further deployment of all offensive and defensive nuclear strategic weapons systems, subject to national verification or such other measures of observation and inspection as may be appropriate.

The PRESIDING OFFICER. The question now is on agreeing to the resolution, as amended.

Mr. MANSFIELD. I ask for the yeas and nays.

The yeas and nays were ordered.

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

The bill clerk proceeded to call the roll.

Mr. STENNIS. (after having voted in the negative). On this vote I have voted "nay." I understand that the Senator from Connecticut (Mr. RIBICOFF), if present, would vote "yea." I have given him a live pair, he being absent. I, therefore, withdraw my vote.

Mr. ERVIN (after having voted in the negative). I voted "nay." I voted "nay" because I think this is a matter for the executive branch rather than for the legislative branch. The distinguished Senator from Washington (Mr. MAGNUSON) is necessarily absent. I am advised that if he were present he would vote "yea." I have agreed to give him a live pair and, therefore, withdraw my negative vote.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Nevada (Mr. BIBLE), the Senator from Connecticut (Mr. DODD), the Senator from Missouri (Mr. EAGLETON), the Senator from Mississippi (Mr. EASTLAND), the Senator from Indiana (Mr. HARTKE), the Senator from Nevada (Mr. CANNON), the Senator from Washington (Mr. MAGNUSON), the Senator from Connecticut (Mr. RIBICOFF), the Senator from Georgia (Mr. RUSSELL), and the Senator from Texas (Mr. YARBOROUGH) are necessarily absent.

I further announce that the Senator from Hawaii (Mr. INOUYE) and the Senator from Rhode Island (Mr. PELL) are absent on official business.

I further announce that, if present and voting, the Senator from Connecticut (Mr. DODD) and the Senator from Texas (Mr. YARBOROUGH) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Utah (Mr. BENNETT) is absent on official business as observer at the meeting of the Asian Development Bank in Korea.

The Senator from Kentucky (Mr. COOK), the Senator from Colorado (Mr. DOMINICK), the Senator from Wyoming (Mr. HANSEN), the Senator from California (Mr. MURPHY), and the Senator from Texas (Mr. TOWER) are necessarily absent.

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

If present and voting, the Senator from Utah (Mr. BENNETT), the Senator from Colorado (Mr. DOMINICK), the Senator from Wyoming (Mr. HANSEN), the Senator from South Dakota (Mr. MUNDT), and the Senator from Texas Mr. TOWER) would each vote "yea."

The result was announced—yeas 72, nays 6, as follows:

[No. 128 Leg.]

YEAS—72

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|---|---|---|
| Aiken | Harris | Muskie |
| Allott | Hart | Nelson |
| Baker | Hatfield | Packwood |
| Bayh | Holland | Pastore |
| Boggs | Hollings | Pearson |
| Brooke | Hruska | Percy |
| Burdick | Hughes | Prouty |
| Byrd, Va. | Jackson | Proxmire |
| Byrd, W. Va. | Javits | Randolph |
| Case | Jordan, N.C. | Saxbe |
| Church | Jordan, Idaho | Schweiker |
| Cooper | Kennedy | Scott |
| Cotton | Mansfield | Smith, Maine |
| Cranston | Mathias | Smith, Ill. |
| Curtis | McCarthy | Sparkman |
| Dole | McClellan | Spong |
| Ellender | McGee | Stevens |
| Fong | McGovern | Symington |
| Fulbright | McIntyre | Talmadge |
| Goodell | Metcalf | Tydings |
| Gore | Miller | Williams, N.J. |
| Gravel | Mondale | Williams, Del. |
| Griffin | Montoya | Young, N. Dak. |
| Gurney | Moss | Young, Ohio |

NAYS—6

| | | |
|---|---|---|
| Allen | Fannin | Long |
| Bellmon | Goldwater | Thurmond |

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—2

Ervin, against.
Stennis, against.

NOT VOTING—20

| | | |
|---|---|---|
| Anderson | Eagleton | Murphy |
| Bennett | Eastland | Pell |
| Bible | Hansen | Ribicoff |
| Cannon | Hartke | Russell |
| Cook | Inouye | Tower |
| Dodd | Magnuson | Yarborough |
| Dominick | Mundt | |

So the resolution (S.J. Res. 211), as amended, was agreed to.

Mr. FULBRIGHT. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. BROOKE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Without objection, the amendment to the preamble was agreed to.

The preamble, as amended, was agreed to as follows:

Whereas the competition to develop and deploy strategic weapons has reached a new and dangerous phase, which threatens to frustrate attempts at negotiating significant arms limitations and to weaken the stability of nuclear deterrence as a barrier to war;

Whereas development of multiple independently targetable reentry vehicles by both the United States and the Soviet Union represents a fundamental and radical challenge to such stability;

Whereas the possibility of agreed controls over strategic forces appears likely to diminish greatly if testing and deployment of multiple independently targetable reentry vehicles proceed;

Whereas a suspension of flight tests of multiple independently targetable reentry vehicles promises to forestall deployment of such provocative weapons; and

Whereas a suspension of such tests could contribute substantially to the success of the strategic arms limitation talks between the United States and the Soviet Union: Now, therefore, be it

The PRESIDING OFFICER. The title as proposed to be amended will be stated.

The bill clerk read as follows:

Resolution expressing the sense of the Senate on suspension of further deployment of offensive and defensive nuclear strategic weapons systems.

Mr. MILLER. Mr. President, I call up my amendment to the amendment to the title.

The PRESIDING OFFICER. The amendment will be stated.

The BILL CLERK. The Senator from Iowa (Mr. MILLER) proposes an amendment on page 4, to strike the last two lines and insert in lieu thereof the following:

The sense of the Senate on mutual suspension of further deployment of offensive and defensive nuclear weapons systems by the Union of Soviet Socialist Republic and by the United States.

Mr. MILLER. Mr. President, this is a perfecting amendment to accord with the other provisions of the resolution and also with the colloquies conducted on the floor of the Senate.

I have discussed the amendment with

the distinguished prime sponsor of the resolution and with others. I understand that it is acceptable to them.

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

The amendment was agreed to.

The title, as amended, was agreed to.

## PROGRAM

Mr. SCOTT. Mr. President, I should like to address a question to the distinguished majority leader.

Would the distinguished majority leader be good enough to advise us of the further program for today and thereafter?

Mr. MANSFIELD. Mr. President, in reply, for the information of the Senate, in addition to the Peace Corps Act, as amended, Calendar No. 768, H.R. 15349, the Railroad Adjustment Board, will be taken up tomorrow.

On Monday it is anticipated that we will take up Calendar No. 760 (S. 2846), the mental retardation bill; Calendar No. 747 (S. 3637), the equal-time bill.

On Tuesday we will take up Calendar No. 763 (S. 1814), the public ownership of the D.C. Transit System, and will finish the equal-time bill if it is not completed on Monday.

Following that, on Wednesday, we will consider Calendar No. 773 (S. 721), the credit card bill.

On Thursday, we will consider Calendar No. 764 (S. 3685), the mortgage credit bill; Calendar No. 712 (S. 1148), the Virgin Islands Act.

On Friday we will consider Calendar No. 564, H.R. 9477, the Umatilla Indian Reservation bill.

This is the best I can do in a definitive way as to stating what the schedule will be.

Mr. SCOTT. Mr. President, I say to the distinguished majority leader that I am glad I asked the question.

I thank the Senator from New Hampshire.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 3690) to increase the pay of Federal employees, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendment of the Senate to the amendments of the House to the bill (S. 2601) to reorganize the courts of the District of Columbia, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. McMILLAN, Mr. ABERNETHY, Mr. DOWDY, Mr. CABELL, Mr. NELSEN, Mr. HARSHA, Mr. BROYHILL of Virginia, and Mr. HOGAN were appointed managers on the part of the House at the conference.

## FEDERAL EMPLOYEES SALARY ACT OF 1970

Mr. McGEE. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3690.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3690) to increase the pay of Federal employees which was to strike out all after the enacting clause, and insert:

That this Act may be cited as the "Federal Employees Salary Act of 1970".

SEC. 2. (a) (1) The President shall increase the rates of basic pay, basic compensation, and salaries (as such rates were increased by Executive Order Numbered 11474, dated June 16, 1969) contained in the schedules listed in paragraph (2) of this subsection by amounts equal, as nearly as may be practicable and with regard to maintaining approximately equal increments within any grade, level, or class of any such schedule, to 6 percent.

(2) The schedules referred to in paragraph (1) of this subsection are as follows: the General Schedule contained in section 5332 (a) of title 5, United States Code; the Postal Field Service Schedule and the Rural Carrier Schedule contained in sections 3542(a) and 3543(a), respectively, of title 39, United States Code; the schedules relating to certain positions within the Department of Medicine and Surgery of the Veterans' Administration and contained in section 4107 of title 38, United States Code; and the Foreign Service schedules contained in section 412 and 415 of the Foreign Service Act of 1946.

(b) Rates of basic pay, basic compensation, and salaries of officers and employees paid under the schedules referred to in subsection (a) of this section shall be increased initially under conversion rules prescribed by the President or by such agency as the President may designate.

(c) The increases made by the President under this section shall have the force and effect of law and shall be printed (1) in the Statutes at Large in the same volume as public laws, (2) the Federal Register, and (3) the Code of Federal Regulations.

SEC. 3. (a) The rates of pay of personnel subject to sections 210 and 214 of the Federal Salary Act of 1967 (81 Stat. 633, 635; Public Law 90-206), relating to Agricultural Stabilization and Conservation County Committee employees and to certain employees of the legislative branch of the Government, respectively, and any minimum or maximum rate, limitation, or allowance applicable to any such personnel, shall be adjusted, effective on the first day of the first pay period which begins on or after December 27, 1969, by amounts which are identical, insofar as practicable, to the amounts of the adjustments under this section for corresponding rates of pay for employees subject to the General Schedule, by the following authorities—

(1) the Secretary of Agriculture, with respect to individuals employed by the county committees established under section 590h (b) of title 16;

(2) the Comptroller of the Senate, with respect to the United States Senate;

(3) the Finance Clerk of the House of Representatives, with respect to the United States House of Representatives; and

(4) the Architect of the Capitol, with respect to the Office of the Architect of the Capitol.

The provisions of this section shall not be construed to allow adjustments in the rates of pay of the following officers of the United States House of Representatives: Parliamentarian, Chaplain, Clerk, Sergeant at Arms, Doorkeeper, Postmaster, and the four Floor Assistants to the Minority whose position titles formerly were Minority Clerk, Minority Sergeant at Arms, Minority Doorkeeper, and Minority Postmaster.

(b) Notwithstanding section 665 of title 31, the rates of pay of employees in and under the judicial branch of the Government, whose rates of pay are fixed by administrative action pursuant to law and are not otherwise adjusted under this section may be adjusted, effective on the first day of the first pay period which begins on or after December 27, 1969, by amounts not to exceed the amounts of the adjustments under section 2(a) of this Act for corresponding rates of pay. The limitations fixed by law with respect to the aggregate salaries payable to secretaries and law clerks of circuit and district judges shall be adjusted, effective on the first day of the first pay period which begins on or after the date on which adjustments become effective under this section, by amounts not to exceed the amounts of the adjustments under this section for corresponding rates of pay.

(c) The rates of pay of United States attorneys and assistant United States attorneys whose annual salaries are fixed pursuant to section 548 of title 28, United States Code, shall be increased, effective on the first day of the first pay period which begins on or after December 27, 1969, by amounts equal, as nearly as may be practicable, to the increases provided pursuant to section 2 of this Act for corresponding rates of pay.

(d) Notwithstanding section 665 of title 31, the rates of pay of employees of the Federal Government and of the government of the District of Columbia whose rates of pay are fixed by administrative action pursuant to law and are not otherwise increased pursuant to this section are hereby authorized to be increased, effective on the first day of the first pay period which begins on or after December 27, 1969, by amounts not to exceed the increases provided pursuant to section 2 of this Act for corresponding rates of pay in the appropriate schedule or scale of pay.

SEC. 4. (a) An increase in pay, compensation, or salary which becomes effective under section 2 of this Act is not an equivalent increase in pay within the meaning of section 5335 of title 5, United States Code, or section 3552 of title 39, United States Code.

(b) Nothing in this Act shall impair any authority pursuant to which rates of pay, compensation, or salary may be fixed by administrative action.

(c) Notwithstanding any other provision of this Act—

(1) any officer or employee of the United States Government receiving pay, compensation, or salary which is less than the basic pay for level V of the Executive Schedule in section 5316 of title 5, United States Code, in effect on the date of enactment of this Act, shall not have his pay, compensation, or salary increased, by reason of the enactment of this Act, to a rate in excess of the basic pay for such level V; and

(2) any officer or employee of the United States Government receiving pay, compensation, or salary equal to or in excess of the basic pay for such level V shall not have his pay, compensation, or salary increased.

SEC. 5. (a) Retroactive pay, compensation, or salary shall be paid by reason of this Act only in the case of an individual in the service of the United States (including service in the Armed Forces of the United States) or the municipal government of the District of Columbia on the date of enactment of this Act, except that such retroactive pay, compensation, or salary shall be paid—

(1) to an officer or employee who retired, during the period beginning on the first day of the first pay period which began on or after December 27, 1969, and ending on the date of enactment of this Act, for services rendered during such period; and

(2) in accordance with subchapter VIII of chapter 55 of title 5, United States Code, relating to settlement of accounts, for services rendered, during the period beginning on the first day of the first pay period which began on or after December 27, 1969, and ending on the date of enactment of this Act, by an officer or employee who died during such period.

Such retroactive pay, compensation, or salary shall not be considered as basic pay for the purposes of subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, or any other retirement law or retirement system, in the case of any such retired or deceased officer or employee.

(b) For the purposes of this section, service in the Armed Forces of the United States, in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service, shall include the period provided by law for the mandatory restoration of such individual to a position in or under the United States Government or the municipal government of the District of Columbia.

SEC. 6. (a) Section 11–702(d) of the District of Columbia Code is amended by striking out "$29,000" and "$28,500" and inserting in lieu thereof "$36,500" and "$36,000", respectively.

(b) Section 11–902(d) of the District of Columbia Code is amended by striking out "$28,000" and "$27,500", and inserting in lieu thereof "$34,500" and "$34,000", respectively.

(c) The first sentence of the second paragraph section 2 of the District of Columbia Revenue Act of 1937, as amended (D.C. Code, sec. 47–2402), is amended by striking out "$27,500" and inserting in lieu thereof "$34,000".

SEC. 7. The third sentence of subsection (b) of the first section of the Act of August 25, 1958, as amended (3 U.S.C. 102 note), is amended by striking out "$80,000" and inserting in lieu thereof "$96,000."

SEC. 8. Section 5545(c)(2) of title 5, United States Code, is amended to read as follows:

"(2) an employee in a position in which the hours of duty cannot be controlled administratively, and which requires substantial amounts of irregular, unscheduled, overtime duty with the employee generally being responsible for recognizing, without supervision, circumstances which require him to remain on duty, shall receive premium pay for this duty on an annual basis instead of premium pay provided by other provisions of this subchapter, except for regularly scheduled overtime, night, and Sunday duty, and for holiday duty. Premium pay under this paragraph is determined as an appropriate percentage, not less than 10 per centum nor more than 25 per centum, of such part of the rate of basic pay for the position as does not exceed the minimum rate of basic pay for GS–10, by taking into consideration the frequency and duration of irregular unscheduled overtime duty required in the position,".

SEC. 9. (a) Sections 1 to 6, inclusive, of this Act shall become effective on the first day of the first pay period which begins on or after December 27, 1969.

(b) This section and sections 7 and 8 of this Act shall become effective on the date of enactment of this Act.

(c) For purposes of determining the amount of insurance for which an individual is eligible under chapter 87 of title 5, United States Code, relating to group life insurance for Government employees, all changes in rates of pay, compensation, and salary which result from the enactment of this Act shall be held and considered to become effective as of the date of such enactment.

(d) Any deduction to be made as the result of the enactment of this Act from the pay, compensation, or salary of an officer or employee enrolled in a retirement system of the United States Government, and the contribution of the agency employing the officer or employee, shall be made at the rates of deductions and contributions in effect for that system on the date of such enactment.

Mr. McGEE. Mr. President, I move that the Senate concur in the amendment of the House to the bill (S. 3690) to increase the pay of Federal employees, with the following amendments:

On page 2, line 21, strike out "(1) in" and insert in lieu thereof "in (1)".

On page 3, line 10, strike out "this section" and insert in lieu thereof "section 2 of this Act".

On page 3, line 16, strike out the word "Comptroller" and insert in lieu thereof the words "President pro tempore".

On page 5, line 19, strike out "other provision" and insert in lieu thereof "provisions other than section 6".

Mr. FONG. Mr. President, I join in the motion for concurrence with the amendments.

Mr. COOPER. Mr. President, what do the amendments do?

Mr. McGEE. They relate to language. The House took the Senate bill, in essence, and made language corrections to make it consistent in the use of the words. There were three changes involved in the House amendments, such as on page 2, line 21, to strike out the word "in" and insert in lieu thereof "in.".

Mr. COOPER. In other words, no substantive changes?

Mr. McGEE. No. There were some people in one area who were considered premium—the border guards—and that was raised to 25 percent with the approval of downtown.

The PRESIDING OFFICER (Mr. SPONG). The question is on agreeing to the motion of the Senator from Wyoming.

The motion was agreed to.

## PRESIDENT NIXON'S ANNOUNCEMENT ON FUTURE SUPREME COURT NOMINATIONS

Mr. BAKER. Mr. President, what I have to say I am sure will be of great interest to most Senators.

The wire service ticker in the cloakroom carries a dispatch quoting President Nixon as indicating he has instructed the Attorney General of the United States to try to find a nominee for the Supreme Court from outside the South. The President observed that he finds it difficult, if not impossible, to have a conservative southern nominee appointed to the Supreme Court.

Mr. President (Mr. BYRD of West Virginia), I rise now to say that I reluctantly agree with the President in that judgment. I think it is extraordinarily unfortunate that he has reached that conclusion, but I believe it is the correct conclusion under the circumstances.

While we might wage these fights all over again, it seems to me that the country deserves a ninth Justice of the Supreme Court and that it may, indeed, be much easier to find one acceptable from outside the South.

I come from Tennessee. As I observed yesterday, I hope that we do not have an anti-Southern bias in the Senate. I think that we do not. But we should be avoiding the appearance of bias as well.

Thus, as a Tennesseean, whether Tennessee is classified as a Southern State or a border State, I pledge now that a nominee from outside the South sent to the Senate for consideration and, hopefully, for confirmation, will be examined by the Senate on the basis of no regionalism at all and without reference to his antecedents.

Mr. President, I hope that my colleagues will do the same in this case and in the case of some future southerner who may be nominated and then confirmed to serve on the Supreme Court.

Mr. SPONG. Mr. President, I want to follow up what has just been said by the distinguished Senator from Tennessee.

I regret that the President has reached that decision. I have no wish to reopen a debate that has already occupied far too much of our time. But I would observe that had the President's third nominee possessed the competence of his second—Judge Clement Haynsworth—I believe he would have been confirmed with a minimum of difficulty.

I would not want to believe that there is any prejudice in this Chamber against the South. Certainly that has not been the case in the past. Of the total of 43 Supreme Court Justices appointed in this century, 11 have been from the South, including Justice Hugo Black, of Alabama, Fred Vinson, former Chief Justice, James Brynes, of South Carolina, and Stanley Reed, of Kentucky.

For myself, along with the distinguished Senator from Tennessee, I intend to continue judging nominees for the Supreme Court not on a regional basis but on a national basis. What is important is to have an able man who can restore balance and public confidence in the Court.

Mr. DOLE. Mr. President, I would comment briefly as I have read President Nixon's statement.

I believe it is a recognition by the President that the Senate should no longer frustrate the Supreme Court or the American people.

It may also be recognition by the President that he intends to send another nominee to the Senate as soon as possible. Though I made a different suggestion yesterday, apparently the President feels we should get on with the business and fill the vacancy. He recognizes, very clearly and correctly, that there is the appearance of bias in this Chamber with reference to the South, and potential Justices from the South.

The appearance is obvious. It is recognized by the President and he is moving ahead to nominate a nonsoutherner, but a strict constructionist. The President stated the Senate, as presently constituted, will not take a southerner. This is something which can be changed at a later time—say in November.

Mr. TYDINGS subsequently said: Mr. President, with respect to the remarks of the distinguished Senator from Tennessee (Mr. BAKER), I think it was a most unfortunate situation and it was most unwarranted that the *statement* was made that a conservative from the South could not be confirmed by the Senate.

In my judgment, and I think in the judgment of a great majority of my colleagues, a competent, qualified southerner who is a strict constructionist of conservative philosophy with a proper record could and would be confirmed by the Senate.

From time to time I have taken occasion in the Judiciary Committee and before the Senate to enumerate a

number of great southern lawyers and jurists.

The problem is not with the section of the country. The problem is with the nominee whom the President just forwarded to the Senate—Judge Carswell.

Had the Department of Justice done a thorough screening, I am sure the President would not have nominated Mr. Carswell. Mediocrity, wherever it comes from, is not a quality which the people of America or the Senate of the United States is willing to accept for the Supreme Court.

## TAX TREATMENT OF INDIVIDUALS SERVING ON U.S.S. "PUEBLO"

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 765.

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

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 8654) to provide that, for purposes of the Internal Revenue Code of 1954, individuals who were illegally detained during 1968 by the Democratic People's Republic of Korea shall be treated as serving in a combat zone.

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. MILLER. Mr. President, this bill (H.R. 8654) extends to the crew of the U.S.S. *Pueblo* the same tax treatment and tax benefits that are provided persons serving in a Presidentially designated combat zone.

There are four tax benefits provided under present law for members of the Armed Forces who are in active service in a Presidentially designated combat zone. First, there is an income tax exclusion for pay received by a member of the Armed Forces for service in a combat zone or while he is a prisoner of war as a result of combat zone service. In the case of commissioned officers, the exclusion is limited to $500 per month. Second, a member of the Armed Forces who dies as a result of combat zone service has his income tax for the year of death, as well as any unpaid income taxes for other years, waived. Third, there is an exception from the Federal estate tax—except that part against which credit for State death taxes may be taken—for any member of the Armed Forces who dies as a result of combat zone service. Fourth, an extension of time is granted for performing various actions, such as filing tax returns and paying taxes, to members of the Armed Forces serving in a combat zone and to other persons serving in support of the Armed Forces in a combat zone.

As I have indicated, however, these four provisions only apply where the person is in service in a Presidentially designated combat zone. At present, Vietnam and adjacent waters is the only area designated by the President as a combat zone.

Accordingly, under present law the *Pueblo* crew is not entitled to the benefits of these four provisions, although the purpose of those provisions is to extend tax relief to military personnel subjected to the hazards and hardships of combat. The hardships and maltreatment suffered by the *Pueblo* crew during their detention by North Korea are well known, and of comparable magnitude to those suffered by military personnel serving in a combat zone. Therefore, it is appropriate to extend to the *Pueblo* crew the same tax treatment and tax benefits which are available with respect to service in a combat zone.

The bill, in effect, provides, for purposes of the provisions of the tax law I have mentioned, that individuals serving on the U.S.S. *Pueblo* are to be considered as having served in a Presidentially designated combat zone during the period of their detention by North Korea. Thus, the *Pueblo* crew, including the one member who was killed during the capture of the ship by North Korea, will be accorded the tax benefits to which I have referred for the period of their imprisonment.

Mr. President, the enactment of this bill is favored by the administration. I urge its adoption.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 8654) was ordered to a third reading, was read the third time, and passed.

## AMENDMENT OF SECTION 613 OF THE MERCHANT MARINE ACT OF 1936

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 766, H.R. 12605.

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

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 12605) to amend section 613 of the Merchant Marine Act, 1936, as amended.

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

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Commerce with an amendment to strike out all after the enacting clause and insert:

That Section 613 of the Merchant Marine Act, 1936, as amended, (46 U.S.C. 1183) is amended by—

(a) Striking the letter "(d)" in subsection (b) after the words "under subsection" and inserting in lieu thereof the letter "(e)".

(b) Striking subsection (c) and inserting in lieu thereof a new subsection (c) to read as follows:

"(c) The Secretary of Commerce may authorize passenger vessels under operating-differential subsidy contracts to provide domestic service between specified ports while the vessels are on voyages in an essential service in the foreign commerce of the United States without reduction of operating differential subsidy for operating in the domestic trades, if it finds that such domestic service will not result in a substantial deviation from the service, route, or line for which operating-differential subsidy is paid and will not adversely affect service on such service, route, or line."

(c) Redesignating subsection (d) as subsection (e) and inserting a new subsection (d) to read as follows:

"(d) When a vessel is being operated on cruises or has been authorized under this section to provide domestic passenger services while on voyages in an essential service in foreign commerce of the United States—

"(1) it shall carry no mail unless required by law, or cargo except passengers' luggage, except between those ports between which it may carry mail and cargo on its regular service assigned by contract;

"(2) it may not carry one-way passengers between those ports served by another United States carrier on its regular service assigned by contract, without the consent of such carrier, except between those ports between which it may carry one-way passengers on its own regular service assigned by contract;

"(3) it shall stop at other domestic ports only for the same time and the same purpose as is permitted with respect to a foreign-flag vessel which is carrying passengers who embarked at a domestic port, except that a cruise may end at a different port or coast from that where it began and may embark or disembark passengers at other domestic ports, either when not involving transportation in the domestic offshore trade in competition with a United States-flag passenger vessel offering berth service therein, or, if involving such transportation, with the consent of such carrier: *Provided, however,* That nothing herein shall be construed to repeal or modify section 805(a) of this Act.

Section 605(c) of this Act shall not apply to cruises authorized under this section. Notwithstanding the applicable provisions of Section 605(a) and Section 506 of this Act requiring the reduction of operating differential subsidy and the partial payback of construction differential subsidy for operating in the domestic trades, such reduction of operating subsidy and partial payback of construction subsidy under Section 605(a) and 506, respectively, shall not apply to cruises or domestic services authorized under this section."

(d) Striking subsection (e).

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute.

The amendment was agreed to.

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

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

The bill (H.R. 12605) was read the third time and passed.

## THE PEACE CORPS ACT AMENDMENTS OF 1970

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 762, S. 3430. I do this so that the bill will become the pending business.

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

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 3430) to amend further the Peace Corps Act (75 Stat. 612), as amended.

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

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Foreign Relations, with an amendment,

to strike out all after the enacting clause and insert:

That section 3(b) of the Peace Corps Act (22 U.S.C. 2502(b)), which authorizes appropriations to carry out the purposes of that Act, is amended—

(1) by striking out "1970" and "$98,450,000" and inserting in lieu thereof "1971" and "$90,000,000", respectively; and

(2) by striking out the last sentence thereof.

SEC. 2. (a) Section 5(c) of such Act (22 U.S.C. 2504(c)), which relates to a readjustment allowance for volunteers, is amended—

(1) by inserting immediately before the period at the end of the first sentence thereof the following: "; except that, in the cases of volunteers who have one or more minor children at the time of their entering a period of pre-enrollment training, one parent shall be entitled to receive a readjustment allowance at a rate not to exceed $125 for each month of satisfactory service as determined by the President; and

(2) by striking out "the Act of August 3, 1950, chapter 518, section 1 (U.S.C. 61f)" and inserting in lieu thereof "section 5582(b) of title 5, United States Code".

(b) Section 5 of such Act (5 U.S.C. 2504), which relates to Peace Corps volunteers, is amended by adding at the end therof the following new subsections:

"(m) The minor children of a volunteer living with the volunteer may receive—

"(1) such living, travel, education, and leave allowances, such housing, transportation, subsistence, and essential special items of clothing as the President may determine;

"(2) such health care, including health care following the volunteer's service for illness or injury incurred during such service, and health and accident insurance, as the President may determine and upon such terms as he may determine, including health care in any facility referred to in subsection (e) of this section, subject to such conditions as the President may prescribe and subject to reimbursement of appropriations as provided in such subsection (e);

"(3) such orientation, language, and other training necessary to accomplish the purpose of this Act as the President may determine; and

"(4) the benefits of subsection (1) of this section on the same basis as volunteers.

"(n) The costs of packing and unpacking, transporting to and from a place of storage, and storing the furniture and household and personal effects of a volunteer who has one or more minor children at the time of his entering a period of pre-enrollment training may be paid from the date of his departure from his place of residence to enter training until no later than three months after termination of his service."

SEC. 3. Clause (3) of section 6 of such Act (22 U.S.C. 2505), which relates to Peace Corps volunteer leaders, is amended by striking out ", and a married volunteer's child if born during the volunteer's service,".

SEC. 4. Paragraph (3) of section 7(a) of such Act (22 U.S.C. 2506(a)), which relates to Peace Corps employees, is amended to read as follows:

"(3) The President may specify what additional allowance authorized by section 5941 of title 5, United States Code, and which of the allowances and differentials authorized by sections 5923 through 5925 of such title 5, may be granted to any person employed, appointed, or assigned under this subsection and may determine the rates thereof not to exceed the rates otherwise granted to employees under the sections of title 5, United States Code, referred to in this paragraph."

SEC. 5. (a) Subsection (a) of section 13 of such Act (22 U.S.C. 2512), which relates to experts and consultants, is amended—

(1) by striking out "section 15 of the Act of August 2, 1946, as amended (5 U.S.C. 55a)" and inserting in lieu thereof "section 3109 of title 5, United States Code"; and

(2) by striking out "$75 per diem" and inserting in lieu thereof "the per diem equivalent of the highest rate payable under section 5332 of title 5, United States Code".

(b) Subsection (b) of such section 13 is amended by striking out "section 13 of the Civil Service Retirement Act, as amended (5 U.S.C. 2263)" and "section 201 of the Dual Compensation Act"' and inserting in lieu thereof "sections 3323(b) and 8344 of title 5, United States Code" and "section 5532 of title 5, United States Code", respectively.

SEC. 6. Subsection (b) of section 14 of such Act (22 U.S.C. 2513), which relates to detailing personnel to foreign governments and international organizations, is amended by striking out "section 1765 of the Revised Statutes (5 U.S.C. 70)" and inserting in lieu thereof "section 5536 of title 5, United States Code".

SEC. 7. (a) Clause (3) of subsection (a) of section 301 of such Act (22 U.S.C. 2501a), which relates to encouragement of voluntary service programs, is amended by striking out all that follows "and participation in," and inserting in lieu thereof "international voluntary service programs and activities."

(b) Paragraph (2) of subsection (b) of such section 301 is amended to read as follows:

"(2) Not more than $300,000 may be used in fiscal year 1971 to carry out the provisions of clause (3) of subsection (a) of this section. Such funds may be contributed to educational institutions, private voluntary organizations, international organizations, and foreign governments or agencies thereof, to pay a fair and proportionate share of the costs of encouraging the development of, and participation in, international voluntary programs and activities."

## TRIBUTE TO THE PRESIDENT

Mr. TYDINGS. Mr. President, in Life magazine, there recently appeared an editorial by Hugh Sidey entitled, "The Presidency: Making Points With Civility."

Mr. Sidey points out some of the very fine and warm characteristics of the President with reference to courtesy and good manners extended to persons in the government service who normally might not expect such kind of treatment from a President of the United States.

Years ago my grandfather told me that the true definition of a gentleman was a person who treats the most humble person, from whom he had no hope of reward, with the same courtesy and with the same kindness with which he might treat a very powerful individual from whom he expected to curry favor.

I think that under my grandfather's definition, the present occupant of the White House, as presented in this editorial by Mr. Sidey, represents the true picture of a gentleman and he deserves the commendation of all Americans.

I ask unanimous consent that the full text of the editorial be printed at this point in the RECORD.

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

THE PRESIDENCY: MAKING POINTS WITH CIVILITY

(By Hugh Sidey)

At about this stage in a modern Presidency, thanks to the relentless TV eye and the inexhaustible supply of newsprint, the American people begin to get a real sense of the man in the White House.

It is a kind of subliminal appraisal, depending only in part on the big, visible moments of presidential crisis and ceremony. It is also the sum of all the unconnected, gossipy backstairs whispers and rumors about the man that always find their way into public knowledge.

How this affects a President's ability to lead is debatable, but since electronics have introduced him into most living rooms from breakfast to bed, the little things now count more than they used to in earlier Presidencies. A body of opinion holds that long before Lyndon Johnson lost the American people over the Vietnam war, he had made himself a thoroughly unlikable person to a vast number of citizens, and it then became very easy for them to turn against him on questions of policy. L.B.J.'s legendary meanness, crudeness and autocracy were so open and so utterly compelling in the White House setting that his moments of kindness, decency and even bursts of humility either went unnoticed or were dismissed as theatrics.

Richard Nixon has taken this unfortunate page from the old manual and rewritten it. He has rewritten it so thoroughly, indeed, that some people wish there were a faint whiff of roguishness somewhere, a juicy story of vented outrage that would give the President a more human dimension. The fact is that the atmosphere around the Oval Office is one of unrelieved thoughtfulness and gentility. Calculated or not, the effect of the new style in the vast temperate zones of American opinion has been immense. Critics who thrive on personality fissures are utterly frustrated.

When he went to Florida for Easter, Nixon took his barber, Steve Martini, along on Air Force One so that Martini could visit his sick mother. As he walked out the White House door, Nixon called to his aide John Ehrlichman, who has been under intense pressure, "Use my place at Camp David."

There is not a single provable story (or even an unprovable one) about Nixon blowing up at a Cabinet officer, staff member, guest or reporter. Once he was heard to say about the draft, "My God, why don't we do something about it?" But that is the strongest outburst on record.

When irritated, Nixon tends to become excessively polite, a tactic the obtuse often misread. One agency head who had been overselling his programs suddenly heard the President saying, "I understand completely. . . . I'm glad you brought that up. . . . Won't you have a cup of coffee?" The man thought he had won the day, but those closer to Nixon knew that he had lost it.

The President swept up Frankie Blair, a White House kitchen helper, and took him bowling. He has stopped off in the lower reaches to commend Chef Henry Haller and Maitre d' John Ficklin for an unusually fine dinner. Before Christmas he went around the White House personally delivering boxes of candy to the telephone operators and mail handlers, some of whom had never had personal contact with a President in all their years of service there.

Ceremonial flubs especially annoy Nixon yet the most he will say to aides after a gaffe is, "Let's do it differently next time." He believes that the men around him are all of the highest quality, that they do not make mistakes deliberately, and that when they do they recognize them and feel worse than he does. To dismember them is unnecessary.

As he flew to the Vatican last year, he rounded up all the Catholics on board and took them with him to meet the Pope. The other day he walked down the hall, passed an office door by a few steps, whirled and came back to shake the hand of Warrant Officer Elmer Juanich, who was about to be sent overseas.

When Nixon summons a Cabinet officer, he often asks if it is convenient for the man to

see him just then. An astounding number of times the fellow says it isn't, and the President sets a new hour. More than one visitor in the offices of the big three—Kissinger, Ehrlichman and Haldeman—has been startled to hear one of them pick up the phone and say, "I'm in a meeting right now, Mr. President. I'll be down just as soon as I finish." The total response Lyndon Johnson demanded is hard for this city to forget. Thus, a mini-legend was started when Ehrlichman, on his way to see the President, stopped the White House elevator for a messenger and his cart of documents, allowed the courier to go to his floor and disembark, then strode off to answer the presidential summons.

When he learned that it was the birthday of one of Henry Kissinger's daughters and that the aide was flying to Boston to see her, Nixon called Kissinger in, presented him with a presidential seal made into a pin encrusted with pearls, and had it gift wrapped. It was Nixon who decided to forgo TV athletics one Saturday and run up to Philadelphia to honor Conductor Eugene Ormandy on his 70th birthday. On another Saturday, he insisted on taking Senator William Fulbright, not exactly a philosophical bedfellow, when he attended the Texas-Arkansas football game last fall.

If his appointments run longer than expected and someone is waiting, Nixon will interrupt his first engagement so that he can greet his next visitor, and then come back to number one. He makes certain that the Vice President is never left outside his door for more than a few minutes.

Nixon had surprise ceremonies for two aides who became generals, personally pinning on the stars. When a White House secretary married a man from communications, he called them in for a picture with the President.

When Nixon delivers a speech on which Bill Safire has worked and the talk goes well, Safire expects and receives two calls—the first from the President, the second from Safire's mother. A few weeks ago when Nixon had to draft a letter to the ruffled French president, Georges Pompidou, a short notice went through the interoffice system to one Arthur Downey, until then an anonymous body assigned to the National Security Council staff. It said, "The President was particularly pleased with your expert drafting of the letter to President Pompidou. . . . He asked me to convey his thanks and personal compliments."

All these instances are simply small examples of courtesy and good manners. None of them is specifically intimate in character and they could as easily have been lifted from a textbook on executive thoughtfulness. But together they surely mean that Nixon's personal shortcomings will probably never make corrosive chatter at dinner tables and cocktail parties around the country. L.B.J. may have helped to destroy himself with petty maliciousness, but if backstairs talk means anything at all, Nixon will not.

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## IMPLEMENTING THE GUAM DOCTRINE: THE CASE FOR WITHDRAWING U.S. TROOPS FROM KOREA

Mr. TYDINGS. Mr. President, in his inaugural address 14 months ago, President Nixon announced his determination to lead this Nation out of a period of confrontation in international affairs and into an "era of negotiation."

Six months later in Guam, the President offered a more concise explanation of how this new doctrine would be implemented in Asia. Henceforth, he declared, the United States would expect its allies in Asia to accept the primary responsibility of providing the manpower for their own defense. The United States would confine its role in the Pacific to the provision of a nuclear shield, and the furnishing of military and economic assistance to Asian nations threatened with external aggression.

To the extent that such policy statements serve as the basis for future U.S. actions, they are certainly welcome. Had we pursued the course they prescribe 6 years ago, we could have avoided our entrapment in Vietnam and the terrible price in blood and treasure that tragic war has exacted.

### FAILURE TO APPLY THE GUAM DOCTRINE

However, this Nixon Doctrine has failed so far to address the problem of the consequences of our past military involvements and interventions in the Pacific: The more than two-thirds of a million American troops that remain deployed today on the Asian mainland and in the surrounding areas. In focusing on the need to move from a period of confrontation to an era of negotiation, this new doctrine has failed to grapple with our ultimate objective in Asia: U.S. military extrication.

Vietnamization, the label our present Vietnam policy bears, is a program for deescalating U.S. participation in that Southeast Asian conflict. The President has indicated he hopes to withdraw all U.S. ground forces from Vietnam by the end of this year; a hope that sadly grows more remote with each request for delay from the Pentagon.

But, whatever the schedule, Vietnamization is not a policy for total U.S. military extrication from Vietnam. Secretary of Defense Laird has made it clear in testimony before the Congress that the administration contemplates keeping 100,000 to 200,000 American military personnel in Vietnam indefinitely in advisory and support capacities, at a cost not only of continuing American casualties, but also of billions of dollars each year.

At no point does this policy of Vietnamization, as annunciated to date, describe the conditions that would permit the complete withdrawal of U.S. Armed Forces and indicate what we intend to do to secure those conditions.

In short, Vietnamization lacks a plan and a timetable for ending the U.S. military presence in South Vietnam. For all we know, 1980 will find 200,000 U.S. troops at a cost of $10 billion a year still stationed in and around Saigon.

In addition to the 450,000 U.S. troops currently stationed in Vietnam, there are approximately 55,000 U.S. troops in Korea, 50,000 U.S. troops in Thailand, 100,000 U.S. troops in Japan, Okinawa, Guam, and the Trust Territories, 30,000 U.S. troops in the Philippines, and as we recently discovered, a number of U.S. military personnel in Laos. This comes to a total of more than 685,000 U.S. troops and military personnel stationed in Asia today.

Many of these troops appear to be permanently stationed in the Pacific. To the best of my knowledge, no plans with timetables currently exist for withdrawing these troops and bringing them home.

This is particularly disturbing in view of the persuasive evidence which suggests that a large number of them could be brought home this year with no significant effect on our security or that of our Asian allies.

### KOREA: A CASE IN POINT

South Korea provides an excellent example of an Asian nation in which we could begin immediately implementing the Guam doctrine.

At present, there are 55,000 U.S. troops in Korea organized principally into two divisions. As I shall seek to demonstrate in the remainder of my remarks, at least one of those U.S. divisions could be withdrawn this year at a saving of $250 million and numerous American lives without significantly weakening either the defenses of South Korea or our ability to deter a possible attack on the south from North Korea or China.

Let us review the relevant arguments.

### U.S. TROOPS NOT NEEDED FOR ROK DEFENSE

First, South Korea today, without the assistance of any U.S. ground forces, possesses the military manpower and resources to handle any invasion threat North Korea could pose in the foreseeable future, providing U.S. air support is continued.

The south contains a population of 31 million compared to a population in the north of only 13 million. In 1968, the most recent year for which data is available, South Korea recorded a gross national product of $5.2 billion; the North Korean GNP was only $2.8 billion. And based on a projection of current growth rates, this disparity in the economic capacity of the two Koreas will increase in the decade ahead.

Last year, the South Korean economy grew an incredible 13 percent, a rate more than three times the growth rate of the U.S. economy. At the same time, available evidence suggests that the North Korean economy is stagnating. When Gen. Earle G. Wheeler, Chairman of the Joint Chiefs of Staff, was asked by a House Appropriations Subcommittee last June to compare the two Korean economies, he replied:

> As you know, the South Korean economy has burgeoned over the past several years. On the contrary, the North Korean economy is practically dead.

This economic superiority of the South is increasingly being reflected in the military balance sheet for the two Koreas. South Korea now boasts a total armed force of 620,000 men—the third largest army in the free world. North Korea, on the other hand, has a force level of only 384,000 men.

Of greater long-term military significance is the fact that the south supports this larger force with a defense budget that consumes only 6 percent of its GNP. By contrast, the North Koreans are being forced to devote 25 percent of their smaller GNP to field a force which is only 60 percent as large as that of the south. In other words, the south is in a position to expand its own forces considerably without assuming the relative economic burden the north already has incurred.

Therefore, given the greater size,

growth rate and industrial capacity of the South Korean economy, and the current advantage the South holds over the North with respect to military manpower, there is every reason to believe the government in Seoul currently can defend its borders against a North Korean attack without the assistance of U.S. ground forces.

Certainly, the south possesses the military personnel to fill any gaps the removal of one U.S. division might create out of existing ROK forces. And given the excellent training and fighting ability of the ROK troops, the Americans could be replaced without any significant sacrifice in combat effectiveness—particularly if the departing U.S. troops left their weapons and equipment behind.

If Seoul is reluctant to draw on ROK forces currently deployed in Korea to replace departing American troops, it has several other options. There are currently 2⅓ South Korean divisions—50,000 men—stationed in Vietnam. Just as Vietnamization is expected to permit the total withdrawal of U.S. ground forces from Vietnam in the coming year, this policy should permit the withdrawal of South Korean troops. One of these 2⅓ crack ROK divisions could be used to assume the positions of a departing American division in Korea.

And, if Seoul is opposed to bringing back these troops from Vietnam or simply replacing departing U.S. troops with existing ROK forces, South Korea has the economic resources and manpower pool to create and equip one new division. Of the 305,373 men eligible for the South Korean draft last year, only 180,000 or 58 percent were inducted. Surely, another 25,000 to 35,000 can be inducted if the South Koreans believe their national security is at stake.

North Korea has been able to meet its armed forces needs with a much smaller manpower potential than the South and without recourse to Chinese or Soviet troops. There is no reason why South Korea should not be able to meet its own needs without relying on U.S. ground troops.

It should be noted here that North Korea does enjoy marked air superiority over the South. Therefore, any American troop withdrawals from Korea at this time could not include a reduction in U.S. tactical air power in the Pacific.

So far, we have been defining Seoul's defense needs in terms of a possible North Korean attack. Could the South stave off a combined North Korean-Chinese attack unaided?

The answer is clearly no. But, at the same time, the presence of one or two U.S. divisions on Korean soil equipped for conventional warfare hardly would alter the outcome.

An effective defense against a massive Chinese invasion—a highly unlikely event given the risks Peking would run of nuclear war with the United States—would require a larger U.S. force than that now deployed in Vietnam and probably the resort to nuclear weapons.

In summary, maintaining two U.S. divisions in Korea instead of one cannot be justified in terms of defense requirements. A second U.S. division is not needed to defend against a North Korean attack; and it is not helpful against a Red Chinese attack.

U.S. DETERRENT: ONE DIVISION AS GOOD AS TWO

Second, the withdrawal of one U.S. division from Korea would not noticeably diminish the deterrent to a North Korean or Chinese attack provided by America's commitment to defend South Korea from external aggression.

As I just attempted to explain, U.S. ground troops in South Korea are not essential to the actual defense of that nation; they could be replaced by ROK forces with no significant degradation of South Korea's defense capability. If there is any case to be made for the continued deployment of U.S. troops in Korea, it is in terms of their role as a deterrent.

There is no question that the stationing of U.S. ground forces in South Korea is a very direct way of warning Pyongyang and Peking that an attack on South Korea necessarily means war with the United States. However, I would challenge those who contend that our deterrent would not be credible without the presence of U.S. troops in Korea to explain why one U.S. division cannot convey our commitment as effectively as two. Why would a North Korean attack on 30,000 U.S. soldiers be any less likely to insure American entry into the conflict than an attack on 55,000 U.S. soldiers?

I think the answer is that both would be equally effective.

Furthermore, the presence of U.S. troops in Korea is not the only basis of our deterrent. We are party to the United States-Republic of Korea Mutual Defense Treaty of 1953. Article III of that treaty commits the United States to take appropriate action if South Korea is the object of an "armed attack." In addition, we have a commitment under the United Nations to defend South Korea from an attack by North Korea or China. In August of 1953, after the armistice concluding the Korean war was signed, the 16 nations that had furnished military forces to the U.N. command during the war issued a statement pledging themselves to renew the war if Communist aggression recurred.

Another factor serving to reinforce the credibility of the U.S. commitment as a deterrent to an attack on South Korea—the ability of our tactical air force in the Pacific to strike North Korea—would in no way be diminished by the withdrawal of one ground division.

Also, there is America's demonstrated ability to transport large numbers of U.S. troops into Korea on short notice. Last year the United States airlifted a sizable force of combat-ready troops from North Carolina to South Korea in 31 hours.

Our Polaris submarines with their nuclear missiles that are scheduled to be deployed shortly in the western Pacific provide a potent deterrent against intervention by Peking in any future Korean conflict.

Finally, our surveillance and intelligence systems in Korea constitute an effective deterrent. For the Chinese and North Koreans know we can detect troop movements and troop concentrations of the magnitude required for a major invasion of the south, and realize that this will give us the leadtime to fly in necessary U.S. troops and weapons should the President and Congress consider it advisable.

A surprise attack like that launched by the Chinese in 1950 in the mountainous terrain of North Korea would not be possible today. For the demilitarized zone dividing the Koreas does not afford adequate cover. Any large concentration of Chinese troops would be spotted well in advance of an invasion of the south.

In short, the facts strongly suggest that the continued presence of both our ground divisions on Korean soil is not a prerequisite to the preservation of a credible U.S. deterrent to a major enemy attack on South Korea.

COSTS AND RISKS

Third, the present deployment of one American division on the front line in South Korea entails dangerous and unnecessary risks and costs to the United States.

No one can question our current commitment to come to South Korea's aid in the event of a major enemy attack. Our treaty obligations are explicit and incontestable.

But, of all of our bilateral and multilateral security pacts wisely stipulate, the manner in which we fulfill our commitment in each instance must be determined "in accordance with U.S. constitutional processes." In other words, the President and the Congress retain the power to determine the form of U.S. action in response to a threat to the security of South Korea or any other nation with which we have a reciprocal defense agreement.

Such is not the case with respect to South Korea today. By stationing an American division on the front line in Korea, the power to decide how the United States will fulfill its treaty obligations has been effectively removed from Washington and shifted to Seoul and Pyongyang. The one U.S. division now positioned along the DMZ—the other is held back in reserve—serves as a "trip-wire;" that is, it operates as a deterrent by insuring that any North Korean invasion of the South will necessarily involve U.S. troops.

To begin with, it is U.S. presence in Korea, not the undue exposure of U.S. forces, that is essential for purposes of deterrence.

Furthermore, employing this division as a "trip-wire" vitiates the critical "constitutional processes" clause in our mutual defense treaty with Seoul. For should the North Koreans invade across the DMZ, our front line division would automatically trigger U.S. participation in a ground war in Korea.

Even more unacceptable is the situation in which the aggression is initiated by the South Koreans. The United States-Republic of Korea Mutual Defense Treaty of 1953 contains an understanding insisted upon by the U.S. Senate that releases the United States from any obligation to aid the South Koreans should they attempt to go north.

But the presence of that one U.S. division on the DMZ renders that understanding meaningless. For the North

Korean reaction to an attack from the south would necessarily subject those U.S. troops to enemy fire; fire they would be forced to return to survive. The President and the Congress would then have no alternative but to send additional troops and materials to help defend that U.S. division.

In addition, the maintenance of U.S. troops along what is generally considered the most vulnerable and dangerous 18-mile stretch of the DMZ is being paid for at the cost of American blood as well as dollars. These troops, along with those in Vietnam and Laos, are the only American military personnel in the world today judged in sufficient danger to warrant combat pay. During the last 2 years for which figures are available—1967–68—31 American soldiers have been killed and 118 wounded by enemy fire in Korea.

Seventeen years have elapsed since the Korean armistice was signed. The United States has invested $8 billion in South Korea over that period to build a vigorous economy and an effective armed force in that nation. And based on the evidence, we have succeeded.

There is absolutely no sound reason why American boys should still be laying down their lives on the front line when Korean troops are perfectly capable of patrolling that line.

SAVING TAX DOLLARS

Fourth, replacing one U.S. division in Korea with a ROK division would result in a substantial budgetary savings for the United States if the withdrawn American division was disbanded.

Conservative estimates of the annual pricetag for American military presence in Korea put the amount at somewhat in excess of $1.1 billion. Of this sum, roughly half—or about $500 million—is directly related to the maintenance of our two Army divisions.

It has been calculated that it costs only about one-tenth as much to keep a ROK division in the field in Korea as it costs to put one U.S. division in Korea. This differential is the product of higher U.S. salaries, a higher U.S. standard of living and the transportation costs of shipping U.S. forces across the Pacific and back. Therefore, replacing one of our divisions in Korea with a ROK division—even if we financed the latter—promises savings in the range of $200 to $300 million a year; resources desperately needed to meet pressing problems here at home.

Replacing a U.S. division with a ROK division would also ease the grave balance-of-payments problem the United States has been experiencing. According to the Department of Defense, we incurred a balance-of-payments deficit of $269 million last year as the result of our military presence in Korea.

By way of contrast, Seoul has been running surpluses in its foreign exchange account in recent years. Representative OTTO E. PASSMAN, chairman of the House Appropriation Subcommittee on Foreign Operations, reported during hearings last year that—

> The Koreans actually have an excess in their foreign exchange account and they are now buying good solid U.S. bonds and getting a little higher rate of interest than we are paying Americans . . . So we are putting money in the front door and borrowing back some of it through the back door.

I might add that we are giving them money in the front door and paying them higher interest when we borrow back our own money through the back door.

There is no reason why we should continue to bear this costly burden when neither security considerations nor the state of the Korean economy warrants it.

ROK: READY TO STAND ALONE

Fifth, and most important, the Republic of Korea has come of age as a nation.

Its government is stable and appears to have the support of the South Korean people. There is no question of their will to defend themselves against an attack from North Korea or from anywhere else.

As a result of $8 billion in U.S. aid and its own resourcefulness, South Korea today boasts one of the most vigorous economies in the world with a rapidly expanding industrial base.

The ROK Army is large and well trained. It certainly appears capable of dealing with any invasion threat Pyongyang can pose.

It is safe to say that, if a comparable stage of political and economic development had been achieved in South Vietnam, we would have declared a "total victory" in that beleagured nation long ago.

In 1953, we set out to provide the security shield, resources and know-how to enable South Korea to become an economically and militarily self-sufficient nation. This was the goal of all our economic and military assistance over the past 17 years.

Well, we have succeeded. It is time we recognized that South Korea is ready to stand on its own.

When a nation has reached that stage, it is hardly in our interests to serve as an obstacle to the expression of its full self-reliance. A lingering U.S. presence in South Korea can only be viewed, ultimately, as paternalistic by the Korean people.

ARGUMENTS AGAINST WITHDRAWAL

These are the five principal reasons which in my opinion constitute a compelling case for the withdrawal of one U.S. division from Korea this year.

However, before deciding on a proper course of action, it is necessary to carefully consider several arguments that are frequently offered in opposition to even a partial withdrawal of U.S. forces from Korea.

The first and most publicized objection to the removal of any U.S. troops from Korea at this time revolves around the question of nuclear weapons. The United States reportedly keeps nuclear weapons in South Korea to deter against a combined Chinese-North Korean attack and possibly to defend against such an attack should deterrence fail.

Opponents of a troop withdrawal in Korea have argued that U.S. troops in adequate strength are needed to guard these nuclear weapons. Even the removal of one of the two U.S. divisions stationed there, it is contended, would leave these weapons vulnerable to North Korean seizure.

If the nuclear weapons in question are strategic, they can certainly be withdrawn from Korean with no diminution in our strategic capabilities of any consequence. There appears to be no compelling military reason for strategic weapons to be stored forward in Asia. Indeed, I would challenge the Defense Department to document any significant degradation in our ability to destroy China or the Soviet Union resulting from the withdrawal of strategic nuclear weapons from Korea.

Tactical nuclear weapons present an entirely different set of variables.

Putting aside for the purposes of argument the question of whether it is really possible to fight a limited nuclear war, the proponents of a U.S. tactical nuclear force readily concede that it only makes sense to use this force in certain situations.

If ROK forces were either driving back an invading army or holding their own, the introduction of tactical nuclear weapons would clearly involve unjustifiable risks of widening the conflict and possibly triggering World War III. Presumably, the only situation in which the use of these weapons would be considered is one in which enemy troops were threatening to quickly overrun all of South Korea.

But as I pointed out earlier, a force of sufficient size and concentration to overrun Korea, given the present strength of ROK ground forces, would certainly be detected by U.S. surveillance systems well in advance of the actual invasion. If such an invasion threat were developing, I would estimate that we could transport tactical nuclear weapons from the United States to South Korea in no more than 24 hours plus flying time.

Would this be fast enough? In June of 1950, it took North Korean forces with a troop superiority of roughly 2 to 1, 3 full days to reach Seoul, which is only 60 miles south of the DMZ—and a long way from taking all of South Korea. And today, the manpower advantage belongs to the ROK Army.

In short, Peking and Pyongyang are aware that we can introduce tactical nuclear weapons into Korea very quickly. Prepositioning these weapons is neither necessary for deterrence nor for their use in the defense of South Korea.

The other argument frequently offered in opposition to the withdrawal of U.S. troops rests on the contention that the United States pledged to maintain present troop levels in Korea as long as ROK forces remained in Vietnam. However, according to Secretary of Defense Laird, no such agreement between Seoul and Washington was every concluded.

Questioned specifically on this matter before a House subcommittee last year, Secretary Laird replied:

> There is no bargain, there is no understanding along that line. I want the record to show that there is no commitment as far as the United States is concerned along that line, and we shouldn't let anyone think that there is any kind of commitment like that because, as far as I am concerned, I would not go along with any commitment like that.

Thus, in my considered judgment, neither of the major arguments offered in opposition to even a partial withdrawal of U.S. ground forces from South Korea is very convincing.

MATCHING WORDS WITH ACTION

It is for this reason that I believe the President should undertake the following:

First, the President should order the withdrawal of the one U.S. division currently stationed along the DMZ in Korea. Withdrawing this front-line division and dismantling it would reduce the risk of the United States being involved in another ground war in Asia, stop the killing and wounding of U.S. soldiers in Korea, produce a budgetary savings of roughly a quarter of a billion dollars a year, and recognize that South Korea finally has come of age as a nation without jeopardizing the security of either the United States or South Korea. It should be emphasized that the American boys in the remaining U.S. division would be no less secure than they are now owing to the presence of ROK troops and U.S. airpower.

Second, the President should indicate to the Congress and to the American people how this administration intends to implement the Guam Doctrine.

What conditions will permit the complete withdrawal of U.S. ground forces from Japan, Thailand, Okinawa, Guam, the Philippines, and Laos? When will these nations no longer have to rely on U.S. tactical air support for their security?

What are the President's plans beyond Vietnamization for fully liquidating the American military presence in Vietnam?

When will the United States be able to withdraw the other U.S. division now stationed in Korea, and what are we doing to hasten that day?

A survey of U.S. military personnel stationed around the world reveals that their positioning and numbers too often are the product of historical accident rather than a careful calculation of present U.S. security requirements. Too often the best explanation available for the presence of American troops in a particular country is that we have had troops there for 10, 20, or 30 years.

I offered the case of Korea simply as one example of a nation in which more U.S. troops are deployed than are needed. For what other nations can the same be said?

For too long we have ignored or avoided seeking the answers to such questions. As a result, the Guam Doctrine remains largely rhetoric today.

It is time for Congress to actively promote the implementation of this doctrine. Comprehensive Senate hearings should be scheduled this year on the subject of U.S. general force levels deployed in Asia and Europe.

The President has declared the onset of an "era of negotiation" in U.S. relations with the rest of the world. In the name of economy and U.S. security, it is our responsibility to insure that this period of reduced tension and détente culminates in an "era of military extrication."

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a copy of the Mutual Defense Treaty between the United States and the Republic of Korea and a copy of the report to Congress by Richard Nixon, President of the United States, on February 18, 1970, entitled "U.S. Foreign Policy for the 1970's—A New Strategy for Peace."

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

MUTUAL DEFENSE TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF KOREA

The Parties to this Treaty,

Reaffirming their desire to live in peace with all people and all governments, and desiring to strengthen the fabric of peace in the Pacific area,

Desiring to declare publicly and formally their common determination to defend themselves against external armed attack so that no potential aggressor could be under the illusion that either of them stands alone in the Pacific area,

Desiring further to strengthen their efforts for collective defense for the preservation of peace and security pending the development of a more comprehensive and effective system of regional security in the Pacific area,

Have agreed as follows:

ARTICLE I

The Parties undertake to settle any international disputes in which they may be involved by peaceful means in such a manner that international peace and security and justice are not endangered and to refrain in their international relations from the threat or use of force in any manner inconsistent with the Purposes of the United Nations, or obligations assumed by any Party toward the United Nations.

ARTICLE II

The Parties will consult together whenever, in the opinion of either of them, the political independence or security of either of the Parties is threatened by external armed attack. Separately and jointly, by self help and mutual aid, the Parties will maintain and develop appropriate means to deter armed attack and will take suitable measures in consultation and agreement to implement this Treaty and to further its purposes.

ARTICLE III

Each Party recognizes that an armed attack in the Pacific area on either of the Parties in territories now under their respective administrative control, or hereafter recognized by one of the Parties as lawfully brought under the administrative control of the other, would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes.

ARTICLE IV

The Republic of Korea grants, and the United States of America accepts, the right to dispose United States land, air and sea forces in and about the territory of the Republic of Korea as determined by mutual agreement.

ARTICLE V

This Treaty shall be ratified by the United States of America and the Republic of Korea in accordance with their respective constitutional processes and will come into force when instruments of ratification thereof have been exchanged by them at Washington.

ARTICLE VI

This Treaty shall remain in force indefinitely. Either Party may terminate it one year after notice has been given to the other Party.

In witness whereof the undersigned Plenipotentiaries have signed this Treaty.

Done in duplicate at Washington, in the English and Korean languages, this first day of October 1953.

For the United States of America:
JOHN FOSTER DULLES.

For the Republic of Korea:
Y. T. PYUN.

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UNITED STATES TREATIES AND OTHER INTERNATIONAL AGREEMENTS

WHEREAS the Senate of the United States of America by their resolution of January 26, 1954, two-thirds of the Senators present concurring therein, did advise and consent to the ratification of the said Treaty with the following understanding:

"It is the understanding of the United States that neither party is obligated, under Article III of the above Treaty, to come to the aid of the other except in case of an external armed attack against such party; nor shall anything in the present Treaty be construed as requiring the United States to give assistance to Korea except in the event of an armed attack against territory which has been recognized by the United States as lawfully brought under the administrative control of the Republic of Korea."

WHEREAS the text of the aforesaid understanding was communicated by the Government of the United States of America to the Government of the Republic of Korea by a note dated January 28, 1954, and was acknowledged by the Government of the Republic of Korea by a note dated February 1, 1954;

WHEREAS the said Treaty was duly ratified by the President of the United States of America on February 5, 1954, in pursuance of the aforesaid advice and consent of the Senate and subject to the aforesaid understanding, and was duly ratified also on the part of the Republic of Korea on January 29, 1954;

WHEREAS the respective instruments of ratification of the said Treaty were exchanged at Washington on November 17, 1954, and a protocol of exchange, in the English and Korean languages, was signed at that place and on that date by the respective Plenipotentiaries of the United States of America and the Republic of Korea, the said protocol of exchange recording the aforesaid understanding;

AND WHEREAS it is provided in Article V of the said Treaty that the Treaty will come into force when instruments of ratification thereof have been exchanged at Washington;

NOW, THEREFORE, be it known that I, Dwight D. Eisenhower, President of the United States of America, do hereby proclaim and make public the said Mutual Defense Treaty between the United States of America and the Republic of Korea to the end that the same and every article and clause thereof, subject to the understanding hereinbefore recited, shall be observed and fulfilled with good faith, on and after November 17, 1954, by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this first day of December in the year of our Lord one thousand nine hundred and fifty-four and of the Independence of the United States of America the one hundred and seventy-ninth.

[SEAL]

DWIGHT D. EISENHOWER.

By the President:
JOHN FOSTER DULLES,
*Secretary of State.*

U.S. FOREIGN POLICY FOR THE 1970'S: A NEW STRATEGY FOR PEACE

(A Report to the Congress by Richard Nixon, President of the United States, February 18, 1970)

DEFENSE

Our important interests and those of our friends are still threatened by those nations which would exploit change and which proclaim hostility to the United States as one of the fundamental tenets of their policies. We do not assume that these nations will always remain hostile, and will work toward improved relationships wherever possible. But we will not underestimate any threat to us or our allies, nor lightly base our present policies on untested assumptions about the future.

At the beginning of my trip last summer through Asia, I described at Guam the principles that underlie our cooperative approach to the defense of our common interests. In my speech on November 3, I summarized key elements of this approach:

The United States will keep all its treaty commitments.

We shall provide a shield if a nuclear power threatens the freedom of a nation allied with us, or of a nation whose survival we consider vital to our security and the security of the region as a whole.

In cases involving other types of aggression we shall furnish military and economic assistance when requested and as appropriate. But we shall look to the nation directly threatened to assume the primary responsibility of providing the manpower for its defense.

This approach requires our commitment to helping our partners develop their own strength. In doing so, we must strike a careful balance. If we do too little to help them—and erode their belief in our commitments—they may lose the necessary will to conduct their own self-defense or become disheartened about prospects of development. Yet, if we do too much, and American forces do what local forces can and should be doing, we promote dependence rather than independence.

In providing for a more responsible role for Asian nations in their own defense, the Nixon Doctrine means not only a more effective use of common resources, but also an American policy which can best be sustained over the long run.

## PROGRAM FOR TOMORROW

Mr. BYRD of West Virginia. Mr. President, what is the pending business before the Senate?

The PRESIDING OFFICER (Mr. HART). The pending business is S. 3430, a bill to amend the Peace Corps Act, as amended.

Mr. BYRD of West Virginia. Mr. President, as a reminder to Senators I wish to state the following on behalf of the majority leader.

The Senate will shortly adjourn until 9 o'clock tomorrow morning. Following disposition of the reading of the Journal tomorrow morning, the Senator from Utah (Mr. Moss) will be recognized for not to exceed 30 minutes. Following the speech by the Senator from Utah the Senator from South Carolina (Mr. HOLLINGS) will be recognized for not to exceed 30 minutes, during which he will participate in a colloquy with the Senator from South Dakota (Mr. MCGOVERN), following which the Senator from Idaho (Mr. CHURCH) will be recognized for not to exceed 1 hour.

Following the speech by the Senator from Idaho there will be a period for the transaction of routine morning business, with statements therein limited to 3 minutes. Following the routine morning business, the Chair will lay before the Senate the unfinished business.

## ADJOURNMENT TO 9 A.M.

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 9 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 29 minutes p.m.) the Senate adjourned until tomorrow, Friday, April 10, 1970, at 9 a.m.

## NOMINATION

Executive nomination received by the Senate April 9, 1970:

AMBASSADOR

Robert McClintock, of California, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Venezuela.

# HOUSE OF REPRESENTATIVES—*Thursday, April 9, 1970*

The House met at 12 o'clock noon.

Rev. William J. Peckham, First United Methodist Church, Green Valley, Ill., offered the following prayer:

We bow our heads today, our Father, acknowledging our dependence on You and our need for Your help and guidance. We confess the ease with which we tend to believe in ourselves and our wisdom, and the difficulty we often face in genuinely seeking to know Your will for us.

For these men and women who must make decisions today affecting the lives and destinies of many of our people, we ask for special help. Guard us all from confusing necessity with ultimate good. Save us from the pride of person, party, or position which might prevent us from being sensitive to the needs of all people.

We ask for Your particular blessing to be on all of our citizens—civilian and military—who are serving this Nation in positions of service and sacrifice throughout the world. May they, and may we, be responsible stewards of the duties and opportunities which are ours.

We pray for peace. We ask that You will enable us all to be peacemakers to bring reconciliation to an often divided and broken family of man. Finally, may Your will be done and Your kingdom come in us, and on earth, as it is in Heaven.

We ask this in the strong name of Jesus Christ, our Lord. Amen.

## THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3690. An act to increase the pay of Federal employees.

## PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE CERTAIN PRIVILEGED REPORTS

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file privileged reports on the following appropriation bills for the fiscal year ending June 30, 1971: the Office of Education appropriation bill; the legislative branch appropriation bill; and the Treasury, Post Office, and Executive Office appropriation bill.

Mr. BOW reserved all points of order on the bills.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

## LET THE KNIFE CUT BOTH WAYS

(Mr. SIKES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SIKES. Mr. Speaker, the Carswell case is ended. A tragic story has been acted out and the book is closed. It is a straight case of discrimination as ugly as any that has been witnessed in our times. The vote was not really based on qualification or fitness; the outcome was determined on the fact that Judge Carswell is a southern conservative. Some of the liberal and minority groups have the knife out for anyone who does not conform to their standards of judicial fitness; that is, anyone who does not subscribe to the sociological patterns established by the Earl Warren court. There are some who are still seeking revenge for the defeat of liberal Justice Fortas. The question now is: Who can be persuaded to accept the nomination and run the gauntlet of hatred and persecution which obviously awaits anyone other than a liberal?

It is to be anticipated that considerable time may elapse before there is another nomination. During the interim, it would be well to look into the fitness of those already on the Court. It has long been evident there is at least one prime candidate for impeachment. He is Justice Douglas. By his activities in and out of